



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT - (SECOND SESSION)

THE NATIONAL ASSEMBLY

COMMUNICATIONS FROM THE CHAIR

_____ (No. 012 of 2023) _____

ON THE MANNER OF PROCESSING QUESTIONS FOR RESPONSE BY CABINET SECRETARIES BEFORE THE HOUSE

Honourable Members,

1. As you are aware, on Thursday, 9th March 2023, the House adopted the Report of the Procedure and House Rules Committee and passed amendments to the Standing Orders on the manner of processing Questions.
2. **Honourable Members**, the passage of the amendments to the Standing Orders clears the way for Cabinet Secretaries to appear in the House to respond to Questions and to provide Reports to the House pursuant to the general investigatory mandate of the House and the requirements of Article 153(2) and 153(4)(b) of the Constitution. The House also resolved that the amendments shall take effect from today, Thursday, 23rd March 2023. In this regard, I wish to guide the House on the new procedure in which Questions shall be dispensed with.

- 3. Honourable Members,** as is the practice, a Member will be required to deliver a signed copy of the proposed Question to the Clerk, who shall process it in line with the provisions of the Standing Orders before the final version is submitted to my office for approval. Thereafter, the Clerk shall transmit the approved Questions to the relevant Ministries for response by the respective Cabinet Secretaries.
- 4. Honourable Members,** with regard to the manner in which Cabinet Secretaries shall respond to Questions, the Leader of the Majority Party shall inform the House of the date, time and order in which Cabinet Secretaries shall appear to reply to Questions and provide Reports to the House. In so doing, the Leader of the Majority party shall take into consideration the urgency of each Question.
- 5.** To this end, **Honourable Members,** on a regular basis, the Clerk shall prepare and publish on the parliamentary website a tentative list of Cabinet Secretaries scheduled to reply to Questions and provide Reports to the House on the advice of the Leader of the Majority Party. A Cabinet Secretary shall provide both physical and electronic copies of the reply to a Question at least one (1) day before the said appearance.

6. **Honourable Members**, once Questions are scheduled to be responded to, a Member shall ask his or her Question on the day it is scheduled on the Order Paper. Questions shall be dispensed with in the sequence they appear in the Schedule of Questions to be appended to the Order Paper.
7. Notably, **Honourable Members**, I shall allow a Cabinet Secretary to reply to a Question on the day it is scheduled for reply, notwithstanding the absence of the Member who raised the Question. Additionally, the Speaker may vary the order in which Questions shall be disposed of, or defer a Question scheduled to be responded to. Further, a Member may request the Speaker to defer a question to a later date or withdraw a Question. For greater flexibility, a Member whose Question is listed in the Order Paper may, with prior written notice to the Speaker, depute another Member to ask the Question in his or her absence.
8. **Honourable Members**, In keeping with the existing practice, Questions directed to a Constitutional Commission or an Independent Office shall be replied to before the relevant Committees of the House.
9. **Honourable Members**, where a Member prefers a written reply to his or her Question, I shall direct that a written reply be provided in respect of the Question and the Clerk shall forward the Question to the relevant Cabinet Secretary, Commission or Independent office and the reply, once received, shall be provided to the Member.

10. Honourable Members, you may have noticed that the amendment to Standing Order 40(3A) gives priority to Questions and Reports by Cabinet Secretaries every **Wednesday afternoon** for a period not exceeding three hours. In this regard and in order to allow adequate time for Members to dispense with Questions and to compensate for the time set aside for Questions during the Sitting, the amended Standing Order 30(2) has varied the hours of the Wednesday afternoon Sitting from 7.00 p.m. to 9.00 p.m.

11. Honourable Members, for clarity, notwithstanding the provisions of Standing Order 30(2)(c), the House may adjourn at 7.00 pm during the afternoon sitting on Wednesday, in the event the House concludes the business scheduled for the sitting in addition to any Questions scheduled for reply.

12. Honourable Members, Pursuant to the amended Standing Order 25A(b), I have designated the place adjacent to the public servants bench on the right of the Speaker as the appropriate place in the chamber where a Cabinet Secretary shall expound on government policy, reply to Questions and provide Reports concerning matters under his or her control. This is the usual place where the Cabinet Secretary for National Treasury presents budget highlights annually.

13. Honourable Members, After a Cabinet Secretary has responded to a Question, the Standing Orders allow the Speaker the latitude—

- (a) to permit the Member who raised a Question to ask a maximum of two **(2) supplementary Questions** that relate to the original Question;
- (b) to permit a Member other than the Member who asked a Question to ask a further supplementary Question that relates to the original Question;
- (c) to direct a Cabinet Secretary to provide additional information or a further reply to a Question or supplementary Questions to the relevant Committee of the House; or
- (d) to defer a Question to a different time or day from its scheduled time and day.

14. Honourable Members, it has also been brought to my attention that the amendments considered and passed by the House on Thursday, 9th March 2023 in relation to the processing of Questions contain minor formal errors. In this regard, I do invoke the provisions of Standing Orders 152 (3) and direct the Clerk to correct the errors. The Clerk is further directed to publish and circulate to the Members an Addendum to the Standing Orders as a reference guide in the consideration and processing of Questions by the House.

15. Honourable Members, it is my hope that this new procedure will enhance executive accountability to the National Assembly. I urge Members to take time to familiarise themselves with the new procedure well in advance of the resumption of the House after the Short Recess.

The House is accordingly guided.

I Thank You!

Wetang'ula

THE RT.HON. (DR.) MOSES M. WETANG'ULA, E.G.H, MP
SPEAKER OF THE NATIONAL ASSEMBLY

Thursday, 23rd March 2023