

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 13th September 2017

The House met at 9.30 a.m.

[The Speaker (Hon. Muturi) in the Chair]

PRAYERS

Hon. Speaker: Order, Members.

Hon. Members, you now see the need for complementary mechanisms. We have established that we have quorum.

*(An Hon. Member crossed the
Floor without going to the Bar)*

Order! Who is this? It is never done like that here. Hon. Members, take your seats.

Hon. Members, I appreciate that we have not yet done the proper induction. I want to encourage Hon. Members to each get a copy of the new Standing Orders. You will find that some of the new inclusions are not very difficult to remember.

COMMUNICATION FROM THE CHAIR

CONDUCT OF BUSINESS IN THE CHAMBER

As some Members may be aware, since 2014, it has been our practice that a Member who wishes to contribute to debates or raise a point of order in the House would press the relevant button of the electronic gadgets installed on each sitting space. However, since this House only commences its regular sittings today, the Clerk of the National Assembly is currently making arrangements to have all Members' details registered into the electronic system and issued with chamber log-in cards. At the end, Members will use these cards to make interventions to speak, vote in divisions and raise points of order. Similarly, the Clerk of the National Assembly has also commenced the process of registration of all Members in the biometric system for purposes of recording your chamber attendance. This is in keeping with the requirements of Article 103(1)(b) of the Constitution. It is only after the completion of the exercise, which may take a few days that the system will be fully operational for use.

Hon. Members, in the meantime, a Member wishing to move a Motion, second, or contribute in debate or raise a point of order is advised to catch the Speaker's eye by rising in his or her place to speak. You are also advised to commence debate by mentioning your name and the constituency you represent for purposes of accurate HANSARD recording. Members with disability are exempted from this interim procedure and are advised to raise their hand or hands

from their places. Similarly, in the meantime, you will also be required to use the manual register for purposes of recording your chamber attendance.

I thank you Hon. Members.

Hon. Member, even as we proceed, it may be desirable for the benefit of new Members, to point out from the outset that the rules of the House are such that when the Speaker is on his feet, all Members are required to be seated, or if they are standing, to remain in their places and to freeze.

Further for the benefit of the new Members, a Member desiring to cross to either side of the aisle is required or advised to move to the Bar, bow and cross over to whichever side of the aisle he or she desires to go to.

PAPERS LAID

Hon. Speaker: Leader of the Majority Party.

The Member for Garissa Township (Hon. Aden. Barre Duale): Hon. Speaker, I beg to lay the following Papers on the Table of the House, today Wednesday, 13th September 2017:

The Report of the Auditor-General on the Financial Statements in respect of the following institutions for the year ended 30th June 2016 and the certificate therein:

Kenya Universities and Colleges Central Placement Service;

Public Procurement Regulatory Authority;

Commodities Fund;

Lamu Port, South Sudan and Ethiopia Transport (LAPSSET) Corridor Development Authority;

Tourism Finance Corporation;

State Department for Commerce and Tourism;

University of Nairobi Enterprises and Services (UNES) Limited;

National Hospital Insurance Fund (NHIF); and,

Rural Electrification Authority (REA).

The Report to Parliament on all loans contracted by the Kenya Government from 1st February 2017 to 30th June 2017.

Hon. Speaker: Thank you, Hon. Leader of the Majority Party. Hon. Members, if you look at your copies of the Constitution of Kenya, 2010, and specifically Article 108, you will realise that there is provision for leadership in the House. The Leader of the Majority Party or coalition of parties and the Leader of the Minority Party or coalition of parties are recognised in the National Assembly. For the information of the House and the country, my office is in receipt of names of the Leader of the Majority Party in the House, the Majority Whip, the Deputy Leader of the Majority Party and the Deputy Majority Whip. I am yet to receive communication designating any person as Leader of the Minority Party or coalition of parties, the Minority Whip and the deputies of both leadership offices. I, therefore, wish to encourage, at this moment, the party or parties that form the Minority to provide my office with the list of the persons that will occupy those positions for purposes of ease of communication in the House. As you know, Hon. Members, even when speaking in the House, priority is given to the persons that hold the positions of Leader of Majority Party or coalition of parties and Leader of Minority Party or coalition of parties forming the minority.

Leader of the Majority Party, I had actually noticed that in the list of documents, there is a Report of the Auditor-General on the Financial Statements in respect of a political party, to the best of my recollection.

Hon. A.B. Duale: I am sorry, Hon. Speaker. I do not know why I did not see it. One of the documents I tabled from the Auditor-General is on the Financial Statements in respect of the Orange Democratic Movement (ODM) – one of my old parties during my first term in Parliament.

Hon. Speaker: Yes, it is the Report of the Auditor-General on the Financial Statements of that political party. It is one of the documents that you have tabled.

Very well, let us proceed.

Hon. A.B. Duale: Hon. Speaker, the accounts of political parties and the National Government Constituencies Development Fund (NG-CDF) will now be handled by a special committee of this House called the Special Funds Accounts Committee. Therefore, political parties including my own Jubilee Party will be grilled on how they use public resources. My Secretary-General, Hon. Raphael Tuju, must not play some shenanigans in the accounts of our party. The same applies for the ODM and the other parties. Lucky enough, independent candidates have no party and, therefore, they will not use public resources.

NOTICE OF MOTION

THANKS FOR THE PRESIDENTIAL ADDRESS

Hon. A.B. Duale: Hon. Speaker, I beg to give notice of the following Motion:

THAT, pursuant to the provisions of Standing Order 24(6), the thanks of the House be recorded for the exposition of public policy contained in the Address of the President delivered on Tuesday, 12th September 2017 and laid on the Table of the House today, Wednesday 13th September 2017.

Hon. Speaker: Indeed, what the Leader of the Majority Party has said is correct. Some of you will remember the many hours the House sat here as we revised the Standing Orders. We created the Special Funds Accounts Committee (SFAC) at the same level as the Public Accounts Committee (PAC) and the Public Investments Committee (PIC) under Standing Order No.205(a), to be chaired by an Independent Member of Parliament. Therefore, I would want to encourage the Independent Members to begin lobbying among themselves as to who is going to chair that special committee. It is important. Even when Members are put in that committee, they should know that the chairperson must be an Independent Member of Parliament. As Members sponsored by political parties look at funds of political parties and reports from the Auditor-General, Independent Members will have an opportunity to grill leaders of political parties and hold them to account.

Next Order.

MOTION

APPOINTMENT OF MEMBERS TO HOUSE BUSINESS COMMITTEE

Hon. A.B. Duale: Hon. Speaker, I beg to move the following Motion:

THAT, pursuant to the provisions of Standing Order 171(1), this House approves the appointment of the following Members to the House Business Committee, in addition to those specified under paragraphs (a),(b), (c),(d) and (e)–

- (i) Hon. Amos Kimunya, EGH, MP;
- (ii) Hon. Shadrack John Mose, MP;
- (iii) Hon. Kawira Mwangaza, MP; and,
- (iv) Hon. Joyce Akai Emanikor, MP.

These Members are appointed from the Jubilee Party to the House Business Committee.

We expect the House to approve and agree with us. Among the four Members, there is Hon. Kawira Mwangaza, who is an Independent Member. This House has 14 Independent Members and nine of them, based on the region they come from, coalesce around the Jubilee Party. Therefore, they are our Members. That is why Hon. Kawira is representing Independent Members who are in Jubilee. The remaining five Independent Members, of course, know that their slot is with the Minority Party. Those specified under (a), (b), (c) and (d), who are automatic Members of the HBC, include the Speaker, who is the chair of that committee, the Leader of the Majority Party, the Leader of the Minority Party, the Majority Whip and the Minority Whip. Those are automatic Members. Their membership to the HBC needs not be approved by the House. It is based on the agenda. The HBC deals with the agenda of the House. The leadership from both sides of the House will be in that committee because they own the majority of the agendas that come to the House.

Hon. Speaker, the HBC is a crucial committee that sets the business and agenda of the House as provided under Standing Order No.171. I want to urge my colleagues, and more so the new Members, to make the Standing Orders and the Constitution part and parcel of their lives as we start the 12th Parliament. When they walk into the Chamber, they should make sure that they have copies of the Standing Orders and the Constitution. Those are the documents the Speaker will be referring to. The leadership of the House and any other Member moving a Motion will be referring to those documents.

The Standing Order No.171(5) states that the HBC shall prepare and, if necessary, from time to time adjust the Parliamentary Calendar with the approval of the House. Unlike those who were in this House during Mzee Moi's days when the calendar of the House used to be decided by State House, the calendar of this House is decided by Members themselves, under the guidance of the HBC. If we decide to adjourn this House for three months, in our own wisdom, we can decide it. The Executive does not control the calendar of the House.

One of the functions of the HBC is to guide the calendar of the House. Two, the HBC monitors and oversees the implementation of the House business and programmes. Everything the HBC decides will be implemented in the House or its committees. Three, the HBC will implement the Standing Orders respecting the scheduling of programmes of the business of the House and the functioning of the committees of the House.

Wednesday morning is for Private Members' Bills. If you are a Private Member and you want to have your Bill or Motion, Wednesday is the day set for Members on either side to deal with their matter. Tuesday afternoon, Wednesday afternoon and Thursday afternoon are for the Government and committees' reports.

The HBC also decides how reports shall be debated in this House. So, every committee, once it has completed its report and tabled it before the House, it is the HBC that says: "This week, it will be the report from the Departmental Committee on Health or the report from the

Public Accounts Committee.” This will be done on the priority of how they come to the House, namely, on first-come, first-served basis. The HBC also makes decisions and gives directives and guidelines on the priority of business. The committee can decide and have powers to say: “No, we will not debate your Motion, a Private Member’s Bill or a Government Bill based on some reasons”. Finally, the committee considers such matters, as may come from time to time, concerning the business of the House.

The committee has a membership of 12. Five are in the Standing Orders and seven from the general membership. The Jubilee Coalition has four Members as you see on the Order Paper. Our colleagues, the minority party or coalition party has three Members. The quorum is five. If they do not bring their names, the Committee will still sit. From now, the committee is going to sit and make decisions because it has four Members, plus myself to make five, my whip and the Speaker, which makes seven. We are past the quorum and so the earlier the better.

I can see the Chairman of the ODM and I am told he is the most likely candidate for the Leader of the Minority Party. I pray for you because you are up to the task. You have the capacity. You have the experience to lead that coalition. I also want to work with you. You know, after my twin brother was sent home, namely, Hon. Jakoyo Midiwo, we need to get another Jakoyo in this House. The closest person to Jakoyo is Hon. John Mbadi. If at all *Baba* is watching me, I just want to make a suggestion to him as a good citizen. We are citizens and good leaders. I want to ask *Baba*, who has sacrificed a lot for his party and contributed a lot for this party in the last parliaments, to please, consider with utmost respect, the candidature of Hon. John Mbadi as the Leader of the Minority Party so that our colleagues can bring the names this afternoon. We will approve the names.

Hon. Ganya: On a point of order.

Hon. Speaker: Hon. Chachu.

Hon. Ganya: Hon. Speaker, is it in order for the Leader of the Majority Party to canvass and campaign for one Hon. Mbadi to be the Leader of the Minority Party in this House?

Hon. Speaker: He is merely expressing his admiration of Hon. John Mbadi.

(Laughter)

I think there is nothing out of order with him admiring his good friend and colleague.

Hon. A.B. Duale: You know Hon. Chachu Ganya is the only single Member of a party called the Frontier Alliance Party. So, his party is not a parliamentary party within the reading of “a parliamentary party”. A parliamentary party must have five per cent of the sitting Members. So, Hon. Mbadi is part of my coalition and there is nothing wrong if one canvasses for a colleague. If Hon. Chachu was in ODM as he was in the last Parliament, I could still canvass for him.

With those many remarks, I ask my sister, who is new, to second.

Hon. Kilonzo: On a point of order.

Hon. Speaker: Hon. Charles Kilonzo, what is your point of order?

Hon. Kilonzo: Is the Leader of the Majority Party in order to purport that the HBC can sit down as constituted with four Members from one side when Members from the other alliance are not constituted and approved by the House? We know very well the issue of quorum comes only after the entire Committee is constituted.

Hon. Speaker: Well, Hon. Kilonzo, I am sure the few years you have not been around might have clouded your judgement on some of these issues.

But quorum is quorum of Members. That is the way it is defined. The Leader of the Majority Party has read to all of you the provisions of Standing Order No.171 about those that are automatic Members and the other seven who must be appointed by this sitting; by the House.

(Hon. A.B. Duale stood up in his place)

I thought you concluded.

Hon. A. B. Duale: Yes. I want to thank Hon. Charles Kilonzo. Welcome back to the House. He has been away from the 11th Parliament because he defied party leaders. But he is back here as an independent candidate. At least, he has proved that people can elect you as an independent candidate.

I will ask Hon. Cecily Mbarire to second and congratulate her for being nominated.

Hon. Ng'ongo: On a point of order.

Hon. Speaker: Let us hear the point of order by Hon. Mbadi.

The Member for Suba South (Hon. John Mbadi Ng'ongo): Thank you very much, Hon. Speaker. Let me take this opportunity, if you allow me, to quickly congratulate all the Members of Parliament. This is the first time I am addressing this House in the 12th Parliament. I congratulate all the Members who won their seats. I know it was not easy.

Having said that, my point of order is a follow up to what Hon. Charles Kilonzo has just raised.

I am aware that the HBC is a very important committee of the House. Without it, this House will not have an agenda or we cannot even have order to transact. Therefore, we need to seriously move with speed. I agree that we need to constitute this committee, but I am concerned with the remarks from the Leader of the Majority Party.

Before I go to that, I just want to let the House and the Chair know that the National Super Alliance (NASA) Coalition is having a Parliamentary Group Meeting at 10.30 a.m. today. Some of the issues we will be discussing will be with regard to the House leadership, the House committees and, certainly, the HBC will be part of the agenda.

Having said that, I wanted to raise a point of order regarding what the Leader of the Majority Party said. He has said that the HBC can transact business before the minority side brings their Members. I am even wondering why the majority side has decided to bring half or parts of the HBC membership before the minority engages to also bring their side. It is going to be the first time the HBC of this House will be voted for twice. I thought tradition always has it that we always have a full HBC which is approved by this House.

As I conclude, if my reading and understanding of Standing Order No.171 is correct, it says that there shall be a select committee, to be designated the House Business Committee, consisting of the names or the positions the Leader of the Majority Party read. Therefore, if you have part of this membership at the point of constituting the HBC, have you constituted the HBC? It is not the question of quorum; it is the question of constituting the Committee. We cannot purport to have constituted a committee when we have not followed to the letter the provisions of the Standing Orders. The Standing Orders state that the Committee shall have the Speaker, who is the Chairperson; the Leader of the Majority Party; the Leader of the Minority Party; the Majority Whip, the Minority Whip; and seven other Members. So, you cannot bring four Members and purport to constitute HBC. The Committee can only be constituted by seven other Members, including the Leader of Minority and the Whip of the Minority. Also, that must

be voted for by this House. The Committee cannot start transacting any business until it is properly constituted.

Indeed, that is my point of order. We cannot have a HBC until the Minority Coalition, which is NASA brings in its members, including the Leader of the Minority Party, the Whip of the Minority Party and three other members from the Minority side. I rest my case.

I urge the House and the Leader of the Majority Party to hold their horses. We will approve the names. We have no problem, but let us do it procedurally when the Minority Coalition shall have agreed on the names of the Members to be included in the HBC.

Thank you very much, Hon. Speaker.

(Loud consultations)

Hon. Speaker: Order Members! I do not even require your assistance on this matter. It is so simple. You see, it is business of the House, but Members are also at liberty to do other things, including sitting in something styled *Bunge la Mwananchi*. This House, under my watch, will not be held hostage by Members or parties that do not want to participate, or are exhibiting indolence.

(Applause)

Hon. Mbadi, you have just said something very crucial, that your party or coalition of parties is about to hold a parliamentary group meeting to select the names of Members to the HBC. Does that mean that the other parties will not transact business in the House until such a time that you would have made decisions?

(Applause)

Members took oath here on 31st August and it is the expectation and, indeed a requirement that the parties then must have begun consultations that lead to the appointment of this very crucial Committee. All that you are saying in your argument, which I do not think is a point of order, is that you are late and you want to be allowed to go and sit. There is absolutely nothing unprocedural in this House considering the names that have been presented. This is a Motion and you are at liberty--- If I understand you correctly, Hon. Mbadi, what you purported to be a point of order was an argument in opposition to the Motion. All you have done is oppose this Motion as presently presented by the Leader of the Majority Party. It is your right to oppose, although you have opposed with a request, or a plea to the membership of the House to allow your Coalition time to sit and provide names. That is all you have said. You are appealing to your colleagues to allow you some time. As you know, Hon. Mbadi, you consulted me a while ago that you are actually going to do this meeting.

(Laughter)

Indeed, that is commendable. You have been honest by saying you are going to do a meeting to give the House names. It is said that the early bird catches the worm. Even equity does not help those who sit on their rights. You may have been busy doing other things; that I appreciate. However, all that this requires or is telling you is that even as you do other things,

there is business to be transacted in the House and the House will not wait for those who decide to sleep. They say delay defeats equity. You can ask Hon. T. J. Kajwang' and he will tell you that, that is correct. He has just walked in but he knows that delay defeats equity. Your plea appears to be in equitable terms, but you see, you will be guilty of delay nevertheless. Hon. Members who have heard you will be at liberty to make a decision on the Motion.

The Motion has not been seconded. The Leader of the Majority Party had just requested that the Deputy Majority Whip seconds the Motion, after which Members will make a decision. It is not me to make the decision, but I believe the Members have heard you and they will make a decision based on whether what you said persuades them to go as you plead.

Hon. Mbarire.

The Nominated Member (Hon. (Ms.) Cecily Mbarire): Thank you, Hon. Speaker. I rise to second this Motion. I want to begin by congratulating the Members who have been proposed on this list from the Jubilee side of this House. We know these Members who are on the list. All of us know who Hon. Amos Kimunya is. He was the Deputy Leader of House Business in this very House and there is no doubt that with the experience he gained in the 9th and 10th Parliaments, he will do a good job in this Committee. We also have a renowned lawyer, Hon. Shadrack Mose, MP, who we also believe will do a great job for this House and for the nation.

May I also thank Jubilee Party for finding it fit to include the Independent MPs on the list. It has shown that our party believes in inclusion. We have a lady MP, Hon. Kawira Mwangaza who is very well known to me and I believe she will do a good job in this Committee. We also have Hon. Joyce Emanikor, a great legislator who knows her job and is obviously bringing into this House the map of Turkana County. We want to congratulate her. She is a Member of Parliament doing her second term. There is no doubt that the Jubilee Party has brought in great Members of Parliament. They will add value to this Committee and I hope that the Opposition Party, which is the minority, will give us good Members as we have done today.

Let me also say something concerning the issue of us having to wait. Indeed, you have provided a good direction. For the avoidance of doubt, this House was yesterday constitutionally opened by the President of the Republic of Kenya, who is Hon. Uhuru Muigai Kenyatta, to begin business. There is no doubt that what was done yesterday was constitutional and followed the law. It is our business as law makers to respect that law and start our business. Therefore, I would like to urge the minority side, to please bring their Members quickly into this Committee so that work may begin in earnest. We have a lot of work to do for Kenyans whom we represent in this House. There is no time to do politics. It is time to begin making laws, which is the main role that you play when you are a Member of Parliament. I urge Hon. Mbadi, whom I support to be the Leader of Minority Party. I also support the Leader of the Majority Party on that matter because we need somebody we can engage with well. I believe he will do a good job as the Leader of the Minority Party. I urge that you handle this matter quickly in your Parliamentary Group meeting. Bring forward your names and we will support them. We will ensure that this House continues to run its business as usual. Parliament is a very important arm of Government that must continue to operate. Yesterday, the President said that we must ensure that Kenya runs despite the politics. I, therefore, thank the Chair for making it very clear that you will not allow anybody to stop the business of this House from being transacted.

With those remarks, I second.

Hon. Speaker: Order, Hon. Members. For the new Members, a Motion that has been moved and seconded must be proposed from the Chair.

(Question proposed)

Hon. Members: Put the Question.

Hon. Speaker: I see the Member for Kiminini is burning to say something. Hon. Members, this Motion has just been read out by the Leader of the Majority Party and seconded by the Deputy Whip of the Majority Party. It is only fair in keeping with our rules that the Speaker must look at the two sides of the House. I can see the Member for Eldas is burning to say something, but let us first give the Member for Kiminini a chance to say something.

The Member for Kiminini (Hon. Chrisantus Wamalwa Wakhungu): Thank you, Hon. Speaker, for giving me this opportunity.

First and foremost, I want to congratulate Members for being elected to this 12th Parliament. More importantly, I congratulate you for being elected the Speaker of the 12th Parliament and I wish you well in your future endeavours.

(Applause)

Before I say anything, I want to also thank the great people of Kiminini for electing me back with a landslide for the second term.

The House Business Committee is very critical as far as running the business of this House is concerned. Last time I was an active member of the committee; we worked very well. I have no doubt that the Leader of the Majority Party knows that we want inclusiveness. I want to thank you. The most important thing I want to put across is that we want to start in the spirit of teamwork. On our side as the NASA Coalition, it is true that we are meeting at 10.30 a.m. I am praying that by the end of the day we will get our list. So as we try to approve the list from the Jubilee side, I am requesting that we wait for the team from our side so that we start this House in the spirit of teamwork.

(Applause)

When you look at the letters of the word “TEAM” in teamwork, they mean “together everyone achieves more”. As Jubilee tries to achieve more, the NASA side also wants to achieve more. So it is my humble request that as we sit in this honourable House, we debate maturely, objectively and legislate together for the benefit of the people of Kenya. We will not be in this House for long.

I take this opportunity to inform Members from the NASA side that as I move out, they should follow me so that we go to the parliamentary group and conclude very quickly so that we come back.

(Laughter)

Hon. Speaker, you know I have been a whip in this House and a member of the HBC.

The Member for Igembe North (Hon. Richard Maoka Maore): On a point of order, Hon. Speaker.

Hon. Speaker: There is a point of order from the Member for Igembe North.

The Member for Igembe North (Hon. Richard Maoka Maore): Hon. Speaker, I think we need your guidance and ruling over this kind of behaviour. Standing Orders provide for what

is being said or what is being done, but there is some problem when it comes to guiding us on what is being observed, but cannot be documented. If you noticed what happened with the other two Members who were there, after consulting you, they checked out. This one wants to contribute and wants to invite others to check out, and they want us to obey or agree to their plea.

My proposal is to invite the Speaker to go to Standing Order No.1. It did not anticipate a hitch in constituting this committee whereby the political behaviour of the minority leadership would be used in the constitution of the committee. Since they want to derail--- I do not want to get into the judgment of what is being intended.

Hon. Speaker, the House was constitutionally opened yesterday. There was adequate notice about this Sitting; we cannot proceed with business if we do not have the HBC and everybody knows that. By the time we adjourn, there is nobody who can ask us to come back; to do what? We must do the first business of the House, which is to constitute the House Business Committee. That Committee will set up the business that we will transact in the afternoon.

(Applause)

When the committee is constituted by the names that have been presented, it will have a quorum. Quorum does not make reference to all those things he is saying. It is for them to know they need to play a role. When they come in, they will bring their names and we are going to pass them. For now I want to invite you to use Standing Order No.1 and rule that we proceed without making reference to those sideshows.

Hon. Speaker: I would rather encourage Members to appreciate that when one Member rises on a point of order then you also want to rise on a point of order, it is wrong, it violates our rules.

About what Hon. Maoka Maore has said, as long as we are in obedience to not just our Standing Orders, but more critically, Article 121 of the Constitution on quorum of this House, business will be transacted.

(Applause)

The Member for Kiminini is also at liberty to make the pleas he is making. Those are pleas, he is just pleading. He is right to plead. In fact, he needs a lot of these pleas.

Hon. Wakhungu: Thank you, Hon. Speaker. I used to hear about Hon. Maoka Maore when I was still in high school. I want to welcome him back.

I want to note that I was not requesting for adjournment. I was just bringing in the spirit of teamwork. There is no given time--- I am conversant with Article 121 of the Constitution in terms of quorum, where this House needs 50 Members and the Senate should be 15.

The Member for Cherangany (Hon. Joshua Serem Kutuny): On a point of order, Hon. Speaker.

Hon. Speaker: There is a point of order from Hon. Joshua Kutuny, the Member for Cherangany.

Hon. Members, some of you appear to have cards.

The Member for Cherangany (Hon. Joshua Serem Kutuny): Asante sana, Mhe. Spika, kwa kunipa fursa hii. Kulingana na ratiba ya Bunge baada ya kuchaguliwa, ratiba iko sambamba. Ni bayana kwamba tunapokuja Bunge, kuna masharti yake. Mhe. Jirani wangu, Wamalwa

ambaye namuombea Mungu, miaka ijayo sijui kama atakuwa gavana wangu, ana tajriba yake ndani ya Bunge...

(Loud consultations)

Kuhusu hoja ya nidhamu---

Hon. Speaker: Do not respond to noises.

(Laughter)

Mhe. Wamalwa amesema kwamba ratiba, tabia na kanuni za demokrasia ni kwamba pande zote mbili zingefikiana kwa uzinduzi na utengenezaji wa kamati itakayosimamia ratiba na biashara ya Bunge. Tatizo kubwa nikwamba wako kwa maruerue ya mungwana wao na ukiritimba. Wamefungwa minyororo na wakubwa wao.

(Laughter)

Walisema ya kwamba hawatakuja kuapishwa lakini walijua kwamba sheria inafuata mkondo wake, walikuja hapa kuapishwa. Jana walisema kwamba hawatahudhuria Bunge kwa sababu Rais si halali, lakini wamegundua kwamba Rais ni halali na yuko ndani ya mamlaka. Kwa hivyo, nataka kuwaeleza kwamba tatizo sio ndani ya Bunge ama Rais, lakini ni kwamba wana matatizo wao wenyewe. Hawajaelewana nani atakuwa kiranja wa wachache ndani ya Bunge. Matatizo yao wasituletee sisi. Tuko tayari kuendeleza kazi yetu. Kwa hivyo, nyinyi mtatue matatizo yenu na mkisha maliza muendeleee.

Mwisho, uwapatie wosia kwa sababu wengi ni wachache. Iwapo hawataleta wale watakaowakilisha, sheria na kanuni za Bunge hazisimami. Tutaendelea na kazi. Wao wajue kupitia kwetu sisi wengine wakiona kamba tunaruka kwa sababu tuliwahi umwa na nyoka. Kichapo kitawapata. Hamjachaguliwa kwenda kuabudu mtu bali kuhudumia wananchi. Sisi tunataka Bunge liendelee. Kwa hivyo, hoja ya nidhamu kwa wote walioko kwa Upinzani ni kwamba hamtasimamisha ratiba ya Bunge kwa matatizo yenu wenyewe.

Ahsante, Mhe. Spika.

(Applause)

Hon. Speaker: Member for Kiminini.

Hon. Wakhungu: Hon. Speaker, I was still on the Floor.

An hon. Member: You are taking too long.

Hon. Wakhungu: Hon. Speaker, I am concluding.

Hon. Speaker: Let us get contributions in support or opposition to the Motion, so that we can move forward.

Hon. Wakhungu: Thank you, Hon. Speaker. It is true the House Business Committee (HBC) is very critical. As we congratulate Members who have been nominated to this Committee, it is important to address absenteeism. I know we have so much business to transact. As a Member of the HBC, you need to be very committed. Having been a member, you know very well that the HBC takes care of the daily operations of this House. For those Members who have been nominated, it is indeed important to pay attention in terms of observing time and

presence. Otherwise, if we have a lot of absenteeism, it will affect the business of the House. There is a positive correlation between the operation of the HBC and the entire House.

I thank you, Hon. Speaker. I hope that you will give us time to bring our names before we start the first Sitting.

I support the Motion.

Hon. Speaker: Member for Kamukunji.

The Member for Kamukunji (Hon. Yusuf Hassan Abdi): Ahsante sana, Mhe. Spika. Kwanza, nachukua fursa hii kuwapongeza Wabunge wote ambao wamechaguliwa na wananchi. Nataka kusema kwamba Bunge ni nguzo muhimu katika uongozi wa nchi yetu. Lazima tushikilie hiyo kwa nguvu na tuhakikishe kwamba tunawakilisha umma.

(Loud consultations)

Hon. Speaker: Order, Members. Those who are withdrawing for whatever purposes, you still must observe decorum. I just reminded you that we are not in the outfit called *Bunge la Mwananchi*. This is the National Assembly of the Republic of Kenya.

Proceed, Hon. Hassan.

The Member for Kamukunji (Hon. Yusuf Hassan Abdi): Mhe. Spika, nataka kuwapongeza Waheshimiwa waliochaguliwa na umma na kutupatia fursa ya kuwakilisha Kenya katika Bunge hili la 12. Nikiongezea sauti yangu kwa wale wengine, tuendelea na kazi zetu. Tumechaguliwa kama Wabunge. Tuwaachie hawa wakereketo wakubwa wakongwe waendelea na mambo yao huko Kibera na Kamukunji Grounds. Kazi yetu iwe kutimiza wajibu wa kutunga sheria, kuwakilisha wananchi wetu katika Bunge hili na tutimize kazi yetu kama tulivyoletwa hapa na wananchi.

Ninajua ya kwamba watu wengi watauliza swala la demokrasia. Maana ya demokrasia ni kwamba unawakilisha wananchi wa Kenya, na umechaguliwa kihalali katika Bunge hili. Sisi wote tumechaguliwa. Sasa kazi ambayo wananchi wa Kenya wanataka ni kutimiza wajibu wetu. Kesho utakaporudi katika eneo la Bunge ulilochaguliwa, hawatakuuliza kama ulisimama Kibera ama Kamukunji Grounds ukazungumza. Watakuuliza umefanya nini, umetunga sheria gani na umefanya kazi gani katika Bunge kuajibika kuchaguliwa tena.

Mkumbuke kwamba, demokrasia tuliyonayo tumeipigania kwa miaka mingi. Wengi wetu tumekuwa uhamishoni, wengine wamekwenda jela na wengine wamefariki ili tupate haki ya kupata kuwakilisha sawa sawa wananchi wa Kenya. Kwa hivyo, lazima tushikilie na tupigania hiyo haki, tuindeleze mbele na tuhakikishe kwamba tunatumia Bunge kubadilisha mambo tunayotaka kuyabadilisha, tutengeneze mambo yanayohitajika kutengenezwa, tutunge sheria za haki na tuendeleze nchi yetu pamoja.

Nawasihi ndugu zetu wa Upinzani wasione kwamba Kenya ni ya vyama na mikoa. Kenya ni nchi moja na tunahitaji kuwa pamoja tushikane pamoja tuipeleke mbele. Mnapoenda kutafuta mzozano, mnaumiza uchumi wa nchi yetu. Mkienda kuzozana, mnaumiza umoja wa nchi yetu. Tupeleke Kenya yetu mbele na tujenge nchi yetu pamoja. Ikiwa mnataka kugeuza mambo, tuje hapa pamoja tuyageuze kidemokrasia na sio huko nje ambayo ni *extra-parliamentary activities*. Wawachie hao makereketo wakongwe wafanye hiyo kazi. Hawako Bungeni kwa sababu hawakuchaguliwa. Wao wakae huko na sisi tufanye kazi yetu tuendelea na hoja yetu na tuchague viongozi watakaoendesha kazi za Bunge, ili iendelea mbele bila kupoteza wakati.

Ahsante, Mhe. Spika.

Hon. Speaker: As I said, I must balance when I am giving Members an opportunity to contribute. Some of you are old, young, short, tall *na mambo ya jinsia*. Naona mmesimama wengi sana na wengine wameinua mikono. Mhe. wa Imenti ya Kusini.

The Member for South Imenti (Hon. Kathuri Murungi): Ahsante sana, Mhe. Spika. Pia nitaomba kuongea kwa lugha ya taifa kwa sababu ni vizuri tuikuze lugha yetu ya taifa. Kwanza kabisa, nakupongeza kwa kuchaguliwa kuwa spika wetu wa Bunge la 12. Pia, nawapongeza Wabunge wenzangu kwa kuchaguliwa.

Bila kupoteza wakati, Mhe. Mbadi alitoa hoja ya nidhamu na ukapeana mwongozo dhabiti ya kwamba hii Hoja itaendelea vizuri mpaka mwisho. Sidhani kuna haja ya hoja ya nidhamu tena kuuliza utoe uamuzi mwingine. Kwa hivyo, ningeomba tufanye hima kabisa tumalize hii Hoja iliyoletwa na Kiongozi wa Wengi Bungeni, ndio tuweze kuchagua hii Kamati. Nimeangalia haya majina yote manne na bila shaka nimeona wengine wamekuwa hapa kwa miaka mingi.

Mhe. Kimunya alikuwa Waziri kitambo na kwa hivyo anaelewa kabisa ni kazi gani inastahili kufanywa katika Kamati hii. Kuna Mhe. Shadrack Mose na Mhe. Joyce Emanikor. Mhe. Joyce Emanikor tulikua naye kwenye kamati moja katika Bunge la 10. Yeye ni mbunge ambaye anaelewa kazi ya kamati hii. Mhe. Kawira Mwangaza, pamoja nami, tuliwania viti vya uwakilishi bungeni bila ya kupitia kwa vyama vya kisiasa. Tulijisimamia kama baba na mama. Namshukuru yeye pia kwa kuwa amepata wadhifa wakushikilia nafasi katika Bunge la 12.

Mhe. Spika, wakati ulipoitisha kikao cha kuapishwa kwa wabunge, wenzetu walio wachache Bungeni hawakuamini kwamba hilo jukumu lingetekelezwa vizuri. Ulipoitisha kikao cha ufunguzi rasmi wa Bunge na Mhe. Rais, wao hawakuamini kwamba shughuli hiyo ingetekelezwa vizuri. Sasa wanakimbia hapa na pale, *“helter skelter”*, kwa sababu wameona kwamba Bunge na taasisi nyingine za umma nchini zinaendelea kufanya kazi, wawe Bungeni ama wasiwe. Nimefurahishwa na jinsi wote wanavyokimbia hapa na pale, na haswa Mhe. John Mbadi, ambaye huwa mgumu sana kwa mambo mengi. Leo nilimuona akimuomba Mhe. Spika ampe nafasi ili aweze kuyaleta Bungeni majina ya Wabunge kutoka mrengo wa Upinzani watakaohudumu kwenye kamati hii. Kwa hivyo, tutaendelea kuijadili Hoja hii. Watakapoleta majina yao, tutaongea kwa masaa mawili halafu tuifanyie mabadiliko Hoja hii ili tuyaongeze majina hayo. Kwa hivyo ninashukuru.

Nikimalizia, nawashukuru wakazi wa South Imenti kwa kunipa nafasi ya kuwakilisha tena katika Bunge la 12. Ninawahakikishia kwamba nitawafanyia kazi bila ya kuchoka mpaka miaka mitano iliyosalia ikamilike.

Ahsante sana, Mheshimiwa Spika.

(Several hon. Members stood up in their places)

Hon. Speaker: Let us have the Majority Whip, hon. Members. I told you to continuously keep on looking at the Standing Orders. The Whip of the Majority Party cannot be on his feet and fail to catch the Speaker's eye.

The Member for Mumias East (Hon. Benjamin Jomo Washiali): Honestly, they will be learning with time, Hon. Speaker.

Hon. Speaker: If there was a Minority Whip, he would have caught the Speaker's eye very fast. However, since the minority party is leaderless, we just leave it that way.

Hon. Washiali, proceed.

The Member for Mumias East (Hon. Benjamin Jomo Washiali): Thank you, Hon. Speaker. Before I support this Motion, I want to sincerely congratulate you for being elected the Hon. Speaker again. I enjoyed your leadership in the 11th Parliament. I am sure that even in the 12th Parliament, I am going to enjoy it. I used the words “sincerely” because I heard my colleague and friend, Hon. Chris Wamalwa, congratulate you and I wondered how since he was not in this Chamber when we elected you. How would he come to congratulate you when he did not play any role in your re-election? You were elected by 220 Members of Parliament (MPs) out of 221. You lost only one vote, and I have been wondering the person who did not vote for a Speaker with a record like yours. I also congratulate the hon. Members who have been elected to the 12th Parliament. I would like to use this opportunity to welcome the Members who have been elected to Parliament for the first time.

You have seen our colleagues from NASA walk out. That is something you ought to get used to because this is what had been going on during the 11th Parliament. They kept walking out and back but that has not stopped us from proceeding with the business of the House. Therefore, try to get used to this phenomenon. I am sure someone is controlling them from somewhere.

As a way of introduction, I would like to remind Members that I am now the Chief Whip of the Majority Party.

(Laughter)

You need to get to know my number and name because I will be a very critical Member of this side of the House. As Members of the House from the Majority side, we must move together as a team, so that we fulfill our mandate of passing Bills that will enhance what our Presidential candidate has been saying out there. Otherwise, I support this Motion and the membership of the HBC as it appears in the Motion. These Members have been carefully selected. I was part of this process and would like to say that the names were carefully selected to reflect the face of Kenya. The other names that you are not seeing here belong to representatives who come from other parts of Kenya. Therefore, I support and request other Members to support these names so that we can have the HBC in place.

Hon. Speaker: *Wacha tuzingatie maswala ya kijinsia.* Let us have the Hon. Member for Murang’a.

The Woman Representative for Murang’a County (Hon. (Ms.) Sabina Maitu Wanjiru Chege): Thank you, Hon. Speaker. At the outset, I thank the people of Murang’a County for giving me a second chance to serve them in this House.

I support the Motion. I thank the Leader of the Majority Party and the team that thought through the names. As women of this nation, and from yesterday’s Presidential Address, we appreciate that women are now more involved in leadership in this country. Even in the HBC, we have two ladies, including Hon. Joyce Emanikor, who are second term MPs.

In order for the Jubilee Party to walk the talk, we are all inclusive and have involved the Independent Members of Parliament. Though I can see a few Members from the other side of the House, it is sad that they had to wait for us to start the business to come. It is high time that they learnt. Kenyans need to start watching out because we were all elected to represent our people in this House. We are all eagerly waiting to start the business.

Hon. Speaker, I congratulate you for being our Speaker. You have previously done a good job. We look forward to this House working together. Those who want to go to Kibra or participate in “*Bunge la Mwananchi*”, I do not know where they want their Parliament to be. It is

high time they learnt that we are not waiting for them. As you can see, we have enough quorum. All we can promise Kenyans, as Jubilee, is that we are ready for business. We went out and promised to work for them. We are ready to work through this House. The 12th Parliament will be stronger. The people who initially thought that they can go against this House should know that we are now even stronger. We are telling them that this House means business. Once the HBC team is constituted, we will be ready to do the business that we were sent to do by the citizens. There is no vacuum in this nation. We look forward to our President's election being confirmed by the power of the people on 17th October, and business will go on as usual.

With those remarks, I support.

Hon. Speaker: Hon. Members, I just want to remind myself that at the beginning of the 11th Parliament, I was accused of only giving the Floor to those whom I knew by their names because of their longevity.

Therefore, let me pick a Member whom I do not know. Is the Member seated next to Hon. Wario, Hon. Didmus? Yes, it is. Next time, I will not ask for your name. That is the way I am.

The Member for Kimilili (Hon. Mutua Didmus Wekesa Barasa): Thank you, Hon. Speaker, for giving me this opportunity and also for being firm because the activities of this House cannot be held to ransom by Members of the Opposition. We are here to serve Kenyans and we are serious. If they are serving their party leaders, I think they can do so elsewhere like they did yesterday in Kibera. We are here to serve the interest of Kenyans. All they want is to show that they can hold this country to ransom. By us not allowing them and proceeding with the business of the House, we are simply telling them that what they are engaging in amounts to disenfranchising this country, and it is an exercise in futility. We must move forward and approve these names so that the business of this House can continue as usual.

Thank you, Hon. Speaker.

Hon. Speaker: Very well. There is another Member who I may not know her name. The lady seated next to Hon. Walukhe. Is that Hon. Sophia Abdi? Today, you are dressed in a manner that I am not able to identify you. I thought you were a new Member.

The Member for Ijara (Hon. (Ms.) Sophia Abdi Noor): Thank you, Hon. Speaker. I would like to take this opportunity to congratulate all the Members who were elected by the good citizens of this nation. Hon. Speaker, more so, I want to congratulate you and the Leader of the Majority Party who comes from my county.

I support this Motion 100 per cent. I also want to thank the people of Ijara for making history by electing me as the first female Member of Parliament in my constituency.

(Applause)

There is no vacuum in this country. We have laws and the Constitution. I am very happy for being among the framers of the Constitution, which I respect and that is why I stand here to support this Motion. There are those who think there is a vacuum in this country and that we have given it to the dogs. We have not given this country to the dogs. As a proud citizen of this country, I can say that we do not have any vacuum. All the three arms of Government are functioning, that is, the Executive, Judiciary and Legislature. We were all sworn-in inside this House, including Members of the Minority Party. It is unfortunate that they are engaging in side shows outside there when Kenyans have sent them to this House.

There is a saying that: “Noises from frogs do not stop cows from drinking water.” Those noises will not stop Parliament from doing its work. We are here to do our work and we will continue. If they want to come, they are free to do so. They can also stay out there and we will continue with our work. We have the will of Kenyans who have given us the responsibility and mandate to represent them in this august House. We are running late and we want to start working for the people of this nation. We cannot be stopped by the croaking of frogs out there.

Thank you, Hon. Speaker.

(Laughter)

Hon. Speaker: Hon. Sankok.

The Nominated Member (Hon. David ole Sankok): Thank you, Hon. Speaker. I want to start by congratulating you for being elected the Speaker of the National Assembly.

Hon. Speaker: For purposes of being captured in the HANSARD, I am reminded you should state your full names.

The Nominated Member (Hon. David ole Sankok): I want to congratulate the Leader of the Majority Party, Hon. Aden Duale for being a very good leader. I congratulate all the Members for having been elected to this House. Also, I congratulate the Majority Party for making sure that the country is moving despite the fact that there are evil forces against it.

I support this Motion despite the fact that part of this House has been held to ransom by an elder in the name of a principal. Therefore, as a House, we need to move forward and make sure that the names which have been proposed are passed. For those who want to bring their names later, they can do so next year, after three years or at the end of our term. The House Business Committee should start its duties as early as this afternoon.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Members, you should also appreciate the fact that there is ranking. You will be told about this next week when we retreat. Let us listen to the Member for Eldas.

The Hon. Member for Eldas (Hon. Adan Wehliye Keynan): Thank you, Hon. Speaker. I want to take this opportunity to thank the Almighty *Allah* for having given me another opportunity to be a Member of the 12th Parliament. Secondly, I want to use this opportunity to thank all the Members who were elected because in my mind, I know that one of the most difficult things to do is to seek votes from the public. Therefore, I want to congratulate all the Members for having got the nod of your respective constituents. I hope you will add value to the true meaning of representation.

Hon. Speaker, I also want to take this opportunity to congratulate you for having been re-elected. The 11th Parliament was a transitional one because it came in immediately after the promulgation of the new Constitution. I want to appreciate and echo that, in the last two decades, the number of Members of Parliament who were re-elected from the 11th Parliament was almost 38 per cent of the membership. That is a clear demonstration of competence by the public. In the past, it has been about 15 per cent. As it is now, 38 per cent of the Members who served in the 11th Parliament have been re-elected. I hope by the time our term comes to an end, *Inshallah*, 50 per cent or 60 per cent of those who are here will be re-elected.

Having said that, we are truly the elected representatives of the people of Kenya. When I read Articles 94 and 95 together with Article 1 of the Constitution of Kenya, I asked myself whether we really believe in the constitutional order of this country. What we saw yesterday was not very good. I want to appreciate what the President echoed that, at any given time, the three

arms of the Government, that is, the Executive, Judiciary and Legislature must work together. In terms of order, we need to agree which one is the first. I think yesterday's event was expected. It is within the confines of the powers of the President to come and officially open Parliament and that is exactly what happened.

We must also appreciate that we have a premier country called Kenya. The oath of office which we took the other day is meant to reaffirm our commitment to the constitutional order of the Republic of Kenya. Therefore, as the people's representatives, we must be prepared to jealously protect, promote and project the image of Kenya as a premier nation. This country is second to none.

We also have Standing Orders. I saw the argument by my former chairman, Hon. Mbadi. I must say that at one time in the 10th Parliament, there were only two Backbenchers who were members of the House Business Committee. It was Hon. Khalwale and myself, who were first appointed. Previously, it used to be a club of senior ministers. Not even ministers but senior ministers. When we were appointed, the assumption out there was that Hon. Khalwale and Hon. Keynan would actually find their way into the Cabinet, but that did not happen. We finished our term as two senior Backbenchers who served in the HBC. That was the time of the *nusu mkate* government. Hon. Amos Kimunya, who was a very powerful Minister for Finance, was the Deputy Leader. His appointment brings a bit of professionalism and institutional memory. I know we will, very soon, confirm these appointments. The other bit will come afterwards. Once we confirm these appointments, can the Committee sit? The Committee can sit. Standing Order No.171(5) talks about the members. Some are as a result of the provisions of Article 108 of the Constitution, which talks about the leadership and how they are to be appointed.

At this juncture, I want to thank the President and the Deputy President, and the entire leadership of the Jubilee Party, for having found it wise to reappoint Hon. Duale as the Leader of the Majority Party. I also thank the party for appointing Hon. Washiali, a good friend of mine; Hon. Cecily Mbarire and Hon. Jimmy Angwenyi. Indeed, looking at the faces of this group, I would say that every Member here is actually the best as far as the electorates are concerned. These are senior members who have been here previously. I am sure they will guide us properly when it comes to doing our work as expected.

Finally, let us not introduce politics. Let us do politics in our villages but when we come here as parliamentarians, we must be prepared to do four things: We must be ready to represent our people, to legislate and to provide oversight and, in addition, to engaging in something called "Parliamentary Diplomacy", which is in the making. Each one of us here, in our own right, will be expected to be an ambassador of the Republic of Kenya through your electorate. Therefore, this is not a mean achievement. Let us pass this Motion so that this Committee can give us business to do. This Committee is the mother of all Committees. After we form it, the next thing they will do is to generate business. Therefore, it means those who are opposed to these names have a hidden agenda – not to have the House generate business.

I want to conclude by saying that this is a critical moment for our country because what happened the other day at the Supreme Court is unprecedented. The way we responded to the Supreme Court ruling is also unprecedented. I observed two things: a comment from a senior writer from *The Economist* and some news analysis from the Cable News Network (CNN). In both cases, the expectation was that on the particular day that the Supreme Court made that pronounced, we would fight and there would be chaos. That did not happen. Kenya is a resilient nation. The President yesterday said that we should not take our democracy for granted. Look at the history and the geo-political state in this region. Look at Somalia. I do not want to mention

other countries. Look at the state of things. This country is an infrastructural, security, humanitarian and transport hub for the regions. Kenya is also an economic giant in this region. This is something all of us must jealously protect.

I support this Motion.

Hon. Speaker: Member for Yatta.

Hon. Gikaria: On a point of order, Hon. Speaker.

Hon. Speaker: Hon. Kilonzo, there is a point of order from the Member for Nakuru Town East.

Hon. Gikaria: Thank you, Hon. Speaker. I rise on Standing Order No.95. Looking at the people who are rising to contribute, I appreciate that everybody would want to put his voice on record on this matter. However, listening to your advice, and considering what the Leader of the Majority Party said earlier on, this is a very crucial Committee that needs to deliberate on matters that will be discussed from this afternoon, going forward. I wish to request that we close debate so that you can give direction and then the membership of the House can ask the Mover to respond. We will have an opportunity to contribute to debate in this House for the next five years. Therefore, I request that we close this debate so that we can have the afternoon session beginning on time.

Hon. Speaker: Is your point of order that the Mover be called upon to reply?

Hon. Gikaria: Exactly, Hon. Speaker.

Hon. Speaker: Member for Gilgil, I know that in the other House, you may not have been used to this kind of scenario. We are very strict in this House. When a Member has risen on a point of order, you must wait for that point of order to be responded to, or addressed from the Chair. Those are the rules. Hon. Gikaria rose in his place and claimed to move that the Mover be called upon to reply for the various reasons that he explained. However, if you have a look at the proposed tentative business, a lot of the issues that you are raising will best be addressed if this Committee meets and provides business for this afternoon so that we can debate the President's Speech, in respect of which notice of Motion was given by the Leader of the Majority Party earlier this morning.

Some of the many issues that you are raising tend to be, strictly speaking, out of the Motion. This is just for guidance. The Motion is on appointment of the members listed therein to the HBC. You are saying very many useful things. What Hon. Keynan has spoken about is very useful. What Hon. Maore and Hon. Sophia, and many of you, spoke about is also very useful. However, most of it belongs to the domain of the debate on the President's Speech. It is only fair we all understand that, if you do not approve this Committee right now, there will be no business for this House to transact in the afternoon. Of course, the decision is yours.

Do I put the Question?

Hon. Members: Yes!

Hon. Speaker: Hon. Charles Kilonzo, I am sure you will be saying very useful stuff.

The Member for Yatta (Hon. Charles Mutavi Kilonzo): Thank you, Hon. Speaker.

Hon. Speaker: After Hon. Kilonzo's contribution, I will put the Question so that you can make your decision, Hon. Members.

The Member for Yatta (Hon. Charles Mutavi Kilonzo): At the outset, let me thank the people of Yatta for having found it fit for me to serve them for the third term. I feel honoured. At the same time, I wish to congratulate all Members of Parliament for having been elected to the 12th Parliament and, of course, thank you for having been elected as the Speaker of this House. That said, I wish to say that it is very crucial indeed to have this Committee in place as fast as

possible. However, in future, it is very important when names are brought to this House, we are given some “meat” on the names. We need curriculum vitae for each person. We need to know who these people are. It is good practice. We are not supposed to approve names blindly. It has been the practice of this House for many years to always give as many details as possible in advance on individual candidates in order for Members to know who they are dealing with.

The other thing is that as much as we want to assume we are not politicians, we are here purely as politicians. The Leader of the Majority Party said that there are two sides of the House. However, there are three sides now. We have NASA, the Jubilee Party and other parties, and the Independent Members, including myself, who are not aligned to the Jubilee Party. My worry is one, and that is why I brought the matter earlier. My plea is that as we approve these names, we also approve the other names in whatever form they come. I am saying this because the Jubilee side can decide, after we approve these names, to never approve the names from the other side of the political divide because they have the numbers. In the spirit of team work, my plea is that whatever names NASA will bring, let us not frustrate them; let us approve them.

In conclusion, I was not there in the 11th Parliament, but I remember in the 10th Parliament, the House Business Committee did not give good service to the House. One of the problems they had was lack of quorum. I remember they used to hang around on the corridors looking for any Member who could give them quorum in the Committee. Let those Members who have been appointed be committed and not just think about Government business alone. Let them also consider Private Members’ Bills and Motions.

With that, I support the Motion.

Hon. Speaker: Hon. Charles Kilonzo, I am sure as you remember from your many years in the House, Standing Order No.85 prohibits Members from anticipating debate. If other names will be tabled, it will be by way of a Motion. Therefore, it is not permissible to anticipate what debate will happen. Members will be at liberty to express themselves in one way or the other regarding the additional names. Having listened to what both the Mover and Seconder said regarding some of the Members from the minority side, I do not think it is fair to anticipate rejection.

(Question put and agreed to)

ADJOURNMENT

Hon. Speaker: Hon. Members, that concludes the business that was available for consideration by the House this morning. The House will adjourn, but even as it does so, those that have been appointed to the HBC are requested to assemble in Committee Room No.9 in the next 15 minutes.

The House will resume today at 2.30 p.m.

The House rose at 11.04 a.m.