



REPUBLIC OF KENYA
THIRTEENTH PARLIAMENT – SECOND SESSION
THE NATIONAL ASSEMBLY
VOTES AND PROCEEDINGS
THURSDAY, MAY 04, 2023

1. The House assembled at thirty minutes past Two O'clock
2. The Proceedings were opened with Prayer
3. **Presiding** – the Honourable Speaker

4. **COMMUNICATION FROM THE CHAIR**

The Speaker conveyed the following Communications from the Chair –

(i) On the Annual National Prayer Breakfast, 2023

“Honourable Members, as you may be aware, the Bunge Prayer Fellowship Group shall host the 20th Annual National Prayer Breakfast on Wednesday, 31st May 2023 at the Safari Park Hotel in Nairobi. The theme of this year’s Breakfast is Reconciliation with God and with men as anchored in the Book of 2 Corinthians Chapter 5:18.

The Prayer Breakfast is expected to be attended by over 2,500 guests from our own country and also from across the world, including leaders from the political class, top Government officials, members of the Diplomatic Corps, the clergy, the business community and Kenyans from diverse backgrounds.

Honourable Members, this year’s Prayer Breakfast, just like the previous ones, is an inter-denominational prayer meeting organized by Members of the Bunge Prayer Fellowship whose membership is drawn from both Houses of Parliament. The Hon. Samuel Chepkonga, CBS, MP and Sen. Daniel Maanzo, MP are the Co-Chairpersons of the Fellowship.

Honourable Members, you are all invited to this very important event which shall provide an opportunity to meet and seek divine intervention for Kenya at such a time as this. Towards this end, Members are requested to confirm attendance with the Office of the Clerk by Friday, 26th May 2023 in order to facilitate seating arrangements. For orderliness, you will be issued with invitation cards to the event.

Honourable Members, you may contact Hon. Samuel Chepkonga, CBS, MP or Sen. Daniel Maanzo, MP, for any further clarification on the event. I thank you.”

(ii) On the Replacement of the Deputy Minority Whip

“**Honourable Members**, you will recall that on Thursday 13th April, 2023, I issued a Communication notifying the House that I had received a letter from the Minority Party through the Leader of Minority Party, Hon. Opiyo Wandayi de-whipping the Hon. Sabina Chege, MP as the Deputy Minority Whip. I also did inform the House that I had received another letter from the Member for Nakuru Town West Constituency, Hon. Samuel Arama, MP seeking the recognition of the Jubilee Party as a *parliamentary party* within the meaning

of the Standing Orders. You will also recall that during the particular sitting, I made reference to two letters dated 21st September, 2022 received from the Hon. Jeremiah Kioni who signed off as the Secretary-General of the Jubilee Party. The letters sought to notify the House of the leadership of the Jubilee Party and its nominee to the Speaker's Panel outside the framework of its Coalition. On account of the weight of the matter, I allowed Members to make general comments to inform my guidance.

Honourable Members, In the ensuing debate, several Members including the Leader of Majority Party, Hon. Kimani Ichungw'ah, MP; the Leader of Minority Party, Hon. Opiyo Wandayi, MP; the Deputy Minority Leader, Hon. Robert Mbui, MP; Hon. Sabina Chege, MP; Hon. Adan Keynan, MP, the Member for Eldas Constituency; Hon. Rachel Nyamai, MP, the Member for Kitui South Constituency; Hon. Gathoni Wamuchomba, MP, the Member for Githunguri Constituency; and the Hon. Zamzam Mohammed, MP, the Member for Mombasa County among others, weighed in on the matter.

Notably, **Honourable Members**, the Hon. Sabina Chege observed that her proposed removal from the position of the Deputy Minority Whip was contrary to Article 47 of the Constitution which grants every person the right to administrative action that is lawful, reasonable and procedurally fair. Additionally, the Hon. Chege was of the view that the proposed removal contravened Article 236(2)(b) of the Constitution which requires that the due process of law should precede any removal from office.

Honourable Members, I wish to inform the House that since reserving this matter for a considered ruling, my office has received further correspondence from the Jubilee Party signed by the Hon. Kanini Kega as the Acting Secretary General of the Party. In the correspondence, the Hon. Kega has conveyed certain changes to the leadership of the party, including the appointment of a new Party Leader. The letter raises issues on who the *bona fide* officials of the Party are. I note that the letter is copied to the Registrar of Political Parties who I trust will exercise her mandate as appropriate.

Honourable Members, from the foregoing, I have distilled the following three issues requiring my guidance—

1. *Whether the proposed removal of Hon. Sabina Chege as the Deputy Minority Whip is contrary to Articles 47 and 236 (b) of the Constitution on the due process of law;*
2. *Whether the proposed replacement of the Deputy Minority Whip complies with the Standing Orders of this House; and*
3. *Whether the Jubilee Party is a Parliamentary Party within the meaning of the Standing Orders.*

Honourable Members, at this stage I shall refrain from addressing the First Issue that I have isolated. This is because the Issue touches on matters falling partly within the mandate of the House, and partly within the mandate of other competent constitutional and statutory bodies. These bodies include the Judiciary, the Political Parties Disputes Tribunal and the Internal Dispute Resolution Mechanisms of political parties and coalitions.

Honourable Members, the centrality of the Bill of Rights in the architecture of our Constitution cannot be gainsaid. Indeed, human rights are one of the national values and principles of governance under Article 10 of the Constitution. Article 47 of the Constitution on the right to fair administrative action and Article 236(2)(b) of the Constitution which requires the due process of law to be followed before the removal of a holder of an office, finds their basis in the Bill of Rights. These rights accrue to every person, including Members of this House, and cannot be limited except in the manner provided for under Article 24 of the Constitution.

Honourable Members, whereas Article 22 and Article 165 of the Constitution confer the exclusive jurisdiction to determine the question of whether a right or fundamental freedom in the Bill of Rights has been violated, Article 3 of the Constitution obliges the Speaker to uphold, defend and respect the Constitution.

It is noteworthy that, under Article 20 of the Constitution, the Bill of Rights binds all state organs and persons. Pursuant to Article 21 of the Constitution, every State organ is under a duty to observe, respect, protect, promote and fulfil the rights and fundamental freedoms in the Bill of rights. In this regard, where a question arises touching on the possible violation of a Member's fundamental right or freedom, the Speaker cannot fold his arms and fail to act in blindness of the express requirements of the provisions of the Constitution that I have cited.

However, **Honourable Members**, as I have observed earlier, addressing this issue exhaustively requires the involvement of other competent constitutional and statutory bodies besides the Speaker. Whereas the Speaker may make interim interventions to facilitate the continuity of the business of the House, the final interpretation and enforcement of the rights and freedoms lies with the Judiciary as outlined under Article 165 of the Constitution.

Honourable Members, on the Second Issue, I note that Standing Order 20A(4) provides that a decision of a parliamentary party *replacing* its whip or deputy whip shall be communicated to the Speaker in writing. In the case of the Minority Party, the decision is to be communicated by the Leader of the Minority Party. Please note the emphasis of the Standing Orders on the use of the word "*replacing*". Further, Standing Order 20A(5) obligates the Speaker to convey the decision of a Party to *replace* its whip or deputy whip as soon as practicable following receipt of the decision.

Honourable Members, in most multi-party democracy jurisdictions all the over the world, party discipline is key to the very existence of political parties. It may rightly be said that without party discipline, the functionality of political parties and multi-party democracy would be prejudiced. Permit me to note that Standing Order 20A finds its basis in Article 4(2) of the Constitution which establishes Kenya as a multi-party democracy. Additionally, paragraphs (4) and (5) of the Standing Order on *replacement* of party whips are in line with the democratic right of parliamentary parties to enforce party discipline of its Members as provided for in the Political Parties Act, 2011.

Honourable Members, From a close reading of Standing Order 20A(4) and (5), it is evidently clear that the Azimio La Umoja One Kenya Coalition is fully entitled to discipline its Members and to determine the composition of its leadership in the House. The only condition to the exercise of this right is that it has to follow the process prescribed under Standing Order 20A.

Honourable Members, during yesterday's afternoon sitting, the Leader of the Minority Party submitted that the Speaker should not be seen as interfering with the manner in which a parliamentary party elects to organize its affairs. I cannot agree more. Indeed, this the accepted practice, particularly in the Commonwealth.

Honourable Members, an examination of precedents from Parliaments in comparative jurisdictions lends itself to the adoption of a delicate approach in resolving internal party matters in the Chamber of the House. In New Zealand, the arrangements for the appointment of whips are internal matters for the respective parties to determine on condition that the Speaker is advised of the appointment of whips. (*Parliament of New Zealand, Standing Order 35(1)(b)*).

Similarly, in South Africa, the the National Assembly of South Africa was recently confronted with a leadership and decision-making dispute in the Pan Africanist Congress of Azania (PAC). In the matter, PAC had one seat in the National Assembly, which was filled by the nomination of Hon. Mzwanele Nyhontso who had already been sworn in as the party's representative in the House.

Subsequently, **Honourable Members**, a dispute arose within the PAC regarding its leadership and there was uncertainty about communicating the membership of Hon.

Nyhontso and, consequently, who should represent the party in the National Assembly. The guidance provided to the House by the Speaker was as follows, and I quote, —

- (a) *the Speaker has no authority to adjudicate internal party disputes about membership to the National Assembly or its leadership;*
- (b) *neither the Speaker nor the House gets involved in party political matters;*
- (c) *it is neither for the Speaker nor a House of Parliament to decide which is the legitimate leadership structure of a political party;*
- (d) *it would be incorrect for either the Speaker or House to recognize one structure as the legitimate leadership of ...a political party... (The PAC) over another.*

Honourable Members, you will agree with me that the foregoing guidance of the Speaker of the South African Parliament is relevant to the questions that confront us today, including the question of which formation of the Azimio Coalition or the Jubilee Party the Speaker should recognize in this House.

Honourable Members, The determination of political party disputes is best left to the competent authorities outside of Parliament as envisaged by the law. This House passed the Political Parties Act whose provisions you are all aware of. The House, or indeed the Speaker, ought not to be called upon to arbitrate party matters. In the case of party leadership in the House, the Speaker only communicates party decisions as received through the authorized persons. It should not be lost to us that the question of who the authorized persons are with respect to the Jubilee Party is one of the issues lingering.

Honourable Members, Party Whips are and have been an invaluable cog to the continuity of parliamentary business. Erskine May, a renowned authority on Parliamentary Procedure notes that, and I quote, “*The efficient and smooth running of the parliamentary machine depends largely upon the Whips*”. Erskine May further outlines the nature of the duties undertaken by whips that makes them deserving of this lofty status. In this regard, Erskine May also notes, and I quote,—

“Certain duties are common to Whips of all parties: to keep their Members supplied with information about the business of the House; to secure the attendance of Members; to arrange, when possible, for those of their Members who cannot attend divisions to ‘pair’ with others on the opposite side of the House so that their votes might not be lost; to suggest Members to serve on general and certain select committees; and to act as intermediaries between the leaders and the parliamentary membership of their parties in order to keep each informed of the views of the other.”

Honourable Members, This authority creates a very strong nexus between facilitation of the business of the House and the office of a Whip or a Deputy Whip. In this regard, I am of the considered view that the Standing Orders of the National Assembly are deliberately worded to ensure the continuity of parliamentary business.

A close reading of Standing Order 20A leads to the inescapable conclusion that once a parliamentary party has designated a Whip or a Deputy Whip, the only subsequent change that the parliamentary party may make with regard to the two positions is a replacement of the person designated as a whip or deputy whip.

Honourable Members, according to the Oxford Learners’ Dictionary, the word “*replace*” means *to remove someone or something and put another person or thing in their place*. It therefore follows that, a replacement has two components, that is, the act of removal and the act of substitution which must happen simultaneously.

Honourable Members, in the current scenario, the Minority Party has conveyed its decision seeking to remove one of its leaders without simultaneously offering a substitution. The letter by the Minority Party only partially meets the express requirements of the Standing Orders.

Honourable Members, The Speaker is also confronted by several correspondence from a constituent party of the Minority Party that is currently facing its own internal disputes. Any Speaker would be highly constrained to facilitate the continuity of the business of the House in an environment which raises pertinent questions that cannot be ignored, including—

- (i) *Should the Speaker ignore correspondence that affects the rights of Members who collectively meet the threshold to constitute a parliamentary party?*
- (ii) *Should the Speaker take cognizance of the precedent of the House on access to pre-election and post-election coalition agreements affecting its Leadership?*

Honourable Members, to my mind, the matters at hand cannot be conclusively resolved without affording the affected parties adequate time to comply with the procedural requirements outlined in the Standing Orders. The affected parties basically have to put their affairs in order. The National Assembly is a House of Order. Consequently, the Minority side and the Jubilee Party must organize their affairs and also endeavour to appear organized.

As per the Calendar, the House is scheduled to adjourn at the end of this sitting for the May recess. I am inclined to allow the Minority Party and the Jubilee Party thirty (30) days within which to put their affairs in Order. By the time the House resumes from the recess, it is my expectation that my office shall be in receipt of communication from the Minority Party replacing its Deputy Minority Whip, if they so wish, in the manner contemplated under Standing Order 20A.

Honourable Members, the Third Issue for determination is whether the Jubilee Party is a Parliamentary Party within the meaning of the Standing Orders. You will recall that in his letter seeking the recognition of the Jubilee Party as a parliamentary party, the Hon. Samuel Arama observed that Article 36 of the Constitution on freedom of association and Article 38 of the Constitution on political rights, confers upon each Member of the House the right to determine which entities they wish to be associated with and the right to make political choices.

Honourable Members, Standing Order 2 defines a “parliamentary party” as a party recognized by the Speaker as a parliamentary party pursuant to Standing Order 20A (*Recognition of Parliamentary Parties and Designation of leaders and Whips*). Standing Order 20A(1) provides that the Speaker shall recognize a party or coalition of parties consisting of not less than five percent of the membership of the National Assembly as a parliamentary party.

Honourable Members, five percent of the membership of the National Assembly is eighteen (18) Members. From the records of the House, the membership of the Jubilee Party in the National Assembly, comprises twenty-eight (28) Members. In this regard and pursuant to Standing Order 2 and 20A(1), the Jubilee Party meets the threshold to be recognized as a Parliamentary Party.

Whereas the Jubilee Party meets the threshold to be recognized as a Parliamentary Party, I am hesitant to invoke this provision given the myriad correspondence received from the Party with respect to its leadership and the persons authorised to communicate on its behalf to the Speaker.

Honourable Members, in summary, my guidance is as follows—

- (1) THAT, the communication received from the Minority Party with regard to the replacement of the Hon. Sabina Chege as the Deputy Minority Whip is incomplete and therefore does not comply with the requirements of Standing Order 20A of the National Assembly Standing Orders.

- (2) THAT, I hereby grant the Minority Party a period of thirty (30) days from today within which to convey the appropriate communication on the replacement of its Deputy Minority Whip, if it so wishes.
- (3) THAT, Whereas the Jubilee Party meets the threshold to be recognized as a Parliamentary Party pursuant to a Standing Order 20A(1), I am hesitant to invoke this provision given the myriad correspondence received from the Party with respect to its leadership and the persons authorised to communicate on its behalf to the Speaker.

Honourable Members, I take this decision conscious of the fact that as your Speaker, my duty is to uphold the Constitution, any law and the Standing Orders to the extent to which they relate to the management of the business of the House. It is not the duty of the Speaker to be involved in the management of the internal affairs of any political party. I thank you!"

5. **PAPERS**

The following Papers were laid on the Table of the House –

- (i) The Multilateral Convention to Implement Tax Treaty related Measures to Prevent Base Erosion and Profit Shifting from the National Treasury and Economic Planning.
- (ii) Reports of the Auditor-General and Financial Statements in respect of the following Institutions for the year ended 30th June 2022 and the certificates therein –
- a) Lands Limited;
 - b) Kenya Fisheries Service;
 - c) Kenya Veterinary Board;
 - d) Pest Control Products Board;
 - e) Kenya Tsetse and Trypanosomiasis Eradication Council;
 - f) Kenya Development Corporation;
 - g) National Government Constituencies Development Fund Board;
 - h) Water Resources Authority;
 - i) Tourism Promotion Fund;
 - j) National Environment Trust Fund;
 - k) Hydrologists Registration Board;
 - l) Egerton University; and
 - m) Machakos University.
- (iii) Report of the Auditor-General and Financial Statements on revitalizing Irish Potato production for Covid-19 affected Small – Scale Producers Project (IFAD Grants No. 2000003589 and 20000039600) for the fourteen (14) months period ended 28th February, 2023 and the certificate therein – Agriculture and Food Authority;
(Leader of the Majority Party)
- (iv) Report of the Kenyan Delegation to the Entrepreneurship and Financial Training Programme for Women Entrepreneurs and Certification Ceremony, held in Addis Ababa, Ethiopia from 27th February – 3rd March 2023;
(Member of the Delegation – Hon. Emmanuel Wangwe)
- (v) Reports of the Departmental Committee on Health on –
- a) The 2nd Public Health Conference in Africa held from 13th to 15th December, 2022 held in Kigali, Rwanda;
 - b) The 14th Network of African Parliamentary Committees of Health (NEAPACOH) Meeting, held from 22nd to 23rd February 2023 in Kampala, Uganda;
 - c) Universal Health Coverage benchmarking visit to Thailand from 7th to 12th March, 2023; and
 - d) Benchmarking visit to South Africa Medical Research Council, University of

- e) Cape Town and Centre for the Aids Programme of Research in South Africa from 13th to 23rd March, 2023.
(Chairperson, Departmental Committee on Health)
- (vi) Reports of the Departmental Committee on Environment, Forestry and Mining on its consideration of the Ratification of the following –
- a) The Amended Nairobi Convention and the Protocol for the Protection of Marine and Coastal Environment of the Western Indian Ocean from land based sources and activities;
 - b) The Kigali Amendments on the Montreal Protocol on the substances that deplete the Ozone Layer; and
 - c) The Bamako Convention on the ban of the importation into Africa and the control of transboundary movement and management of hazardous waste within Africa.
(Chairperson, Departmental Committee on Environment, Forestry & Mining)
- (vii) Report of the Departmental Committee on Blue Economy, Water and Irrigation on its attendance of the Second Edition of the South West Indian Ocean Ministerial Summit held from 5th to 7th April 2023 in Seychelles.
(Vice Chairperson, Departmental Committee on Blue Economy, Water & Irrigation)
- (viii) Report of the Departmental Committee on Housing, Urban Planning and Public Works on its participation at the World of Concrete Forum held in January 2023 in Nevada, United States of America.
(Chairperson, Departmental Committee on Housing, Urban Planning & Public Works)
- (ix) Report of the Public Petitions Committee on its consideration of Public Petition No. 07 of 2022 by the Hon. Samuel Atandi, MP regarding probable loss of investments in Cytonn High Yield Solutions Platform.
(Chairperson, Public Petitions Committee)

6. NOTICES OF MOTIONS

The following Notices of Motion were given by the Chairperson, Departmental Committee on Environment, Forestry & Mining *(Hon. David Gikaria)* –

- (i) **THAT**, this House **adopts** the Report of the Departmental Committee on Environment, Forestry and Mining on its consideration of the ratification of the amended Nairobi Convention and the Protocol for the Protection of Marine and Coastal Environment of the Western Indian Ocean from Land Based Sources and Activities, *laid on the Table of the House on Thursday, 4th May, 2023* and pursuant to the provisions of section 8(4) of the Treaty Making and Ratification Act, 2012, **approves** the *ratification of the Amended Nairobi Convention and the Protocol for the Protection of Marine and Coastal Environment of the Western Indian Ocean from Land Based Sources and Activities.*
- (ii) **THAT**, this House **adopts** the Report of the Departmental Committee on Environment, Forestry and Mining on its consideration of the ratification of the Bamako Convention on the Ban of the Importation into Africa and the Control of Transboundary Movement and Management of Hazardous Waste Within Africa, *laid on the Table of the House on Thursday, 4th May, 2023* and pursuant to the provisions of section 8(4) of the Treaty Making and Ratification Act, 2012, **approves** the *ratification of the Bamako Convention on the Ban of the Importation into Africa and the Control of Transboundary Movement and Management of Hazardous Waste Within Africa.*

- (iii) **THAT**, this House **adopts** the Report of the Departmental Committee on Environment, Forestry and Mining on its consideration of the ratification of the Kigali amendments on the Montreal Protocol on the Substances that Deplete the Ozone Layer, *laid on the Table of the House on Thursday, 4th May, 2023* and pursuant to the provisions of section 8(4) of the Treaty Making and Ratification Act, 2012, **approves** the ratification of the *Kigali Amendments on the Montreal Protocol on the Substances that Deplete the Ozone Layer*.

7. STATEMENTS

Pursuant to Standing Order 44(2)(a), the Leader of the Majority Party issued a Statement regarding the business for the House for the week commencing Tuesday, June 06, 2023.

8. PROCEDURAL MOTION – EXTENSION PERIOD FOR CONSIDERATION OF NOMINEES FOR APPOINTMENT AS MEMBERS OF THE JUDICIAL SERVICE COMMISSION

Motion made and question proposed –

THAT, pursuant to the provisions of section 13 of the Public Appointments (Parliamentary Approval) Act, 2011 relating to extension of period for consideration of nominees for appointment to a public office, this House **resolves** to extend the period for consideration of the nominees submitted by His Excellency the President for appointment as members of the Judicial Service Commission by a period of **fourteen (14) days** from **31st May 2023**.

(Chairperson, Departmental Committee on Justice & Legal Affairs)

There being no debate arising;

Question put and agreed to.

9. PROCEDURAL MOTION – REDUCTION OF PUBLICATION PERIOD OF A SPECIFIED BILL

Motion made and question proposed –

THAT, pursuant to the provisions of Standing Order 120, this House **resolves** to reduce the publication period of the Finance Bill (National Assembly Bill No. 14 of 2023) from **seven (7) days** to **six (6) days**.

(Chairperson, Departmental Committee on Finance & National Planning)

There being no debate arising;

Question put and agreed to.

10. THE COUNTY GOVERNMENTS (REVENUE RAISING PROCESS) BILL (NATIONAL ASSEMBLY BILL NO. 11 OF 2023)

(The Leader of the Majority Party)

Order for First Reading Read;

Bill read a First Time and referred to the relevant Committee pursuant to Standing Order 127.

11. THE FINANCE BILL (NATIONAL ASSEMBLY BILL NO. 14 OF 2023)

(Chairperson, Departmental Committee on Finance & National Planning)

Order for First Reading Read;

Bill read a First Time and referred to the relevant Committee pursuant to Standing Order 127.

12. REORGANISATION OF BUSINESS PURSUANT TO STANDING ORDER 40

Pursuant to Standing Order 40(2), the Speaker reordered the sequence of proceedings to allow for the conclusion of Order No. 13 (*Motion – General Debate on the Proposal to Parliament to Consider Amending the Constitution and the Standing Orders*), before proceeding to Order No. 12 (*Motion – Consideration of the Reports of the Auditor-General on the Financial Statements for the National Government Constituencies Development Fund for Twenty-Six Constituencies*).

13. MOTION – GENERAL DEBATE ON THE PROPOSAL TO PARLIAMENT TO CONSIDER AMENDING THE CONSTITUTION AND THE STANDING ORDERS

Motion made and question proposed –

THAT, noting the contents of a Memorandum submitted to Parliament by His Excellency the President asking Parliament to consider initiating amendments to the Constitution; **Acknowledging that**, actualization of the proposals which relate to, *inter alia*, the composition of Parliament as provided for in Articles 97 and 98 of the Constitution in order to attain the two-thirds gender principle, the creation of the office of Leader of Official Opposition in Parliament, and the inclusion of various funds in the Constitution, would necessitate amendment to the Constitution, while the restructuring of parliamentary oversight to allow for Cabinet Secretaries to appear before the Houses of Parliament to respond to Questions by Members would require the amendment of Standing Orders; **Further acknowledging that**, the Speaker, vide a Notification issued on 9th December 2022 referred the matters raised in the Memorandum to the *Departmental Committee on Justice and Legal Affairs* with regard to proposals relating to the implementation of the Two-Thirds Gender principle and the establishment of the Office of the Leader of Official Opposition; *The Joint Parliamentary Ad Hoc Committee* with regard to proposals to amend the Constitution to entrench the Constituency Development, Senate Oversight and National Government Affirmative Action Funds; and *The Procedure & House Rules Committee* with regard to proposals to amend the Standing Orders to strengthen parliamentary oversight of the Executive, so as to facilitate public participation pursuant to Article 118 of the Constitution; **NOW THEREFORE**, pursuant to the provisions of Articles 1(2) and 95(2) of the Constitution, this House **notes, considers and makes general comments** on the proposals contained in the Memorandum by His Excellency the President.

(Leader of the Majority Party)

Debate interrupted on Wednesday, March 08, 2023 (Afternoon Sitting) resumed;
Mover replied;

Change of the Chair from the Hon. Speaker to the Deputy Speaker

Question deferred.

14. MOTION – CONSIDERATION OF THE REPORTS OF THE AUDITOR-GENERAL ON THE FINANCIAL STATEMENTS FOR THE NATIONAL GOVERNMENT CONSTITUENCIES DEVELOPMENT FUND FOR TWENTY-SIX CONSTITUENCIES

Motion made and question proposed –

THAT, this House **adopts** the Report of the Decentralized Funds Accounts Committee on the consideration of the Reports of the Auditor-General on the Financial Statements for the National Government Constituencies Development Fund for Twenty-Six Constituencies in the Counties of Mombasa, Kilifi, Kwale, Taita Taveta, Lamu and Tana River for financial years 2013/2014, 2014/2015, and 2015/2016, *laid on the Table of the House on Tuesday, 25th April 2023*.

(Chairperson, Decentralized Funds Accounts Committee)

Debate interrupted on Tuesday, May 02, 2023 resumed;

Change of the Chair from the Deputy Speaker to the 3rd Chairperson

15. LACK OF QUORUM

Rising in his place on a Point of Order under Standing Order 35, the Member for Mogotio (Hon. Reuben Kiborek) claimed that there was not a Quorum present.

Having determined that there was no Quorum present in the House, the 3rd Chairperson ordered that the Quorum Bell be rung for ten minutes; And Quorum having not been attained at the expiry of the ten Minutes;

And the time being eleven minutes past six O'clock, the 3rd Chairperson of Committees interrupted the proceedings and adjourned the House without Question put pursuant to the Standing Orders.

16. HOUSE ROSE - at eleven minutes past six o'clock

M E M O R A N D U M

The Speaker will take the Chair
on Tuesday, June 06, 2023 at 2.30pm

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