



REPUBLIC OF KENYA
ELEVENTH PARLIAMENT

(FIRST SESSION)

THE NATIONAL ASSEMBLY
MESSAGES

MESSAGE FROM THE PRESIDENT

(No. 5 of 2013)

Hon. Members,

Standing Order 42(1) relating to **Messages from the President** provides that "*The Speaker shall read to the House any message from the President delivered to the Speaker for communication to the House*". In this regard Hon. Members, I wish to convey the following Message from H.E. the President.

The Message, whose subject is **APPOINTMENT OF FOREIGN JUDGES AS MEMBERS OF THE JUDGES AND MAGISTRATES VETTING BOARD**, was submitted by way of a letter dated May 27, 2013 addressed to my office for submission to the House. The Messages reads as follows, (and I Quote-)

"IN EXCERISE of Powers conferred upon me by section 9(13), of the Vetting of Judges and Magistrates Act, No. 2 of 2011, I hereby forward three names of foreign Judges for onward transmission to the Nations Assembly for consideration to be members of the above-mentioned Board.

1. **Hon. Justice (Rtd) Barnabas Albert Semalta of Tanzania;**
2. **Hon. Lady Justice A.E.N. Mpagi-Mahigeine of Uganda; and,**
3. **Hon. Justice Joseph Asoka Nihal De Silva of Sri Lanka**

Their Curricula Vitas are attached hereto”

Hon. Members,

Standing Order 45 requires that, upon receipt of notification of nomination for appointments such nomination shall stand committed to the relevant Departmental Committee of the House for consideration. Pursuant to the provisions of the said Standing Order therefore, and paragraph (3) of Standing Order 42 (*Messages from the President*), I hereby refer the Message from H.E. The President containing the names of the three Nominees together with their curriculum vitae to the Departmental Committee on Justice and Legal Affairs to undertake the necessary approval hearings.

Hon. Members,

Sub-section (8) of section (9) of the Vetting of Judges and Magistrates Act, No. 2 of 2011 provides that ***“The National Assembly shall, within fourteen days of the receipt of the nominees under subsection (7), consider all the nominations received and may approve or reject any nomination”*** In this regard, Hon. Members, I wish to guide the Committee and the House as follows-

- (i) The Departmental Committee on Justice and Legal Affairs should notify the Nominees and the general public of the time and place for holding the approval hearings, in good time. In order to manage our time optimally, the notification should therefore be made tomorrow, Wednesday, June 5, 2013;

(ii) The Committee may therefore undertake the approval hearings between June 10th and 12th, 2013. Thereafter, the Committee should table its Report before this House on or before June 13, 2013. This will accord the House sufficient time to study the report. The House shall therefore consider the Report on June 18, 2013.

Thank you!

THE HON. JUSTIN B.N. MUTURI, MP
SPEAKER OF THE NATIONAL ASSEMBLY
June 4, 2013