



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – FIRST SESSION

NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

THURSDAY, AUGUST 31, 2017

1. The House assembled at Nine O'clock.
2. The Proceedings were opened with Prayer.

3. **CONVOCATION & ADMINISTRATION OF OATH**

The Clerk of the National Assembly, Mr. Michael Rotich Sialai, conveyed the following Communication –

“Honourable Members,

On behalf of the staff of the Kenya National Assembly and on my own behalf, I wish to congratulate you all on your election as Members of this august House. I further wish to welcome you to this first Sitting of the National Assembly of the Twelfth Parliament and take this opportunity to welcome back all Members who served in previous Parliaments and have been re-elected. I extend a special welcome to the Members joining the National Assembly for the very first time.

Honourable Members, pursuant to Article 126(2) of the Constitution, His Excellency the President of the Republic of Kenya and Commander-in-Chief of the Kenya Defence Forces (KDF) notified this first Sitting of the National Assembly of the Twelfth Parliament *vide* Legal Notice No. 219 of 2017 dated 23rd August 2017.

I wish to read the notification from His Excellency the President, and I quote- *“Notice is given that pursuant to Article 126(2) of the Constitution of Kenya, I, Uhuru Kenyatta, President of the Republic of Kenya and Commander-in-Chief of Defence Forces, give notice that the first Sitting of the Twelfth Parliament - National Assembly shall be held at the main Parliament Buildings in the National Assembly Chamber, Nairobi on Thursday, 31st August, 2017 at 2.30 p.m..”*

Honourable Members, the commencement of the sitting was subsequently amended through a *corrigenda* published in the Kenya Gazette Supplement No. 132 of 2017 dated 25th August 2017, to change the sitting time from 2.30 p.m. to 9.00 a.m., in order to align it with the requirements of Standing Order 3(7) which provides as follows—

“(7) Notwithstanding Standing Order 30 (Hours of Meeting), on the day when the election of the Speaker is to be conducted after a general election, the sitting of the House shall commence at 9.00 am.”

Accordingly, Hon. Members, this sitting is hereby convened.

Honourable Members, with regard to the business of today’s sitting, Standing Order 3(1)(b) requires the Clerk of the National Assembly to first lay a list of names of persons elected as Members to the National Assembly on the Table of the House. I confirm that I have prepared a list containing the names of all persons elected as Members to the National Assembly save for the Member for Kitutu Chache South Constituency. I therefore direct the Senior Deputy Clerk to lay the said list on the Table of the House.

Honourable Members, Article 74 of the Constitution provides that, before assuming a State office, acting in a State office, or performing any functions of a State office, a person shall take and subscribe the oath or affirmation of office, in the manner and form prescribed by the Third Schedule or under an Act of Parliament. As you are aware, Hon. Members, the Office of a Member of Parliament is among those defined as a “State Office” under Article 260 of the Constitution. As such, unless a person elected to this House takes and subscribes the oath prescribed by the Third Schedule to the Constitution, he or she shall not assume or perform any functions associated with the office of a Member of the National Assembly, including the election of the Speaker and the Deputy Speaker for the purposes of today’s sitting. Accordingly, Hon. Members, in order to comply with the provisions of the Constitution, the first substantive business of a new House is the swearing in of Members.

Honourable Members, Standing Order 3(2) obliges the Clerk of the National Assembly to administer the oath or affirmation of office to Members of the House in alphabetical order in the following order of precedence: -

- (a) members with the longest cumulative period of service in the National Assembly;
- (b) members with the longest cumulative period of service in the National Assembly, the East African Legislative Assembly and the Senate;
- (c) members with the longest cumulative period of service in the Senate; and
- (d) all other Members.

Honourable Members, for the convenience of the House, I wish to administer the oath beginning with Members living with disabilities and then proceed as per the list distributed to the Hon. Members. I wish to remind Members that this is a sitting of the House and therefore Members are expected to be orderly in their conduct and follow the rules of procedure as per our Standing Orders, established precedents, customs, procedures and traditions.

I now seek the indulgence of the House to proceed to where Members living with disabilities are seated and administer the oath or affirmation of office. I shall thereafter proceed as per the list distributed to Hon. Members. In the event a Member living with disabilities is not present, I shall give priority to him or her as when he or she comes into the chamber before the conclusion of the administration of oath or affirmation of Office.

1.	Ghati, Dennitah	Nominated
2.	Kipchoim, Grace Jelagat	Baringo South
3.	Mumo, Rose Museo	Makueni
4.	Teyiaa, Janet Marania	Kajiado
5.	Wetangula, Timothy Wanyonyi	Westlands
6.	Mugambi, James Gichuki	Othaya
7.	Ole Sankok, David	Nominated
8.	Sitienei, Janet Jepkemboi	Turbo
9.	Tandaza, Kassim Sawa	Matuga
10.	Angwenyi, Jimmy Nuru Ondieki	Kitutu Chache North
11.	Chumel, Samwel Moroto	Kapenguria
12.	Kamanda, Maina	Nominated
13.	Keynan, Wehliye Adan	Eldas
14.	Konchela, Gideon Sitelu	Kilgoris
15.	Maoka, Richard Maore	Igembe North
16.	Mbarire, Cecily	Nominated
17.	Ole Metito, Katoo Judah	Kajiado South
18.	Shaban, Naomi Namsi	Taveta
19.	Wamunyinyi, Athanas Misiko Wafula	Kanduyi
20.	Abdi, Yusuf Hassan	Kamukunji
21.	Ahmed, Shakeel Ahmed Shabbir	Kisumu East
22.	Aluoch, John Olago	Kisumu West
23.	Cheboi, Moses Kipkemboi	Kuresoi North
24.	Duale, Aden Bare	Garissa Township
25.	Ganya, Francis Chachu	North Horr
26.	Kibunguchy, Enoch Wamalwa	Likuyani
27.	Kilonzo, Charles Mutavi	Yatta
28.	Kimunya, Amos Muhinga	Kipipiri
29.	Kipkiror, William Cheptumo	Baringo North
30.	Leshoomo, Maison	Samburu
31.	Lessonet, Moses K.	Eldama Ravine
32.	Mbiuki, Japhet Miriti Kareke	Maara
33.	Munyaka, Victor Kioko	Machakos Town
34.	Ndirangu, Isaac Waihenya	Roysambu
35.	Ng'ongo, Mbadi John	Suba South
36.	Nyenze, Francis Mwanzia	Kitui West

37.	Odhiambo, Millie Grace Akoth	Suba North
38.	Sambu, Bernard Alfred Wekesa	Webuye East
39.	Simiyu, David Eseli	Tongaren
40.	Wanjala, Raphael Bitta Sauti	Budalangi
41.	Wario, Ali	Bura
42.	Washiali, Benjamin Jomo	Mumias East
43.	Nakuleu, Christopher Doye	Turkana North
44.	Ali, Sharif Athman	Lamu East
45.	Angatia, Ayub Savula	Lugari
46.	Arama, Samuel	Nakuru Town West
47.	Aramat, Lemanken	Narok East
48.	Arati, Paul Simba	Dagoretti North
49.	Bady, Bady Twalib	Jomvu
50.	Bowen, David Kangogo	Marakwet East
51.	Bunyasi, Sakwa John	Nambale
52.	Chege, Maitu Sabina Wanjiru	Muranga
53.	Chesebe, Fred Kapondi	Mt Elgon
54.	Dawood, Abdul Rahim	North Imenti
55.	Duale, Mohamed Dahir	Dadaab
56.	Ekomwa, James Lomenen	Turkana South
57.	Emanikor, Joyce Akai	Turkana
58.	Gakuya, James Mwangi	Embakasi North
59.	Gikaria, David	Nakuru Town East
60.	Gimose, Charles Gumini	Hamisi
61.	Hassan, Zuleikha Juma	Kwale
62.	Ichung'wah, Anthony Kimani	Kikuyu
63.	Injendi, Moses Malulu	Malava
64.	Iringo, Cyprian Kubai	Igembe Central
65.	Kajwang', Francis Tom Joseph	Ruaraka
66.	Kaluma, George Peter Opondo	Homa Bay Town
67.	Kanchory, Elijah Memusi	Kajiado Central
68.	Katana, Aisha Jumwa Karisa	Malindi
69.	Kega, Mathenge James Kanini	Kieni
70.	Keter, Alfred Kiptoo	Nandi Hills
71.	Kiaraho, David Njuguna	Ol Kalou
72.	Kihara, Jayne Njeri Wanjiru	Naivasha

73.	King'ola, Patrick Makau	Mavoko
74.	Kioni, Jeremiah Ng'ayu	Ndaragwa
75.	Kibiwot, Julius Melly	Tinderet
76.	Kipyegon, Johana Ngeno	Emurua Dikirr
77.	Kisang, William Kipkemoi	Marakwet West
78.	Koinange, Paul	Kiambaa
79.	Kones, Beatrice Pauline Cherono	Bomet East
80.	Korere, Sarah Paulata	Laikipia North
81.	Kosgey, Alexander Kimutai Kigen	Emgwen
82.	Koyi, John Waluke	Sirisia
83.	Kuria, Moses Kiarie	Gatundu South
84.	Lentoimaga, Alois Musa	Samburu North
85.	Limo, Kirui Joseph	Kipkelion East
86.	Lomunokol, Mark	Kacheliba
87.	M'mbaya, Justus Gesito Mugali	Shinyalu
88.	Maanzo, Daniel Kitonga	Makueni
89.	Manje, Joseph Wathigo	Kajiado North
90.	Masadia, Alfred Agoi	Sabatia
91.	Mbalu, Jessica Nduku Kiko	Kibwezi East
92.	Mboko, Mishi Juma Khamisi	Likoni
93.	Mbui, Robert	Kathiani
94.	Mlolwa, Jones Mwangogo	Voi
95.	Moi, Kipruto	Rongai
96.	Momanyi, Ben George Orori	Borabu
97.	Mukwe, James Lusweti	Kabuchai
98.	Mule, Stephen Mutinda	Matungulu
99.	Mulu, Benson Makali	Kitui Central
100.	Murgor, James Kipkosgei	Keiyo North
101.	Murungi, Kathuri	South Imenti
102.	Musau, Vincent Musyoka	Mwala
103.	Musimba, Patrick Mweu	Kibwezi West
104.	Mutua, Florence Mwikali	Busia
105.	Mwadime, Andrew	Mwatate
106.	Mwamkale, William Kamoti	Rabai
107.	Mwashetani, Khatib Abdallah	Lungalunga
108.	Mwathi, Peter Mungai	Limuru

109.	Naicca, Johnson Manya	Mumias West
110.	Nakara, John Lodepe	Turkana Central
111.	Nanok, Daniel Epyuo	Turkana West
112.	Nassir, Abdullswamad Sheriff	Mvita
113.	Ngunjiri, Onesmas Kimani	Bahati
114.	Njagagua, Charles Muriuki	Mbeere North
115.	Njomo, Jude L. Kangethe	Kiambu
116.	Noor, Sophia Abdi	Ijara
117.	Nuh, Junet Sheikh	Suna East
118.	Nyaga, Beatrice Nkatha	Tharaka-Nithi
119.	Nyaga, John Muchiri	Manyatta
120.	Nyamai, Rachael Kaki	Kitui South
121.	Nyikal, James Wambura	Seme
122.	Odanga, Geoffrey Makokha	Matayos
123.	Oduor, Christine Ombaka	Siaya
124.	Ogolla, Gideon Ochanda	Bondo
125.	Okoth, Kenneth Odhiambo	Kibra
126.	Ole Kenta, Richard Moitalel	Narok North
127.	Ole Lemein, Korei	Narok South
128.	Omulele, Christopher	Luanda
129.	Owuor, Joshua Aduma	Nyakach
130.	Oyioka, John Oroo	Bonchari
131.	Oyoo, James Onyango	Muhoroni
132.	Pkosing, David Losiakou	Pokot South
133.	Pukose, Dr Robert	Endebess
134.	Ramadhani, Suleiman Dori	Msambweni
135.	Raso, Dido Ali	Saku
136.	Robi, Mathias Nyamabe	Kuria West
137.	Serem, Cornelly	Aldai
138.	Serem, Joshua Kutuny	Cherangany
139.	Shimbwa, Omar Mwinyi	Changamwe
140.	Shinali, Benard Masaka	Ikolomani
141.	Sitati, Daniel Wanyama	Webuye West
142.	Sudi, Oscar Kipchumba	Kapseret
143.	Theuri, George	Embakasi West
144.	Tiren, Silas Kipkoech	Moiben

145.	Tobiko, Peris Pesi	Kajiado East
146.	Tongi, Richard Nyagaka	Nyaribari Chache
147.	Tonui, Ronald Kiprotich	Bomet Central
148.	Tuya, Roselinda Soipan	Narok
149.	Wahome, Alice Muthoni	Kandara
150.	Waititu, Francis Munyua	Juja
151.	Wakhungu, Chrisantus Wamalwa	Kiminiini
152.	Wandayi, James Opiyo	Ugunja
153.	Wanga, Gladys Atieno Nyasuna	Homa Bay
154.	Wangwe, Emmanuel	Navakholo
155.	Wanyama, Janet Nangabo	Trans Nzoia
156.	Wanyonyi, Ferdinard Kevin	Kwanza
157.	Lesuuda, Josephine Naisula	Samburu West
158.	Liza, Chelule Chepkorir	Nakuru
159.	Ongera, Janet	Kisii
160.	Wanjira, Martha Wangari	Gilgil
161.	Abdullah, Bashir Sheikh	Mandera North
162.	Abuor, Paul Odalo Mak'Ojuando	Rongo
163.	Adagala, Beatrice Kahai	Vihiga
164.	Adan, Safia Sheikh	Marsabit
165.	Alfah, Miruka Ondieki	Bomachoge Chache
166.	Ali, Adan Haji	Mandera South
167.	Ali, Amin Deddy Mohamed	Laikipia East
168.	Ali, Fatuma Gedi	Wajir
169.	Amin, Rashid Kassim	Wajir East
170.	Amollo, Paul Otiende	Rarieda
171.	Arbelle, Marselino Malimo	Laisamis
172.	Atandi, Samuel Onunga	Alego Usonga
173.	Babu, Owino Paul Ongili	Embakasi East
174.	Baya, Owen Yaa	Kilifi North
175.	Buyu, Rozaah Akinyi	Kisumu
176.	Chebaibai, Jane Jepkorir Kiptoo	Elgeyo/Marakwet
177.	Chepkoech, Joyce Korir	Bomet
178.	Chepkut, William Kamuren Chirchir	Ainabkoi
179.	Chepkwony, Charity Kathambi	Njoro
180.	Cheruiyot, Gladwell Jesire	Baringo

181.	Gaal, Ahmed Bashane	Tarbaj
182.	Gachagua, Rigathi	Mathira
183.	Gachobe, Samuel Kinuthia	Subukia
184.	Gakuya, Mercy Wanjiku	Kasarani
185.	Garane, Mohamed Hire	Lagdera
186.	Gitau, Faith Wairimu	Nyandarua
187.	Githinji, Robert Gichimu	Gichugu
188.	Gk, George Macharia Kariuki	Ndia
189.	Gogo, Lilian Achieng	Rangwe
190.	Gure, Anab Mohamed	Garissa
191.	Guyo, Ali Wario	Garsen
192.	Hassan, Amina Gedow	Mandera
193.	Hassan, Kulow Maalim	Banissa
194.	Hassan, Omar Mohamed Maalim	Mandera East
195.	Hassan, Rehema	Tana River
196.	Hiribae, Said Buya	Galole
197.	Hulufo, Hassan Oda	Isiolo North
198.	Ibrahim, Abdi Mude	Lafey
199.	Ibrahim, Ahmed Abdisalan	Wajir North
200.	Ibrahim, Nasri Sahal	Nominated
201.	Jaldesa, Rehema Dida	Isiolo
202.	Jungle, Patrick Kimani Wainaina	Thika Town
203.	Kabeabea, Josphat Gichunge Mwirabua	Tigania East
204.	Kamene, Joyce	Machakos
205.	Kamket Kassait, William	Tiaty
206.	Kandie, Joshua Chepyegon	Baringo Central
207.	Karani, Christopher Odhiambo	Ugenya
208.	Kasalu, Irene Muthoni	Kitui
209.	Katana, Paul Kahindi	Kaloleni
210.	Kaunya, Edward Oku	Teso North
211.	Keter, Gideon	Nominated
212.	Kiai, Anthony Githiaka	Mukurweini
213.	Kibeh, Annie Wanjiku	Gatundu North
214.	Kigano, Clement Muturi	Kangema
215.	Kihara, Peter Kimari	Mathioya
216.	Kimani, Francis Kuria	Molo

217.	Kimilu, Joshua Kivinda	Kaiti
218.	Kingara, Simon Nganga	Ruiru
219.	Kingi, Michael Thoyah	Magarini
220.	Kipkosgei, Joseph Tonui	Kuresoi South
221.	Kirima, Moses Nguchine	Central Imenti
222.	Kitayama, Marwa Kemero Maisori	Kuria East
223.	Kiti, Richard Ken Chonga	Kilifi South
224.	Kivai, Ernest Ogesi	Vihiga
225.	Koech, Nelson	Belgut
226.	Kogo, Wilson Kipngetich	Chesumei
227.	Korir, Generali Nixon Kiprotich	Langata
228.	Koros, Benard Kipsengeret	Sigowet/Soin
229.	Kosgei, Hilary Kiplang'at	Kipkelion West
230.	Kositany, Caleb Kipkemei	Soy
231.	Koske, Gideon Kimutai	Chepalungu
232.	Koskei, Dominic Kipkoech	Sotik
233.	Koskey, Florence Chepngetich	Kericho
234.	Lekumontare, Lentoi Joni L. Jackson	Samburu East
235.	Leonard, Yegon Brighton	Konoin
236.	Lochakapong, Peter	Sigor
237.	Lomorukai, Jeremiah Ekamais	Loima
238.	Luyai, Caleb Amisi	Saboti
239.	Mabonga, Moses Wekesa Mwambu	Bumula
240.	Makokha, Justus Murunga	Matungu
241.	Mariru, Patrick Kariuki	Laikipia West
242.	Maritim, Sylvanus	Ainamoi
243.	Masara, Peter Francis	Suna West
244.	Mawathe, Julius Musili	Embakasi South
245.	Mbai, Nimrod Mbithuka	Kitui East
246.	Mbogo, Ali Menza	Kisauni
247.	Mboni, David Mwalika	Kitui Rural
248.	Milemba, Jeremiah Omboko	Emuhaya
249.	Mishra, Swarup Ranjan	Kesses
250.	Mizighi, Lydia Haika Mnene	Taita Taveta
251.	Mogaka, Vincent Kemosi	West Mugirango
252.	Mohamed, Abdikhaim Osman	Fafi

253.	Mohamed, Ahmed Kolosh	Wajir West
254.	Mohamed, Asha Hussein	Mombasa
255.	Mohamed, Mohamed Ali	Nyali
256.	Mohammed, Lokiru Ali	Turkana East
257.	Mohammed, Mohamud Sheikh	Wajir South
258.	Momanyi, Jerusha Mongina	Nyamira
259.	Mose, Shadrack John	Kitutu Masaba
260.	Muchira, Michael Mwangi	Ol Jorok
261.	Muhanda, Elsie Busihile	Kakamega
262.	Mukhwana, Titus Khamala	Lurambi
263.	Mukuha, Gabriel Kago	Githunguri
264.	Muli, Fabian Kyule	Kangundo
265.	Mulyungi, Gideon Mutemi	Mwingi Central
266.	Murugara, George Gitonga	Tharaka
267.	Mutai, Japheth Kiplangat	Bureti
268.	Muthama, Stanley Muiruri	Lamu West
269.	Mutua, Didmus Wekesa Barasa	Kimilili
270.	Mutunga, John Kanyuithia	Tigania West
271.	Muturi, Geoffrey Kingagi	Mbeere South
272.	Mwakuwona, Danson Mwashako	Wundanyi
273.	Mwale, Nicholas Scott Tindi	Butere
274.	Mwalyo, Joshua Mbithi	Masinga
275.	Mwambire, Teddy Ngumbao	Ganze
276.	Mwangaza, Kawira	Meru
277.	Mwangi, Benjamin Gathiru	Embakasi Central
278.	Mwangi, James Gichuhi	Tetu
279.	Mwangi, Jonah Mburu	Lari
280.	Mwaniki, Ruth W.	Kigumo
281.	Mwanyanje, Gertrude Mbeyu	Kilifi
282.	Mwirigi, John Paul	Igembe South
283.	Ngirici, Purity Wangui	Kirinyaga
284.	Ngugi, Joseph Nduati	Gatanga
285.	Nguna, Charles Ngusya	Mwingi West
286.	Njagua, Charles Kanyi	Starehe
287.	Njiru, Eric Muchangi	Runyenjes
288.	Njiru, Jane Wanjuki	Embu

289.	Njoroge, Mary Wamaua Waithira	Maragwa
290.	Ntwiga, Patrick Munene	Chuka/Igambang'ombe
291.	Nyamita, Mark Ogolla	Uriri
292.	Nyamoko, Joash Nyamache	North Mugirango
293.	Nyoro, Samson Ndindi	Kiharu
294.	Nzambia, Thuddeus Kithua	Kilome
295.	Nzengu, Paul Musyimi	Mwingi North
296.	Nzioka, Erastus Kivasu	Mbooni
297.	Obara, Eve Akinyi	Kabondo Kasipul
298.	Obiri, Innocent Momanyi	Bobasi
299.	Obo, Ruweida Mohamed	Lamu
300.	Ochieng, Pamela Awuor	Migori
301.	Odege, Tom Mboya	Nyatike
302.	Odhiambo, Elisha Ochieng	Gem
303.	Oduol, Prof. Jacqueline Adhiambo	Nominated
304.	Ogutu, Zadoc Abel	Bomachoge Borabu
305.	Okelo, Jared Odoyo	Nyando
306.	Okuome, Andrew Adipo	Karachuonyo
307.	Oluoch, Anthony Tom	Mathare
308.	Ombaki, Ezekiel Machogu	Nyaribari Masaba
309.	Omuse, Geoffrey	Teso South
310.	Omwera, George Aladwa	Makadara
311.	Onyiego, Silvanus Osoro	South Mugirango
312.	Osotsi, Godfrey	Nominated
313.	Ouda, Fred Odhiambo	Kisumu Central
314.	Oundo, Wilberforce Ojiambo	Funyula
315.	Owino, John Walter	Awendo
316.	Owino, Martin Peters	Ndhiwa
317.	Oyula, Joseph H. Maero	Butula
318.	Passaris, Esther Muthoni Rosanna	Nairobi City
319.	Rindikiri, Mugambi Murwithania	Buuri
320.	Rono, Daniel Kipkogei	Keiyo South
321.	Seroney, Sammy Kipkorir	Nominated
322.	Shamalla, Jennifer	Nominated
323.	Shollei, Gladys Jepkosgei-Boss	Uasin Gishu
324.	Shurie, Abdi Omar	Balambala

325.	Sossion, Wilson	Nominated
326.	Sunkuyia, George Risa	Kajiado West
327.	Tayari, Benjamin Dalu Stephen	Kinango
328.	Tepo, Abdi Koropu	Isiolo South
329.	Thuku, Zachary Kwenya	Kinangop
330.	Tomitom, Lilian Cheptoo	West Pokot
331.	Tongoyo, Gabriel Koshal	Narok West
332.	Tuitoek, Daniel Kamuren	Mogotio
333.	Tum, Tecla Chebet	Nandi
334.	Tuwei, Vincent Kipkurui	Mosop
335.	Wachira, Josphat Kabinga	Mwea
336.	Wachira, Rahab Mukami	Nyeri
337.	Wamacukuru, James Githua Kamau	Kabete
338.	Wambilianga, Catherine Nanjala	Bungoma
339.	Wambugu, John Munene	Kirinyaga Central
340.	Wambugu, Martin Deric Ngunjiri	Nyeri Town
341.	Wamuchomba, Gathoni	Kiambu
342.	Wangaya, Christopher Aseka	Khwisero
343.	Wario, Qalicha Gufu	Moyale
344.	Waruguru, Catherine Wanjiku	Laikipia
345.	Waweru, John Kiarie	Dagoretti South
346.	Were, Charles Ong'ondo	Kasipul
347.	Yussuf, Adan Haji	Mandera West
348.	Yussuf, Mucheke Halima	Nominated

6. **HOUSE SUSPENDED** - at forty-eight minutes past One O'clock.

MEMORANDUM

The House will re-convene today,
Thursday, May 31, 2017 at 3.30 p.m.

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7. **HOUSE RESUMED** - the Clerk in the Chair
8. The House assembled at thirty minutes past Three O'clock.
9. The Proceedings were opened with Prayer.
10. **COMMUNICATION FROM THE CHAIR - ELECTION OF THE SPEAKER**

The Clerk of the National Assembly conveyed the following Communication –

Honourable Members, His Excellency the President of the Republic of Kenya and Commander-in-Chief of the Kenya Defence Forces notified this first Sitting of the National Assembly of the Twelfth Parliament *vide* Legal Notice No. 219 of 2017 dated 23rd August 2017.

Pursuant to Article 106(2)(a) of the Constitution, the Office of the Speaker became vacant at the commencement of today's sitting, being the first Sitting of a new House of Parliament after an election. In exercise of powers conferred by Standing Order 5(1), I notified the general public of a vacancy in the Office of the Speaker of the National Assembly *vide* Gazette Notice Number 8376 of 2017 dated 24th August 2017. I additionally publicized the declaration of the vacancy by advertisement in three (3) newspapers of national circulation.

Honourable Members, In the Notice and the advertisement, I invited interested persons who qualify to be elected as members of Parliament but are not such members to submit their nomination papers for election as the Speaker of the National Assembly. The following persons collected nomination papers from the Office of the Clerk of the National Assembly between Friday, 25th August, 2017 and Monday, 28th August, 2017 –

1. Augo, Jim Bonface
2. Gesami, Hon. Dr. James O.
3. Gorassia, Ramesh
4. Matagei, Kiprono Kaatarmuka
5. Migudo, Dr. Noah Winja
6. Mudhune, John Peter
7. Musoma, Munubi Arthur
8. Muturi, Hon. Justin Bedan Njoka
9. Mwingirwa, Stephen
10. Nderi, Stephen
11. Ngao, Dr. Gladys Kasiva
12. Njoroge, Moses Mugo
13. Ole Sakuda, Hon. Moses
14. Ontiri, Machana
15. Onyango, Washington Andango
16. Oundo, Jared Oluoch
17. Owino, Timothy Ayieko
18. Saboke, Elijah
19. Solomon Gatobu M'Inoti
20. Wainaina, Isaac Wangengi
21. Wambui, Mary
22. Wanjiru, Paul Njuguna
23. Yegon, Vincent

Honourable Members, as per the Gazette Notice and advertisement, a person who collected nomination papers was required to submit the completed papers together with his or her *curriculum vitae* and relevant supporting documents to the Office of the Clerk of the National Assembly not later than 9.00 a.m. on Tuesday, 29th August, 2017. The Office of the Clerk of the National Assembly remained open on Saturday, 26th August, 2017 and Sunday, 27th August, 2017 from 8.00 a.m. to 5.00 p.m. for purposes of both collection and submission of the nomination papers.

Honourable Members, at the close of the nomination period, the following six (6) persons had submitted their nomination papers for election as Speaker of the National Assembly -

<u>NAME</u>	<u>I.D. No./P No.</u>
1. Augo, Jim Bonface	29142014
2. Migudo, Dr. Noah Winja	33342358
3. Muturi, Hon. Justin Bedan Njoka	0297621
4. Ngao, Dr. Gladys Kasiva	8967858
5. Onyango, Washingtone Andango	28574085
6. Wainaina, Isaac Wangengi	24374434

Honourable Members, pursuant to the provisions of Article 106 of the Constitution and Standing Order 5 of the National Assembly Standing Orders out of the six(6) persons who completed and submitted their nomination papers, the following three (3) persons qualified as candidates for election as the Speaker of the National Assembly—

1. Migudo, Dr. Noah Winja
2. Muturi, Hon. Justin Bedan Njoka
3. Onyango, Washingtone Andango

Further, Hon. Members, the following three (3) persons did not qualify as candidates for election as Speaker of the National Assembly as their nomination papers were not accompanied by names and signatures of twenty (20) Members in support of their candidature pursuant to Standing Order 5(3)—

1. Augo, Jim Bonface
2. Ngao, Dr. Gladys Kasiva
3. Wainaina, Isaac Wangengi

Accordingly, Hon. Members, I publicized and made available to all Members the list showing the three (3) persons qualified as candidates for election as the Speaker in the ballot to be conducted as the second substantive business of this first Sitting of the House.

Honourable Members, I wish to also notify the House that I have since received a letter from Mr. Washingtone Andango dated 30th August, 2017 conveying the withdrawal of his candidature for election as the Speaker of the National Assembly. His decision therefore compels me to invoke the provisions of Standing Order 8 which provides that and I quote - “A candidate may, by written notice to the Clerk, withdraw his or her name before a ballot is started, and in the event of such withdrawal, the Clerk shall cross-out the name of that candidate off any ballot paper issued for that or any subsequent ballot.”

Accordingly, Hon. Members, I therefore direct that the name of Mr. Washington Andang'o be crossed-out before the issuance of ballots for the election.

Honourable Members, Standing Order 6 provides as follows with regard to the voting procedure where more than one candidate qualifies to stand for election as the Speaker: -

“(1) The election of the Speaker shall be by secret ballot.

“(2) The Clerk shall, at the commencement of each ballot, cause the ballot box, empty and unlocked, to be displayed to the House and shall, in the presence of the House, lock the box, which shall thereafter be kept in the full view of the House until the conclusion of the ballot.”

In this regard, each Honourable Member will receive one ballot paper at the Table and proceed to cast his or her vote. Ballots shall be distributed by the officers beside me to the Members on either side of the House. A Member who wishes to vote shall mark his or her ballot paper by placing a visible mark in the space provided for opposite the name of the candidate he or she wishes to vote for. Thereafter, the Members should fold the marked ballot paper before leaving the booth, and place the folded paper in the ballot box. A Member who, before the conclusion of a ballot has marked his paper in error may, by returning it to the Clerk, obtain another in its place. The first one shall be marked cancelled and destroyed.

Honourable Members, when it appears to me that all Members who are present and who wish to vote have placed their ballot papers in the ballot box, I shall unlock the box, examine the ballot papers, and having rejected those unmarked or spoilt, report the result of the ballot. May I also notify you that a Member who has not already recorded his or her vote shall not be entitled to do so after I have unlocked the ballot box. The counting of the ballots shall take place in the presence of Members appointed as agents or representatives by the candidates. Each candidate is allowed a maximum of two agents or representatives for the purpose of the ballot.

Honourable Members, in line with the requirements of Standing Order 7(1), a person shall not be elected a Speaker unless supported by votes of two-thirds of all Honourable Members. The House is reminded that this two-thirds threshold is not a constitutional requirement but a procedural step to ease the election of a Speaker on the first round of ballot. The procedural threshold applies only to the first round of voting and does not affect the quorum required for the commencement of this sitting and the election.

Honourable Members, pursuant to the provisions of Standing Order 7(2), in the event that no candidate is supported by the votes of two-thirds of all Members after the first round of voting, the candidate who receives the highest number of votes and the candidate who receives the next highest number of votes shall alone stand for election in a the second round. The candidate who receives the highest number of votes in the second round shall stand elected as Speaker.

Honourable Members, I wish to remind the House that this particular voting is by secret ballot. Members are not allowed to display their marked ballots to the House or to the galleries. Members from the media are also reminded to observe Rule 3 (c) of the Broadcasting Rules which provides, and I quote -*“wide-angle shots of the Chamber shall be used during voting and Division and no shot shall be taken so as to show the manner in which a Member has voted in any secret ballot;”*

Honourable Members, we have arranged the voting points/booths next to the Dispatch Box. There are two Dispatch Boxes on the Table. Members on my right side will cast their ballots in the voting booth to the right side of the Table and *vice-versa*. Having explained the voting procedure, I now wish to direct my officers to open the ballot box and display it to the Honourable Members.

The Ballot Box was opened in view of the assembled House and voting commenced thereon.

At the conclusion of the voting, the Clerks counted the votes at the Table of the House.

The Clerk announced the results of the first ballot as follows:-

Total Number of cast votes	-	221
Migudo, Dr. Noah Winja	-	4 Votes
Muturi, Hon. Justin Bedan Njoka	-	217 Votes

And there being no candidate obtaining the required two-thirds majority;

Honourable Members proceeded to cast a second ballot;

The Ballot Box was opened in view of the assembled House and voting commenced thereon.

At the conclusion of the voting, the Clerks counted the votes at the Table of the House.

The Clerk announced the results of the second ballot as follows: -

Total Number of cast votes	-	220
Migudo, Dr. Noah Winja	-	3 Votes
Muturi, Hon. Justin Bedan Njoka	-	217 Votes

He thereupon declared Mr. Justin Bedan Njoka Muturi duly elected Speaker by majority votes and ordered the Serjeant-At-Arms to search for the said winner and present him to the House.

Thereupon, the Serjeant-at Arms presented Mr. Justin Muturi at the Bar of the House. Consequently, the Mr. Justin Muturi was escorted to the Chair by Hon. Aden Duale and Hon. Josephine Naisula Lesuuda.

Thereupon the Clerk administered the Oath of Allegiance to the Speaker;

The Speaker was robed and walked to the Chamber;

The Clerk announced presence of the Speaker.

The Speaker thereupon submitted himself to the will of the House and gave the following Acceptance Speech from the Chair:-

“Honourable Members,

I am deeply honored by the confidence you have bestowed upon me by electing me to serve as your Speaker in the 12th Parliament. I am boundlessly humbled by the trust and faith you have bestowed upon me. I resound the words of the 1964 Nobel Peace Prize winner

Dr. Martin Luther King *"I come as a trustee, for in the depths of my heart I am aware that this election is much more than an honour to me personally."*

As I uphold my unreserved commitment and enthusiasm to serve you as Speaker, I solemnly affirm that I will perform my functions in this August House with diligence, dignity and honour. I undertake to discharge my duties with a high degree of efficiency and impartiality and will to the best of my ability respect, uphold and defend the peoples' constitutional sovereignty assigned to this House. I submit myself to the will of this House and assure you that I will as usual strive to be accessible to every Member in this House and ensure that we work together for the well-being of our great Nation.

Honourable Members, you will agree with me that it has been a long day. At the beginning of this second part of the sitting, the Clerk of the National Assembly did enumerate a list of twenty-three other exceptionally outstanding citizens who expressed interest in becoming the Speaker of the National Assembly in its Twelfth term. I would like to recognize Dr. Noah Winja Migudo who qualified as candidate and made it all the way to the ballot paper- I honour you for expressing your noble desire to serve our nation as the Speaker of this August House and I am delighted to pay my tribute to you.

To my first constituency, my family, I thank you for sharing my dream. Your support through the years has been invaluable and I consider myself absolutely fortunate.

Honourable Members, allow me to also congratulate you individually and collectively for your recent election victory. The positions we now occupy are not only a great honour and privilege but they are a demonstration of the immense trust the citizens of Kenya have bestowed on us. *Looking around I can see many familiar faces: peers, past and present colleagues. It's gratifying to see so many familiar faces.* I am happy to note that more than one hundred and fifty of you Honourable Members have been re-elected for a further term. The list tabled by the Clerk also indicates that thirty two Members will now be serving their third, fourth or fifth terms. This is an endorsement of the confidence your electorate have in you. *Allow me to particularly recognize and acknowledge the Honourable Member for Kitutu Chache North constituency, the Hon. Jimmy Nuru Angwenyi, who now serves as the senior most Member in the House as he commences his fifth term in this August House. In the Parliamentary parlance he becomes what we call the "Father of the House."* Most of you, having gone through the elections process, will all agree with me that, his is not an average achievement. *I commend you Mheshimiwa! The National Assembly in the 12th Parliament now has seventy five (75) female Members of Parliament as compared to sixty eight (68) in the last term. On this note, allow me, Honourable Members, to single out the Member for Taveta Constituency, the Honourable Dr. Naomi Shaban, who now becomes the longest serving female Member in the House, as she commences her fourth term today. I say, kongole daktari! Given the nature of our competitive politics you have earned more than our deepest respect. To the veterans who have returned to this August House: Honourable Amos Kimunya, Honourable Maoka Maore, Honourable Jayne Kihara, Honourable Jeremiah Kioni, Honourable Charles Kilonzo, Honourable Fred Kapondi, Honourable Gesito Mugali, Honourable Peter Mwathi, Honourable Noor Sofia Abdi, Honourable John Oyioka, Honourable Joshua Kutuny and Honourable Raphael Wanjala, Karibuni.*

I also congratulate the new Members of this House who previously served as Senators in the 11th Parliament. This House will certainly have the privilege of learning from their previous experience.

Honourable Members, it is my pleasure to extend a cheerful, gracious and inclusive welcome to the over 180 newly elected Honourable Members. I observe that in tandem with our constitutional vision, the number of women, youth and persons with disabilities has increased and we are truly reaping the promise and value of inclusivity. Similarly, I note that this House has the largest number of independent candidates elected in our parliamentary history. While the role of parliamentary parties in exercising the oversight role cannot be overstated, the now revised Standing Orders, 2017 recognize and indeed embrace the independent members in the Committee system of this House.

Honourable Members as you may be aware, the Committees of this House play an important role. As a matter of fact, they normally say when the United States Congress is in Committee, the House is at work. In our case the House Committees will give all of you an opportunity to serve the people you represent. Under the National Assembly Standing Orders, the committees have their mandates reconstituted, the membership reduced and a process for the discharge of members entrenched with a view to enhancing efficiency. A Special Fund Accounts Committee has been established to examine audited accounts for specific public institutions to relieve the pressure that hitherto lay with the Public Accounts Committee. Likewise, the Members Services and Facilities Committee has been established to provide a forum for Members of this House to raise concerns on the facilities and services availed to them and offering recommendations to the House to improve such facilities and services. As you actualize your oversight role, I urge you to serve in these Committees with utmost dignity, integrity, dedication and impartiality. Committees are not a place to settle political party differences or ideologies.

Honourable Members, the people of Kenya have assigned to us a huge responsibility. We must safeguard public trust by conducting ourselves with integrity and in a manner that brings honour and dignity to the nation. The Constitution, the Public Officer Ethics Act, the Leadership and Integrity Act and the Parliamentary Powers and Privileges Act, 2017 will all reinforce the essential value of integrity, a most valuable asset in public service. Of great importance, Honourable Members, is the need to observe that the Parliamentary Powers and Privileges Act which is a recently enacted law prescribes a Code of Conduct for Members of Parliament. The purpose of the Code is to create public trust and confidence in Members of Parliament and to protect the integrity of Parliament. Honourable Members, indeed upon taking oath we all undertook to abide by the Code and this should be our point of reference in discharging our respective duties and responsibilities.

Honourable Members, further we communally have a huge responsibility to serve all Kenyans and to continuously seek to address their aspirations. We are called upon to exercise the sovereign power of the people through legislation, representation, oversight of State officers and State organs and the deliberation of the various issues of concern to the people of this great nation. In undertaking these noble responsibilities, we must be guided by the values of good governance, democracy, patriotism, national unity, inclusivity as well as the broad spectrum of the National values and principles of governance enshrined in the Constitution.

As political leaders, we must dedicate ourselves to serve the national interest and advance the common good. Adversarial politics only serves to undermine public confidence in our institutions. Let us not be sworn to antagonism but let us promote, embrace, enhance and commit to serve the public in the spirit of integration and reconciliation. The priority of this House is to consolidate the achievements enshrined in our Constitution and to seek progress, mindful of the words of Winston Churchill who emphasized that- *“if we open a quarrel between the past and the present, we shall find that we have lost the future.”*

In this regard Honourable Members, I encourage this House to embrace collegiality, fellowship, mutual and reciprocal respect when conducting all its proceedings. Let us be the agents that promote the unity and advancement of this indivisible nation. Let us undertake our responsibilities in a dynamic and proactive manner and for the sake of the great people of Kenya let the words of the 28th President of the United States, Woodrow Wilson continuously echo in our minds *“you are not here merely to make a living ... you are here to enrich the world, and you impoverish yourself if you forget the errand.”*

In this regard, it is my view that this House should seek to consolidate the gains made by its predecessor, the Eleventh Parliament. Looking back, the Eleventh Parliament executed its roles with great success. It passed 180 Bills, considered 124 petitions and various motions. Additionally, the Eleventh Parliament considered and approved the amendments to the National Assembly Standing Orders. The import of these amendments was to, among other things, reconstitute committees, realign their mandates, engender effective Member participation and promote efficiency in these committees. To put it candidly, the Eleventh Parliament nursed and weaned an infant which has now grown into a blossoming bicameral legislature. The Twelfth Parliament now has the responsibility of nurturing this infant. This, Honourable Members, will be achieved through continuous review of the various existing legislation to align them with the tenets of our constitutional dispensation and the promotion of effective public participation; one of the fundamental pillars of our Constitution. Simply put, public participation is the link between you and the people you represent.

Honourable Members, although these are some of the tasks that lie ahead, you will only know the depth of a river by immersing yourself into it, swimming through it and if circumstances demand diving into the river bed and examining what lies beneath. What I am trying to say Honourable Members is that our task as Members will continue to unravel as we commence the journey of resolving the issues of concern to the people of this country. What should be our driving force is the need to recognize that although the task ahead is enormous, it provides an opportunity for this House to participate in molding essential governance institutions and strengthening our democratic processes. Honourable Members, may we live to fulfil a legacy: a legacy that consolidates our democratic gains and brings transformation as we launch this country towards a trajectory of steady economic growth, social and political development.

Honourable Members, in the life of the Twelfth Parliament, I undertake to implement a paperless system in the House. The Parliamentary Service Commission is in the process of implementing various Information and Communication Technology platforms to support this system. I therefore encourage members to equip themselves with the necessary tools that will assist them utilize the facilities. I also undertake to work with all governance institutions including our sister House, the Senate, the Judiciary and the Executive on the basis of cooperation, consultation, mutual respect and reciprocity. Additionally, I also undertake to foster our relationship with the East African Legislative Assembly, Pan African Parliament, the African, Caribbean and Pacific-European Union Joint Parliamentary Assembly and other regional integration bodies.

Honourable Members, Article 127(6) of the Constitution obliges the Parliamentary Service Commission to provide services and facilities to ensure the efficient functions of Parliament. In this respect the Commission is in the process of completing the new Office Block for Members of Parliament which is expected to be completed by the end of 2018. The new Office Block will have twenty Committee meeting rooms, three hundred and thirty eight executive offices and over four hundred parking spaces. This will go a long way towards ensuring that you execute your duties and responsibilities effectively.

Honourable Members, we are all aware of the existing political stagnation in the nomination of members to the East African Legislative Assembly. I call upon the political leadership to rise above the clouds and bring a speedy solution and conclusion to this matter.

Honourable Members, I am proud to preside in the one institution that manifests the diversity of the nation, represents the will of the people and exercises their sovereignty. Let our diversity enhance and enrich all our deliberations. As your Speaker, I will protectively and faithfully uphold, defend and respect the Constitution, the Parliamentary Powers and Privileges Act and the Standing Orders. I look forward to working with all of you in discharging our respective mandates. Together we can make our country proud.

As I conclude, I wish to inform you that the Parliamentary Service Commission has organized an induction retreat for all members of the National Assembly. Members will be apprised on the legislative making processes including the introduction of Bills and Motions, the Budget Making Process, the Committee System, the Rules of Debate and the various aspects of Parliamentary Powers and Privileges. I encourage you all to dutifully attend the sessions even if it is not your first induction. This is a suitable opportunity for interaction and experiential sharing between the members.

Finally, I commend the Clerk of the National Assembly, Mr. Michael Sialai, a long standing parliamentary officer, and all the staff of Parliament for the manner in which they have conducted this process including the pre-swearing in sessions. I request you to continue facilitating the Honourable Members with this elevated degree of proficiency, professionalism and impartiality. Asanteni sana! God bless the Parliament of Kenya and the people of this Nation.

I thank you”.

Upon conclusion, the Speaker conducted the election of the Deputy Speaker.

11. **ELECTION OF THE DEPUTY SPEAKER**

The Speaker conducted the election of the Deputy Speaker of the National Assembly. The Speaker declared Hon. Moses Cheboi, MP as the duly elected Deputy Speaker.

Thereupon, Hon. Moses Cheboi was escorted to the Bar of the House and consequently to the Chair by Hon. Aden Duale and Hon. Cecily Mbarire, MP

The Speaker accordingly declared Hon. Moses Cheboi elected Deputy Speaker of the National Assembly and administered the oath to her accordingly

And the time being thirty minutes past Seven O'clock, the Speaker adjourned the House without Question put pursuant to the Standing Orders.

12. **HOUSE ROSE** - at thirty minutes past Seven O'clock.