

KISII COUNTY GOVERNMENT

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ASSEMBLY

26/09/2017

COMMUNICATION FROM THE CHAIR

SUBJECT: PROCEEDINGS OF THE ASSEMBLY IN THE ABSENCE OF HOUSE
BUSINESS COMMITTEE.

Hon. Members: I have the following communication to make concerning the proceedings of the Assembly in the absence of House Business Committee. This matter was raised by Hon. Daniel Apepo Ombasa on Wednesday 20th September in the afternoon sitting.

Pursuant to Standing Order 3(1) provides for the proceedings of a new county assembly avers that whenever a new assembly is elected, the Governor, by notice in the Gazette, shall appoint the place and date of the first sitting of the new assembly, which date shall not be later than thirty days after election. This provisions were sufficiently dealt with by the Governor vide gazette notice dated the 30th August, 2017.

In the wake of the gazette notice by the Governor, the new Assembly was opened on Thursday 7th September, 2017 at 9.00 AM and both the newly elected members and nominated ones were sworn in pursuant to ...Standing Order 3(2)(a,b &c).

After the MCAs were sworn in, the Speaker was duly elected pursuant to Standing Order 4(1); entrenching the fact that when the County

Assembly first meets after a general election and before the County Assembly proceeds with the dispatch of any other business a Speaker is elected. Immediately following the election of the Speaker, the Clerk administered the Oath of office to the Speaker in the presence of the County Assembly pursuant to Standing Order 12. This provision was again complied with.

As it is the practice, parliamentary standing orders on the notification of the County Assembly was executed appropriately pursuant to Standing Order 13(1); which states that immediately 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, the date and time of the opening of the County Assembly. Against this back drop, the Speaker gave the first date of the first opening of this Assembly, 19th September, 2017.

Hon Members, Standing Order 2(1)(b) interprets a chair person of the committees to include the Speaker when presiding over a committee of the Whole County Assembly. This interpretation, therefore, informs that the speaker is empowered to transact business even in the absence of the House Business Committee.

Hon Members, the Governor's address which was delivered to this County Assembly pursuant to Standing Order 20(1, 2&4) demands that he addresses a new Assembly. Under the same SO 20(6), the debate on the motion shall not exceed four (4) sitting days.

Secondly, there are no provisions in this Standing Orders that the address should be directed to House Business Committee to be allotted time for debate. The quest, therefore, that this House is transacting business without House Business committee being in place is unjustifiable. However, Hon. Members, today I am happy to report to you that the house is going to adopt the nominated members to the House Business Committee.

Thank you.

So the House be guided.