

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 29th March, 2000

The House met at 9.00 a.m.

[Mr. Speaker in the Chair]

PRAYERS

NOTICE OF MOTION

APPOINTMENT OF HOUSE BUSINESS COMMITTEE

The Vice-President (Prof. Saitoti): Mr. Speaker, Sir, I beg to give notice of the following Motion:-

THAT, the following Members be appointed as Members of the House Business Committee:-

The Hon.(Prof.) George Saitoti, MP (Chairman)

The Hon. Musalia Mudavadi, MP

The Hon. K.N.K. Biwott, MP

The Hon. Joseph J. Kamotho, MP

The Hon. (Prof.) S.K. Onger, MP

The Hon. Kipkalia Kones, MP

The Hon. Maj. M.H. Madoka, MP

The Hon. S.K. Musyoka, MP

The Hon. Chrisanthus Okemo, MP

The Hon. S.M. Mkalla, MP

The Hon. A.I. Shaaban, MP

The Hon. Mwai Kibaki, MP

The Hon. David Mwiraria, MP

The Hon. Martha Karua, MP

The Hon. N.M.G.K. Nyagah, MP

The Hon. Raila A. Odinga, MP

The Hon. Owino Acholla, MP

The Hon. Michael K. Wamalwa, MP

The Hon. Lawrence Sifuna, MP

The Hon. Mrs. Charity Kaluki Ngilu, MP

PROCEDURAL MOTION

EXEMPTION OF BUSINESS FROM PROVISIONS OF S.O.33

The Vice-President (Prof. Saitoti): Mr. Speaker, Sir, I beg to move the following Procedural Motion:-

THAT, this House orders that the business appearing on today's Order Paper be exempted from the provisions of Standing Order No.33, being a Wednesday morning, a day allocated for Private Members'

Motions.

I am sure that hon. Members are aware of this ritual that is done on the next day after the opening of Parliament. This Motion is being brought to the House because we do not have any Private Members' Motion at all.

The Minister of State, Office of the President (Mr. Sunkuli) seconded.

(Question proposed)

(Question put and agreed to)

MOTION

APPOINTMENT OF HOUSE BUSINESS COMMITTEE

The Vice-President (Prof. Saitoti): Mr. Speaker, Sir, I beg to move the following Motion:-
THAT, the following Members be appointed as Members of the House Business Committee:-

The Hon. (Prof.) George Saitoti, MP (Chairman)

The Hon. Musalia Mudavadi, MP

The Hon. K.N.K. Biwott, MP

The Hon. Joseph J. Kamotho, MP

The Hon. (Prof.) S.K. Ogeri, MP

The Hon. Kipkalia Kones, MP

The Hon. Maj. M.H. Madoka, MP

The Hon. S.K. Musyoka, MP

The Hon. Chrisanthus Okemo, MP

The Hon. S.M. Mkalla, MP

The Hon. A.I. Shaaban, MP

The Hon. Mwai Kibaki, MP

The Hon. David Mwiraria, MP

The Hon. Martha Karua, MP

The Hon. N.M.G.K. Nyagah, MP

The Hon. Raila A. Odinga, MP

The Hon. Owino Acholla, MP

The Hon. Michael K. Wamalwa, MP

The Hon. Lawrence Sifuna, MP

The Hon. Mrs. Charity Kaluki Ngilu, MP

The Minister of State, Office of the President (Mr. Sunkuli) seconded.

(Question proposed)

Dr. Ochuodho: On a point of order, Mr. Speaker, Sir. There seems to be an oversight. We seem to have "misspelt" hon. Prof. Anyang'-Nyong'o's name as hon. Charity Kaluki Ngilu!

(Laughter)

Mr. Speaker: Order! Order! Dr. Ochuodho, on the very first day of our sitting, and in spite of my warning yesterday for hon. Members to be serious in their business, you come here with the most frivolous point of order. Take heed! Next time you rise up on a frivolous point of order, I will exclude you from the proceedings of the House. Be serious from now hence forth.

Mr. N. Nyagah: Thank you, Mr. Speaker, Sir. While accepting the names that have been presented by the Vice-President, I would like to only caution the hon. Members on what I have seen in the past. From what I have experienced in the last eight years, it has been the tradition and practice of this House in the past that the names of those who are to serve in any of the Select Committees are given by the political parties. The reason I am requesting for this is because it gives discipline to the political parties when they are given the mandate to so do and present names. In the past, we have had certain problems with certain Select Committees. This is the only caution; that the moment we begin with a proper selection of our Select Committees, this practice is going to continue right up to the end.

With those few remarks, I support.

Mr. Ndicho: I wish to congratulate the Social Democratic Party (SDP) for appointing hon. Ngilu to this very important Committee of the House because in the past this Committee was gender insensitive. Now the SDP has decided to make this Committee really gender sensitive. You realise that hon. Ngilu is the one who made the SDP to be known in this country; before that it was not known. We decided that she should be the undisputed leader of the SDP both in the House and outside. We look upon her contribution in this Committee, and the whole party supports her in this Committee. This afternoon we are having our own meeting.

It is unfortunate that hon. Dr. Ochuodho rose on what you ruled as a frivolous point of order. In fact, this was an SDP affair and it had nothing to do with that other party. We would wish that the SDP be left alone to conduct our own affairs as we have done on this particular matter. I wish to congratulate hon. Ngilu on her appointment to this Committee.

Dr. Ochuodho: Mr. Speaker, Sir, for purposes of record, I would want to say I have no problem with hon. Ngilu or Prof. Anyang'-Nyong'o being on the House Business Committee. It would be important in future that we streamline the manner in which we appoint people to the Committees because one morning someone can just decide: "Today I am the boss of this party." Hon. Oloo-Aringo could easily say: "Today I am the boss of NDP", and then we would get into problems. I am saying this because in the last session I was removed from a Committee. I do not know how it happened. I am glad that as we are talking today, the Chair has reinstated me back to the Committee.

Mr. Speaker: Order! Dr. Ochuodho, for the second time this morning, I want you to be serious. Never put your words into my mouth. I never said anything like that. Instead of you telling me this, you should rather take the counsel from Mr. N. Nyagah, that these are purely party matters. It has nothing to do with the Chair.

Proceed.

Dr. Ochuodho: The point I am trying to make is that I think it would be important for the dignity of the House that we streamline the manner in which things are done. One morning somebody could just wake up and say: "I am the secretary of this party and I am forwarding the name of so-and-so instead of that one of so-and-so". It would be very important to restore that dignity, that we have some rules.

Mr. Speaker: Could I make this absolutely clear so that you do not tire the House and the Chair on that issue again? It is very simple. The selection to Committees is the sole prerogative of the political parties. The Chair has no hand in it. Every political party represented in this House, through some arrangements between the political leadership in the House, has the right to nominate a certain number of Members into any Committee. It is entirely their own arrangement. They will bring those nominations to this House and any Member who is not satisfied with the list as given to the House may move an amendment and seek support of other hon. Members. It may also be wise to recall what Mr. N. Nyagah said, and this is the practice everywhere else in the Commonwealth countries, that a Member who wishes to retain a position in a Committee must get the active support of his party. If your party is dissatisfied with you, I cannot, as Speaker, impose upon the party to make it mandatory for them to appoint a Member who does not advocate the mandate of that party in a Committee. It is really not my duty.

Mr. Kajwang: On a point of clarification, Mr. Speaker, Sir.

Mr. Speaker: Order! Mr. Kajwang, as far as I can recall, there is no point of clarification in the Standing Orders.

Mr. Kajwang: On a point of order, Mr. Speaker, Sir.

Mr. Speaker: Order! Mr. Kajwang, you cannot change your mind half way.

(Laughter)

What is it, Mr. Kanjwang?

Mr. Kajwang: On a point of order, Mr. Speaker, Sir. Following your explanation that nominations to committees are strictly party affairs, you have not quite explained to us how the party communicates to the House Business Committee or to the House. Who is the "party"?

Mr. Speaker: I suppose every one of you understands the reason why we have people called "whips". They are not there for fun. They are there to discharge a duty to the House and to their party. They are the link between the House and the various political parties. It is the whips who sit together in the final analysis to agree as to what proportion each party is entitled to. Once every whip has got their number it is the duty of a whip in a particular party to consult his party to get the Members to be nominated in those Committees. Whether or not you actually meet as parties is neither here nor there. Nor is it my business to know.

All I have to do is to wait for the list to come here. If you are not satisfied, please, amend it. Please, keep me out of party politics.

Mr. Ojode: (inaudible)

Mr. Speaker: I am not the administrator-general of political parties. Whether they are rebels or non-rebels I am completely unaware. It is very nice to have all of you back in a very jovial mood and in very good demeanour.

(Question put and agreed to)

Mr. Speaker: The Members who have now been appointed by this House as Members of the House Business

Committee will have a meeting in our usual Committee Room immediately after the rise of the House.

ADJOURNMENT

Mr. Speaker: Hon. Members, it is now time for us to adjourn the House. The House is adjourned until this afternoon, at 2.30 p.m.

The House rose at 9.20 a.m.