



## **Speaker directs Committees to conclude reports on draft legislations by end month**

The Speaker of the National Assembly, Hon. Justin Muturi has directed all Departmental Committees to consider all legislative proposals before them, whose 21 days have expired, and submit their recommendations to him by 3<sup>rd</sup> November when the House resumes from a 2-week recess.

In a Communication to the House on Thursday's afternoon sitting, the Speaker warned that failure by the Committees to comply with this directive would leave the House Business Committee with no option but to follow the precedence set in 2019, thereby immediately seeking an order of the House for publication of the legislative process.

The Speaker's ruling follows a request by Mathare MP, Hon. Anthony Oluoch, who on Thursday 8th October's sitting, rising on a Point of Order sought the Speaker's guidance with regard to delayed consideration of legislative proposals originating from individual Members. The Member had lamented that the slow manner in which Members' legislative proposals are processed was stifling the legislative mandate of Members.

At the same time, the Speaker has further directed the Procedure and House Rules Committee to relook at Standing Order 114 and related provisions, with a view to review the role of Departmental Committees in scrutinizing legislative proposals at the pre-publication stage.

" In making its recommendations, the Procedure and House Rules Committee should consider providing for an appellate mechanism during the pre-publication stage and before a recommendation is made to the Speaker", he directed.

Consequently, the Clerk of the National Assembly is now expected on a weekly basis, to publish the list of the Members' legislative proposals which have been drafted and are awaiting the money Bill recommendation, or are undergoing pre-publication scrutiny in Committee, on the Parliamentary website, and brief the House on regular basis on the same.

The process of drafting a Bill involves several steps. The process kicks off with the Member drafting the proposal in collaboration with the Directorate of Legal Services, then the proposal is submitted to the Parliamentary Budget Office for 'money Bill certification'. Proposals that are found to have money Bill aspects are committed to the Budget and Appropriations Committee for its recommendation. It is after the Committee certifies that the legislative proposal has no money Bill aspects that it is committed to a Department Committee for pre-publication scrutiny and relevant sectoral input including public participation. The recommendation of the relevant Departmental Committee is key in guiding the Speaker to make a determination on whether to publish the proposal as a Bill or not.

The Speaker last week informed the House that a total of three hundred and thirteen (313) individual Members' legislative proposals have been process in the Twelfth Parliament. Of those, **ninety-one (91)** are at the **drafting stage** , while **nine (9)** have been submitted to the **Parliamentary Budget Office for Money Bill certification**.

Further, the House was apprised that **forty-two (42)** proposals which were determined to have money Bill aspects are **currently pending before the Budget and Appropriations Committee**. The Committee and other relevant Departmental Committees have also recommended that other **thirty-one (31)** proposals should either not be proceeded with, or should only be processed on the considered advice of the National Treasury.

He however noted that **sixty-three (63) proposals** had been recommended for publication and were at different stages of consideration by the House. With regard to proposals that had graduated to Bills, the Speaker told the House that **one (1)** had been **assented to**; **two (2)** had been passed and are **awaiting assent**; **four (4)** had been concluded are **under consideration in the Senate**; while **fifty (50)** were at various consideration levels in the House. **Four(4)** of the Bills have however been disapproved by the House while **two (2)** had been withdrawn by the Members who introduced them.

While reiterating his concerns over inordinate delays in the consideration of these legislative proposals, Speaker Muturi encouraged Members to seek recourse from his office or at the House Business Committee. He however, cautioned Members that not all Bills that are published will become law. He further reminded them that the Standing Orders prohibit the reintroduction of a legislative proposal which has been negated by the relevant Committee.

" Undeniably, not all Bills that are published will become law. Some Bills are published to cause an action, resolve issues of concern to the people or elicit national debate on the subject", he advised.