

NATIONAL ASSEMBLY

OFFICIAL REPORT

Thursday, 31st August 2017

Twelfth Parliament – First Session – First Day

*(Twelfth Parliament convened by notification vide
Legal Notice No.219 of 23.8.2017)*

(The National Assembly Sitting resumed at 3.30 p.m.)

The Clerk of the National Assembly (Mr. Sialai): Hon. Members, I wish to welcome you back to the House. The Sitting had been suspended according to Standing Orders. We are now supposed to proceed to the next agenda. Let me ask the officers to call the Order.

ELECTION OF THE SPEAKER

The Clerk of the National Assembly (Mr. Sialai): Hon. Members, I have a Communication to issue relating to the procedure to follow when we are electing the Speaker of the National Assembly and the Deputy Speaker. First, I wish to confirm that the House is properly constituted because we are required to have the quorum which is 50 Members. Obviously, looking at the Members seated and from our own counting, I can confirm that the House is properly seated because there is a quorum of 50 Members.

Hon. Members, this Communication is always issued to guide Members of Parliament even in a normal process when we have an activity to carry out in the House. So, allow me to read this Communication. Follow it slowly so that it makes our work easier when it comes to electing the Speaker.

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 12th 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 sitting today in the morning, being the first sitting of a new House of Parliament after an election. In exercise of powers conferred by Standing Order No.5(1) I notified the general public of a vacancy in the Office of the Speaker of the National Assembly via *Gazette Notice* No.8376 of 2017 dated 24th August 2017. Additionally, I publicised the declaration of the vacancy by advertisement in three newspapers of national circulation.

In the notice and advert, 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 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 Boniface
2. Hon. (Dr.) Gesami James

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

Hon. 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 collection and submission of nomination papers. I want to inform Members that, in fact, we had candidates who picked them on Saturday and on Sunday as well. At the close of the nomination period, which was Tuesday at 9.00 a.m., the following six persons had submitted their nomination papers for election as Speaker of the National Assembly:

1. Augo Jim Boniface.
2. Migudo (Dr.) Noah Winja
3. Muturi (Hon.) Justin Bedan Njoka
4. Ngao (Dr.) Gladys Kasiva
5. Onyango Washington Andango
6. Wainaina Isaac Wangengi

Hon. Members, pursuant to the provisions of Article 106 of the Constitution and Standing Order No.5 of the National Assembly Standing Orders, out of the six persons who completed and submitted their nomination papers, the following three 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 Washington Andango

Further, hon. Members, the following three other 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 20 Members in support of their candidature, pursuant to Standing Order No.5 (3):

- (1) Augo Jim Bonface
- (2) Ngao (Dr.) Gladys Kasiva
- (3) Wainaina Isaac Wangengi

Accordingly Members, I publicised and made available to all Members the list showing the three persons qualified as candidates for election as Speaker in the ballot to be conducted as the second substantive business of the first Sitting of the House, which the officers have already called out.

Hon. Members, I wish to also notify the House that I have since received a letter from one Onyango Washington 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 provision of Standing Order No.8, which provides: “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 papers issued for that or any subsequent ballot.”

Accordingly, Hon. Members, I direct the name of Onyango Washington Andango be crossed out before the issuance of ballot for the elections. Members, when you receive such a letter, you still have to prepare the ballot papers. It is at this point when the Chair has to direct that name to be crossed out.

Hon. Members, Standing Order No.6 provides this with regard to the voting procedure where more than one candidate qualifies to stand for election as the Speaker. It provides as follows:

“(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 conclusion of the ballot.”

I will do it shortly. I will ask the officers to do that. In this regard, each Hon. Member will receive one ballot paper 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, opposite the name of the candidate he or she wishes to vote for. Thereafter, the Member should fold the marked ballot paper before leaving the booth and place it in the ballot box. A Member who, before the conclusion of a ballot has marked his paper in error before you go to vote in the ballot box may, by returning to the Clerk, obtain another in its place. The first one shall be marked “cancelled and “destroyed”.

Hon. Members, when it appears to the Clerk, the returning officer, that all Members who were present and who wished 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 spoiled, 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 all Members and also Members who are appointed as agents or representatives by the candidates. So, I will shortly ask for the agents of the two remaining candidates, Dr. Migudo Noah Winja and Hon. Muturi Justin Bedan Njoka.

Hon. Members, in line with the requirement of Standing Order No. 7(1), a person shall not be elected as Speaker unless he or she is supported in a ballot by the votes of two-thirds of all Members.

The House is reminded that this two-thirds threshold is not a constitutional requirement, and it was never the intention of the framers of the Constitution to say that it has to be two-thirds. Otherwise, it should have been clearly stated. Article 106 of the Constitution does not say that. It is a procedural step to ease the election of a Speaker on the first round of ballot. In fact, if your votes result in attainment of two-thirds in the first round, we will not go to the subsequent ballot. By practice, it has always happened. For your information Members, this Standing Order was reviewed previously. It used to be three times. You would go the first time, and if you do not get the two-thirds, you go for the second time. If you do not get the two-thirds in the second time, the last final and the third one was the one that would determine the winner. However, in our case, it ends in the second round. 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.

Hon. Members, pursuant to the provisions of Standing Order No.7 (2), if no candidate is supported by two-thirds of all Members after the first round of voting, the candidate who received the highest number of votes shall alone stand for election in a second round. The candidate who then receives the highest number of votes in the second round shall stand elected as the Speaker, and I will declare so.

Hon. Members, I wish to remind the House that this particular voting is by secret ballot. Previously, there was an issue that was raised but it is now clear by precedent and the standing Orders that the voting is by secret ballot. Members are not allowed to display their marked ballot papers to the House, the galleries or to any other person. If it is brought to the attention of the returning officer, that will be considered as a spoilt vote.

Members from the media are also reminded to observe rule 3(c) of the Broadcasting Rules, which provides:

“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.”

Remember the ballot booths are here, and there is a possibility that somebody may want to do that. The Standing Orders and the rules are very clear. We have arranged the four voting 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 of the table and vice-versa.

(The Serjeant-at-Arms opened the ballot box and displayed it to the House)

Having explained the voting procedure – and I think it is clear – I now wish to direct my officers to open the ballot box and display it to the House. I ask the Serjeant-At-Arms to open it and display it to members. Go round and show Hon. Members.

(The ballot box was displayed)

Hon. Members, I think you have witnessed for yourself that the ballot box is empty. Close it and lock it. It has been confirmed to me that the ballot box has been displayed and it is empty. We all saw it. It has been locked. The next thing before we start to call names for

Members to come and vote is for you to appoint agents for the two candidates. I will start with the first candidate as it is indicated here – Dr. Migudo Noah Winja. Is there any agent or representative?

(Hon. A.B. Duale spoke off record)

No one is offering himself, but Hon. Duale is saying that they are proposing Hon. Richard Tong'i to stand in as his representative.

Hon. Tong'i: *Hapana. Unanichoma Bwana.*

(Laughter)

Hon. Member: No! It is good.

The Clerk of the National Assembly (Mr. Sialai): Hon. Members, there is no harm getting somebody to represent him. Hon. Ng'eno, Member of Parliament for Emurua Dikirr, will be there when we start voting just to observe when they come in. Next are the two agents or an agent for Hon. Muturi Justin Bedan Njoka. We have Hon. Washiali and Hon. Cecily Mbarire. They can be two. I think there is no harm. At the time we are counting and all that, Hon. Mbarire will be the agent or representative for one of the candidates, Hon. Muturi.

If that is the case, Hon. Members, may I now ask my officers to call out names? Voting will start now. When your name is called, you come forward here and pick your ballot paper and vote. For the Hon. Members with disabilities, ballot papers will be brought to where you are seated and then you can come and vote.

Thank you.

(Hon. Members proceeded to vote)

Officers, you are supposed to approach Hon. Teiyaa and give her a ballot paper.

(Voting in progress)

The Clerk of the National Assembly (Mr. Sialai): Hon. Members, I do not know whether there is anybody who has not voted for any reason. Could there be any Member who is present but has not voted? It appears that all the Members who wished to vote have already done so.

Standing Order No.6(6) says:

“When it appears to the Clerk that all the Members who are present, and who wish to vote have placed their ballot papers in the ballot box, the Clerk shall unlock the box, examine the ballot papers and, having rejected any unmarked or spoiled, report the result of the ballot; and no Member who has not already recorded his or her vote shall be entitled to do so after the Clerk has unlocked the ballot box”.

Therefore, in accordance with this Standing Order, I am directing my officers to unlock the ballot box and examine the ballot papers. Once they have checked to ascertain whether there are some which are unmarked or spoiled, we will start counting the votes.

(The clerks unlocked the ballot box and proceeded to count the votes)

The Clerk of the National Assembly (Mr. Sialai): You can now open the seals.

(Voting in progress)

Hon. Members, I wish to announce the results of the first ballot.

NAME	VOTES
Dr. Noah Winja Migudo	4
Hon. Justin Bedan Njoka Muturi	217
Spoilt votes	0
Abstention	0
Total	221

Standing Order No.7(1) says that a person shall not be elected as Speaker unless supported in a ballot by the votes of two-thirds of all the Members. Two-thirds of 349 Members is 233. Therefore, none of the candidates has reached the threshold. Therefore, I will invoke Standing Order No.7 (2) which qualifies Standing Order No. 7(1):

“(2) If no candidate is supported by the votes of two-thirds of all Members, the candidate or candidates who received the highest number of votes in the ballot referred to in paragraph (1) and the candidate or candidates who in that ballot received the next highest number of votes shall alone stand for election in a further ballot and the candidate who receives the highest number of votes in the further ballot shall be elected Speaker.”

Therefore, these two candidates, namely, Dr. Migundo Noah Winja and Hon. Justin Bedan Njoka Muturi will proceed for the second ballot. Members will proceed for a further ballot, but because I am aware some Members may have taken leave, I am asking the Serjeant-at-Arms to ring the Bell for three minutes to ask them to come in so that we can go for a second ballot. In the meantime, officers, prepare to give out the ballot papers.

(The Bell was rung)

Hon. Members, we can now start.

(Loud consultations)

Order, Members.

Hon. Members, we want to proceed for a further ballot as per Standing Order No.7 (2). I will ask officers to unlock the ballot box and display it to Members.

(The Serjeant-At-Arms opened the ballot box and displayed it to Members)

We have confirmed that it is empty. I am now asking officers to lock it.

(The Serjeant-At-Arms locked the ballot box)

I presume the same agents will stand in for the candidates. Hon. Mbarire and Hon. Ngeno, Member for Emurua Dikirr, are the agents and representatives of the candidates. Members, you may wish to know that the colour of the ballot papers you are using for a further ballot is different from the other one. This is meant to differentiate between the two voting. Therefore, I am asking my officers to call out names and give out ballot papers, so that we can move ahead. Let us continue.

(Voting in progress)

The Clerk of the National Assembly (Mr. Sialai): We have concluded calling names for Members to vote. Before we move to the next stage, I want to find out whether there is any Member who has been skipped or for any reason has not voted. The Standing Orders require me to declare whether all the Members present and who wanted to vote have indeed voted. It appears then that all Members present and who wished to vote have indeed voted. Therefore, I will ask the agents to come to the ballot box and unlock it.

(The ballot box was unlocked and emptied)

The ballot box is being displayed to show that there is no ballot paper that has remained inside. I think you are satisfied.

I ask the officers to start identifying the ballot papers in respect of the candidates who were participating in the second round pursuant to Standing Order 7(2).

(Voting in progress)

(Counting of votes)

The Clerk of the National Assembly (Mr. Sialai): Hon. Members, we are done with the further ballot and the results are as follows:

NAME	VOTES
Dr. Noah Winja Migudo	1
Justin Bedan Njoka Muturi	220

Standing Order No.7(2) states as follows:

“If no candidate is supported by the votes of two-thirds of all Members, the candidate or candidates who received the highest number of votes in the ballot referred to in paragraph (1)

and the candidate or candidates who in that ballot received the next highest number of votes shall alone stand for election in a further ballot---”

We have just concluded that ballot and the results have been announced. The Standing Order further says:

“---and the candidate who receives the highest number of votes in the further ballot shall be elected Speaker”.

(Applause)

Therefore, Hon. Members, noting that Hon. Justin Bedan Njoka Muturi has received the highest number of votes in the second round, and pursuant to Standing Order No.7(2) the said Justin Bedan Njoka Muturi stands elected as the Speaker of the National Assembly.

(Applause)

(The Clerk accordingly declared Hon. Justin Bedan Njoka Muturi elected Speaker of the National Assembly and directed the Serjeant-at-Arms to search for the said Muturi and present him to the House.)

The Clerk of the National Assembly (Mr. Sialai): Hon. Members, do not worry. We have a very efficient and effective Serjeant-at-Arms. If they are unable to search, I will send some Members. But let us hold on a bit. I am sure they will get him. So, let us hold our horses and breathe as he comes.

(Applause)

(On arrival of Hon. Justin Bedan Njoka Muturi in the Chamber, he was escorted to the Chair by Hon. A .B. Duale and Hon. (Ms.) Lesuuda)

(On arrival at the Chair, the Clerk thereupon administered the Oath of Allegiance to the Speaker-elect, Hon. Muturi)

(Applause)

(The Speaker, Hon. Muturi, then took the Chair and the mace which had been covered was uncovered)

(Applause)

COMMUNICATION FROM THE HOUSE

SUBMISSION OF MR. SPEAKER TO THE WILL OF THE HOUSE

Hon. Speaker: Hon. Members, the Clerk of the National Assembly, distinguished guests, ladies and gentlemen, I am deeply honoured by the confidence you have bestowed upon me by electing me to serve as the Speaker in the 12th National Assembly. I am humbled by the trust and faith you have bestowed upon me. I resound the words of the 1964 Nobel Peace Prize winner, the late Dr. Martin Luther King who said:

“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 the 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 the high degree of efficiency and impartiality and will to the best of my ability, respect, uphold and defend the people’s 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 wellbeing of our great nation.

Hon. Members, you will agree with me that it has been a long day today. At the beginning of this second part of the sitting, the Clerk of the National Assembly enumerated a list of 23 other exceptionally outstanding citizens who expressed interest in becoming the Speaker of the National Assembly in the 12th Parliament.

I would like to recognise Dr. Winja Migudo who qualified as a candidate and made it all the way to the ballot paper.

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.

Hon. Members, allow me to also congratulate you individually and collectively for your recent election victories. The positions we now occupy are not only a great honour and privilege but they are a demonstration of the immense trust that the citizens of this Republic have bestowed upon us.

Looking around, I can see many familiar faces, peers, past and present colleagues. It is gratifying to see very many familiar faces. I am happy to note that more than 150 of you Hon. Members have been re-elected for a further term. The list tabled by the Clerk also indicates that 32 Members will now be serving their third, fourth and fifth terms. This is an endorsement of the confidence your electorates have in you.

Allow me to particularly recognise and acknowledge the Member for Kitutu Chache North Constituency, Hon. Jimmy Nuru Angwenyi, who now serves as the senior most Member in this House as he commences his fifth term in this august House. In parliament parlance, he becomes what we call the “father of the House”.

(Laughter)

Most of you having gone through the elections process, you all agree with me that this is not an average achievement. I commend you, *Mheshimiwa*. The National Assembly, in the 12th Parliament, now has 76 female Members of Parliament as compared to 68 in the last Parliament.

(Applause)

On this note, allow me, Hon. Members, to single out the Member for Taveta Constituency, Hon. Naomi Shaban, who now becomes the longest serving female Member in the House as she commences her fourth term today. I say *kongole Mheshimiwa 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, Hon. Amos Kimunya, Hon. Maoka Maore, Hon. Jane Kihara, Hon. Jeremiah Kioni, Hon. Charles Kilonzo, Hon. Fred Kapondi, Hon. Kizito Mugali, Hon. Peter Mwathi, Hon. Noor Sophia Abdi, Hon. John Oyioka, Hon. Joshua Kutuny and Hon. Raphael Wanjala, *karibuni*.

(Applause)

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

Hon. Members, it is my pleasure to extend a cheerful and gracious inclusive welcome to the 180 newly elected Hon. Members. I observe that in tandem with our constitutional vision, the number of women, youth and persons with disabilities has increased. 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. I commend them.

The role of parliamentary parties in exercising the oversight role cannot be overstated. The newly revised Standing Orders of 2017 recognise and, indeed, embrace independent Members in the committee system of this House.

Hon. Members, as you may be aware, the committees of this House play an important role. As a matter of fact, we normally say that in the United States of America (USA) “Congress in committee is the House at work”. Those of you who were in the 11th Parliament will recall the converse of Parliament in the plenary. 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 and due process as well.

The 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 (PAC) and Public Investments Committee (PIC). Likewise, the Members 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 actualise 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.

Hon. 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 Officers Ethics Act, the Leadership and Integrity Act and the Parliamentary Powers and Privileges Act of 2017 will all reinforce the essential value of integrity, a most valuable asset in public service.

Of great importance, Hon. Members is the need to observe that the Parliamentary Powers and Privileges Act, which was recently enacted and 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.

Hon. 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. 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. Indeed, this is to all of us what is provided for in Article 95(1) of the Constitution.

In undertaking this 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 our Constitution and more particularly in Article 10.

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 ones of the great British citizen Winston Churchill who emphasised:

“If we open a quarrel between the past and the present, we shall find that we have lost the future.”

In this regard, Hon. 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 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 United States of America, Woodrow Wilson continuously echo in our minds:

“You are not here merely to make a difference. You are here to enrich the world, and to 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 11th Parliament. Looking back, the 11th Parliament executed its roles with great success. It passed a total of 180 bills which have since become laws and considered 124 petitions and various motions.

Additionally, the 11th Parliament will be remembered for having considered and approved amendments to the National Assembly Standing Orders which have created the new committees that I have mentioned. The import of these amendments was to, among other things reconstitute committees; realign their mandates; engender effective member participation and promote efficiency in them. To put it candidly, the 11th Parliament nursed and weaned an infant which has now grown into a blossoming bicameral legislature.

The 12th Parliament now has the responsibility of nurturing this infant. This will be achieved through continuous review of the various existing legislations 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: Article 118 and Article 10. Simply put, public participation is the link between you and the people you represent.

Although these are some of the tasks that lie ahead, you will only know the depth of a river by immersing yourself in it, swimming through it and if circumstances demand diving into

the riverbed and examining what lies beneath. What I am trying to say is that our task as Members will continue to unravel as we commence the journey of resolving issues of concern to the people we represent. What should be our driving force is a need to recognise--- Although the task ahead is enormous, it provides an opportunity for this House to participate in moulding essential governance institutions and strengthening our democratic processes.

Hon. 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.

In the life of the 12th Parliament, I undertake to implement a paperless system in the House. The Parliamentary Service Commission (PSC) is in the process of implementing various Information and Communication Technology (ICT) platforms to support this system. I, therefore, encourage Members to equip themselves with the necessary tools that will assist them utilise these facilities. I also undertake to work with all governance institutions including our sister House, the Senate, 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 (EALA), the Pan African Parliament, the Caribbean and Pacific European Union Joint Parliamentary Assembly and other regional integration bodies.

Hon. Members, Article 127(6) of the Constitution obliges the PSC to provide services and facilities to ensure efficient functions of Parliament. In this respect, the commission is in the process of completing the new office block for Members of Parliament. It is expected to be ready by end of next year. The new office block will have 20 Committee meeting rooms, 338 executive offices and over 400 parking spaces. This will go a long way towards ensuring that you execute your duties and responsibilities with efficiency and effectively.

You 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.

I am proud to preside in the one institution that manifests the diversity of this 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 protect fully and faithfully uphold, defend and respect the Constitution, the Parliamentary Powers and Privileges Act and our own Standing Orders. I look forward to working with all of you in discharging our respective mandate. Together we can make our country proud.

As I conclude, I wish to inform you that the PSC has organised an induction retreat for all Members of the National Assembly. Members will be apprised of the legislative-making processes including but not limited to the introduction of Bills and Motions, the budget-making processes, the committee system, the rules of debate and various aspects of Parliamentary powers and privileges. I encourage you all to dutifully attend the sessions even if it is not your first time to be inducted, like of course, Hon. Jimmy Angwenyi. This is a suitable opportunity for interaction and sharing of experience between Members; both old and new.

Finally Hon. Members, I wish to 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 carried out on Tuesday and Wednesday. I request you to continue facilitating Hon. Members with this elevated degree of proficiency, professionalism and impartiality. *Asanteni sana.*

God bless the Parliament of Kenya and the people of this great nation. Thank you, Hon. Members.

Hon. Members, before I call on the Clerk to take us through the next Order, permit me to recognise and appreciate all Members of the public that have travelled from the breadth and width of this country to come and witness this rare occasion that happens only once in five years. *Asanteni sana kwa kuja kuhakikisha na kuona waheshimiwa wakiapishwa ndio waanze kazi rasmi.*

Next Order!

ELECTION OF THE DEPUTY SPEAKER

The Clerk of the National Assembly (Mr. Sialai): Hon. Speaker, I have a report to make as a returning officer on this matter.

His Excellency the President of the Republic of Kenya and the Commander-in-Chief of the Kenya Defence Forces notified this first Sitting of the National Assembly of the 12th 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 Deputy Speaker became vacant at the commencement of today's sitting at 9.00 a.m. in the morning being the first Sitting of the new House of Parliament after an election.

In exercise of the power conferred by Standing Order No.13, I notified the general public of a vacancy in the Office of the Deputy Speaker of the National Assembly vide *Gazette Notice* No.8377 of 2017 dated 24th August, 2017.

I additionally publicised the declaration of the vacancy by advertisement in three newspapers of national circulation. In the notice and the advertisement, I invited interested persons who qualify to be elected as Deputy Speaker of the National Assembly in accordance with the Constitution to submit their nomination papers for elections as the Deputy 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:

Hon. Moses Kipkemboi Cheboi

Hon. (Ms.) Josephine Naisula Lesuuda

Hon. (Ms.) Martha Wangari Wanjira

Hon. Speaker, Hon. Members, as per the *Gazette Notice* and the advertisement, the person who collected nomination papers was required to submit the completed papers together with their Curriculum Vitae (CV) and relevant supporting documents to the Office of the Clerk of the National Assembly not later than 9.00 p.m. on Tuesday 29th August, 2017.

The Office of the Clerk of the National Assembly remained opened 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.

Hon. Speaker, at the close of the nomination period, only Hon. Moses Kipkemboi Cheboi submitted his nomination papers for election as the Deputy Speaker of the National Assembly.

Hon. Speaker and Hon. Members, the provision of Standing Order No.11 apply in respect to the election of a Deputy Speaker as provided for in Standing Order No.13 which provides: “(3) The procedure for electing a Deputy Speaker shall, with necessary modifications, be the same as that prescribed for the election of the Speaker”.

In this regard and pursuant to provisions of Standing Order No.11, which provides that if there is only one candidate who has been duly nominated for election as Speaker at the expiry of the nomination period, that candidate shall be declared forthwith to have been elected Speaker without any ballot or vote being required, I declare one Hon. Moses Kipkemboi Cheboi duly elected as the Deputy Speaker of the National Assembly.

(Applause)

Hon. Speaker, I now invite you to proceed with the necessary steps to admit the said Member to the Office of Deputy Speaker of the National Assembly.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Members, the Clerk having declared that the said Hon. Moses Kipkemboi Cheboi is duly elected as the Deputy Speaker of the National Assembly in the 12th Parliament, I now direct that the said Hon. Moses Kipkemboi Cheboi be searched, hunted for and brought to the House.

(Loud consultations)

(Hon. Moses Kipkemboi Cheboi was escorted to the Chair by Hon. Ichung'wah and Hon. (Ms.) Mbarire)

(The Speaker accordingly declared Hon. Moses Kipkemboi Cheboi elected Deputy Speaker of the National Assembly and administered the oath to him accordingly)

(Ms. Florence Mutua crossed the Floor)

Hon. Speaker: Hon. Members, I appreciate that we have just come from a general election where how you criss-crossed the country did not matter. Hon. Florence Mutua must still be in that mood.

(Loud consultations)

Hon. (Ms.) Mbarire: Hon. Speaker, I present to you Hon. Florence Mutua.

Hon. Speaker: Ms. Florence, do you wish to swear by the Bible or through affirmation?

Ms. Mutua: The Bible, Hon. Speaker.

Hon. Speaker: In English language or Kiswahili?

The Oath of Allegiance was administered to the following Member:

Mutua Florence Mwikali

Hon. Speaker: Hon. Members, Standing Order No.14(1) states:

“After taking and subscribing to the Oath or Affirmation of Office under Standing Order 12 (*Swearing-in of the Speaker*), the Speaker shall notify the Members of the place, date and time of the opening of Parliament.”

Article 132(1)(a) of the Constitution states:

“The President shall-
(a) address the opening of each newly elected Parliament.”

In this regard, I wish to notify you that I shall communicate the place, date and time of the opening of Parliament in due cause.

ADJOURNMENT

Hon. Speaker: Hon. Members, the time being 7.07 p.m., The House stands adjourned to reconvene at a date that I will communicate shortly.

Thank you.

The House rose at 7.07 p.m.