



EAST AFRICAN COMMUNITY

EAST AFRICAN LEGISLATIVE ASSEMBLY (EALA)

Official Report of the Proceedings of the East African Legislative Assembly

83RD SITTING – THIRD ASSEMBLY: FOURTH MEETING – THIRD SESSION

Wednesday, 21 January 2015

The East African Legislative Assembly met at 14:30 p.m. in the EALA Chambers, EAC Headquarters in Arusha, Tanzania

PRAYER

(The Speaker, Mr Daniel .F. Kidega, in the Chair.)

(The Assembly was called to order)

COMMUNICATION FROM THE CHAIR

The Speaker: Good afternoon, honourable members. You will remember that yesterday in the afternoon when we adjourned it was to allow the various standing committees to go and elect the leadership of those committees. I now, therefore, would like to report to you that the following persons were elected:

- The standing Committee on Accounts elected hon. Jeremie Ngendakumana as their chairperson.
- The standing Committee on Legal Rules and Privileges elected hon. Peter Mathuki as the chairperson.
- The standing Committee on Agriculture, Tourism and Natural resources elected hon. Abdul Karim Harelimana as their chairperson.
- The standing Committee on Regional Affairs and Conflict Resolution elected hon. Abdullah Mwinyi as the chair.

- The standing Committee on General Purpose elected hon. Dr Odette Nyiramilimo as their chairperson.
- The standing Committee on Communication, Trade and investment elected hon. Fred Mbidde Mukasa as their chairperson.

I would like to take this opportunity to congratulate all the elected persons, I look forward to working with you, and I wish you a successful tenure of two and a half years. God bless you.

Mr Abubakar Ogle (Kenya): Thank you, Mr Speaker. I am seeking clarification. Mr Speaker, you will remember that your disgraced predecessor, on the 26th of November, or thereabouts, delivered a ruling from the chair, which ruling she said was a communication from the chair but it touched on something very fundamental about the governance and the principles that shall be used in this House.

There was a motion, which was debated in Kigali but it was not concluded. One month later the then Speaker comes and issued a ruling to the effect that that motion was unnecessary, it was based on rumours and she therefore ordered that it be expunged from the proceedings of the Assembly.

I found that ridiculous. In my estimation and I think in the estimation of so many other members it was a ridiculous ruling. I am therefore seeking your guidance, Mr Speaker that those proceedings were not expunged from the proceedings of the House and that they are still there based on the opinion that was delivered by the Counsel to the Community then.

The other clarification I am seeking, Mr Speaker is that that same motion was two pronged. One, it sought the removal of one Shy-Rose Bhanji from the Commission. I know it is nugatory and it has been overtaken by events but then there was a second prayer in that motion, which prayer sought to discipline Shy-Rose Bhanji.

So could I seek your guidance on the two aspects, Mr Speaker? Thank you very much.

The Speaker: Thank you so much, hon. Ogle. Honourable members, we are all aware if the difficult past we have come from. It has been a very difficult one year of our life in this Assembly. We have a number of issues or business un-concluded before this House ranging from motions to reports of various committees that were not concluded.

Just two days ago, we elected a Commission for this House. Yesterday we constituted the standing committees and elected the leadership. It is now therefore my duty to work with all these Organs of the Assembly right from the Commission to the standing committees to make sure all business, which were not concluded before the House are very urgently brought to conclusion in accordance with our Rules of Procedure.

Therefore, I beg that you allow us to use the relevant committees you have put in place. I thank you so much. Chair, Council of Ministers.

PAPERS

The Assistant Minister for East African Cooperation, Tanzania and Chairperson, EAC Council of Ministers (Dr. Abdallah Saadalla) (Ex-Officio): Thank you, Mr Speaker. Mr Speaker and honourable members, as you recall, this august House approved the EAC budget for Financial Year 2014/2015 in June 2014. However, in the course of the financial year, the Council approved a regional funding to supplement the current budget. Therefore Mr Speaker, in accordance with the provisions of Article 132(1) and (2) 49(2) (c) of the Treaty and Rule 73(2) of the Rules of this Assembly, I beg to lay on the table:

- (a) The estimates of expenditures for the supplementary budget for Financial Year 2014/2015 and
- (b) The financial statement for the supplementary budget for the East African Community for the Financial Year 2014/2015.

Mr Speaker, I beg to lay.

The Speaker: I refer the Financial Statements and Estimates of Expenditure for the Supplementary Budget for the East African Community for the Financial Year 2014/2015 to the Committee of General Purpose for further scrutiny.

PAPERS

The Chairperson, Committee of Legal, Rules and Privileges (Mr Peter Mathuki) (Kenya): Thank you, Rt. hon. Speaker. I beg to lay on table the report of the Committee on Legal, Rules and Privileges on the EALA Rules of Procedure.

Mr Speaker, I beg to lay.

MOTION FOR THE CONSIDERATION OF THE REPORT OF THE COMMITTEE ON LEGAL, RULES, AND PRIVILEGES, ON THE PROPOSED AMENDMENTS OF THE EALA RULES OF PROCEDURE

The Chairperson, Committee of Legal, Rules and Privileges (Mr Peter Mathuki) (Kenya): Thank you, Mr Speaker. I move that the Report of the Committee on Legal Rules and Privileges on the proposed amendments to EALA Rules of Procedure be adopted. I beg to move.

The Speaker: Can I get the seconders? Hon. Kiangoi, hon. Mbidde, hon. Taslima, hon. Jeremie, hon. Bazivamo, hon. Chris Opoka, hon. Kessy and all those standing.

Honourable members, the proposal on the floor is that the report of the Committee of Legal Rules and Privileges on the proposed amendments to EALA Rules of Procedure be adopted. I now invite the chair of the committee to present the report of the committee.

Mr Mathuki: Thank you very much, Rt. hon. Speaker. Let me start by thanking you, Rt. hon. Speaker and all the members of this House and indeed the members of the Committee of Legal Rules and Privileges for entrusting me with this responsibility of chairing this very important

committee of the House. I will never take it for granted; I know it is a responsibility. I count on the support of each one of you, Mr Speaker, the members and the staff of the Assembly.

I now proceed to submit the report.

INTRODUCTION

In accordance with Article 49 (g) and Article 60 of the Treaty for the Establishment of the East African Community; and also Annex 5 B (ii) (g), and Rule 83 of the East African Legislative Assembly (EALA) Rules of Procedure (2008 Edition), the Assembly is mandated to make or amend its own Rules of Procedure. The Committee on Legal Rules and Privileges was mandated to receive, review and dispose of proposals for the amendment of the Rules of Procedure of the Assembly.

The Assembly meeting in Kampala, received the report by the Committee on Legal Rules and Privileges in which proposals were made to amend the Assembly's Rules of Procedure. The report and proposals therein were however, not debated as it was the last day of the sitting.

The Assembly meeting in Arusha, resumed the debate of the Committee report but was postponed to give Members ample time to internalize the amendments with the help of technical persons. It is on this premise that the Assembly sitting in Nairobi from November 19th – 24th 2014, a workshop was convened for the purpose. The Workshop deliberated on the report and enriched the proposals by the Committee herein asserted in the Matrix attached.

OBJECTIVES

The objectives of this activity were mainly three-fold:

- (a) To cater for growth of the Community and Membership of the Assembly;
- (b) To provide for technological advancement; and
- (c) To address unforeseen incidents and developments.

EXPECTED OUTPUT

- (a) Growth of the Community and Membership of the Assembly catered for;
- (b) Technological advancement provided for; and
- (c) Unforeseen incidents and developments addressed;
- (d) New EALA Rules of Procedure considered and adopted.

METHODOLOGY

To carry out its mandate, the Committee employed various methods, which included:

- (a) reviewing of the EALA Rules of Procedures 2008 Edition and the Treaty for the Establishment of the EAC;
- (b) reviewing Partner States' National Parliaments' Rules of Procedures;
- (c) reviewing regional parliaments Rules of Procedure similar to EALA;

- (d) holding an informal workshop for the whole House in Nairobi from November 19th - 25th, 2014 to consider the Committee proposed amendments; and
- (e) considering and adopting the Committee report for onward transmission to the House for debate.

THE PROPOSED AMENDMENTS

Arising from the activities undertaken above, the Committee developed a Matrix of proposed amendments of the new Rules of Procedure of the Assembly herewith attached as Annex I

CONCLUSION

The process of amending the EALA Rules of Procedures was highly participatory and involved wide consultation of share and stakeholders as well as intense research. Accordingly, what is contained in this Committee report reflects the will of the majority of Members of the Assembly pursuant to Rule 83 on amendments of Rules of Procedure.

The Committee would like to urge the House to adopt the amendments of the Rules of Procedure of the Assembly to foster posterity, smooth and proper functioning of the Assembly.

Mr Speaker Sir, I beg to move.

The Speaker: Honourable members, the proposal on the floor is that the report of the Committee on Legal Rule sand Privileges on the proposed amendments to the EALA Rules of Procedure be adopted. Debate is open.

Honourable members, before I open the floor for you to debate this report, you will remember very well that the exercise of amending our Rules of Procedure has been ongoing for some time now. The chairperson has gone through a chronology of how we have gone through it and to this stage.

This morning, a member of the committee approached my office and expressed her views on the report of the committee. As you may know very well - and that is the main reasons, why we are amending these rules -, our current rules of the House do not provide expressly for how minority reports or differing opinions from a committee can be treated in this House. I think that is one of the reasons why our rules are before us today for consideration.

However, you will remember very well that we pledged to respect the rights of the minority. The rules of natural justice require that we listen to people with varying opinions, on any matter on the floor of the House. The nearest I could have thought of to give leverage to the member would have been Rule 82(2), but I find I am still too young to evoke that rule for any purpose in this House. Therefore, I would like to take this opportunity to provide the honourable member, hon. Nakawuki Susan first priority to give her views on the report.

Mr. Kiangoi: Rt. hon. Speaker, the honourable member you have called upon to give her views on the report is a member of the Legal Rules and Privileges Committee. If the honourable member felt that there were views that she did not agree with, she would have raised an objection at that stage.

If she did not take that advantage and raise an objection, the report is there, and she did not raise an objection before the committee, the views that she wants to give now are not grounded on matters arising from the committee.

I therefore would find it- Is she in order therefore that she can be allowed to give those views taking into account that she did not raise any objection at the committee?

The Speaker: Thank you, hon. Kiangoi. I am cognisant of the fact that the honourable member is a member of the committee and I am aware that there is no provision for minority report as per our Rules of Procedure. I would also like to draw the attention of honourable members as we engage in debating this report from the Legal Rules and Privileges Committee to Rule 83 of our Rules of Procedure because that is the guiding rule on how we shall proceed on this report.

I am also fully aware that hon. Nakawuki is not representing a minority report. I only saw her rising, and I was giving her an opportunity to debate the report. Therefore, there is nothing to the effect that she is presenting a dissenting point of view from the committee. She is debating the report of the committee. I thank you.

Ms Susan Nakawuki (Uganda): Thank you very much, Rt. hon. Speaker. Allow me to add my voice on those of my colleagues who have already congratulated you upon making it as the new Speaker of the Assembly.

Mr Speaker, I want to also thank you for this opportunity. It is very right I actually came to your office this afternoon to inform you of my plan to move a minority report on the report of the committee of Legal Rules and Privileges regarding the amendment of the EALA Rules of Procedure.

Mr Speaker, I am personally not a first timer in Parliament, this is my second time in Parliament and I know it is a parliamentary practice that when a minority member of the committee does not agree with the majority, that minority member can express his or herself regarding their minority opinion.

Mr Speaker, if I draw your attention to the Robert's rules of order, the 11th edition on page 527, formal presentation of a minority view not concurring with the committee report is usually allowed. So I do not see why my colleague, hon. Kiangoi would get so scared of a minority view.

Mr Speaker, I remember when we were in Nairobi in November there was a big issue regarding these Rules of Procedure at the time when the former Speaker Margaret Zziwa was still the Speaker of the East African Legislative Assembly and I remember while we were having the workshop, hon. Zein made a statement that I would like to quote. That the majority will have their way and the minority shall have their say. I am here to have my say, Mr Speaker.

Mr Speaker, I remember that last year in March, on these very grounds in Arusha, the Legal Committee presented a report to this august House regarding the proposed amendments to the Rules of Procedure of this Assembly. I actually moved a motion that we adjourn debate to give

members more time to get well acquainted with the proposed amendments with the help of a technical person.

Mr Speaker, upon this while we were in Nairobi, a workshop was organised by the former Speaker; technical people were invited for this specific purpose. However, what was supposed to be a workshop turned into an informal meeting of the members and we had a big argument on many of the issues where we failed to agree but the chair of the workshop, hon. Chris Opoka decided that we should go by the majority.

Since it was by the majority, the report that came to the Legal Rules Committee where I want to say that I am a new member, I am only one day old in that committee. Yesterday we had time to go through the proposals and it was such a hectic process to the extent that we left at 7.30 in the night beyond working hours.

Mr Speaker, I had an opportunity to talk to the committee chairperson, hon. Peter Mathuki and I expressed my interests to come up with a minority report regarding these very rules. However, since we finished very late and our clerk for the committee happens to be clerk of another committee, we were not able to put everything that I wanted in writing so that it can be annexed to the report. That is why I decided to make it orally and then tender it to the clerk formally in writing due to the time constraints.

Mr Speaker, my reasons for dissent from the committee position are not so many. While I agree with the committee and the august House that there is need to amend our Rules of Procedure to fit the current situation, I have some reservations.

In the committee, many of these things as they had been agreed upon while in Nairobi is the way they were adopted but nonetheless I knew I would have ground where to express my views.

Mr Speaker, my grounds of dissent are based on the proposed amendments on three rules in the Rules of Procedure-

The Speaker: Hon. Susan, just a small guidance and I will give you chance to proceed. I am aware that you joined the committee just yesterday as required by the law, but I am sure you are aware that the chairperson of the Legal, Rules, and Privileges Committee that served before the coming into force of the new leadership went through a lot of processes which entailed some of those you have mentioned and others you have not.

It is the practice within this Assembly and any other Parliament that the work of a committee is always carried forward and therefore I have given you chance in the context that you are taking that line of parliamentary practice that there is a report on the floor by the Chairperson, Legal Rules and Privileges where you are a member and which you have just joined and therefore you are debating the report.

I found myself as I expressed earlier- I found my hands very tied to give you any lee way based on our current Rules of procedure how I can technically give you an opportunity to present your minority report here but on the principle of natural justice I said I shall give you first opportunity

to express your views in the manner of a debate. I thank you so much and that is the guidance I wanted to give you. Thank you.

Did I hear order? Can I get the order first then I move to –

Mr Ogle: Bwana Speaker, in light of the ruling you had earlier made, I thought what Madam Susan Nakawuki would have been doing would have been to seek an amendment to part of the report that she is objecting to and not necessarily calling it a dissenting view or a minority report. I think that is the procedural way to go about this. Thank you.

The Speaker: Thank you. Let me first respond to hon. Ogle and his order and give my position. I invited members to draw their attention to Rule 83 and that this report we are considering is a unique report and it is strictly governed by Rule 83. You can debate and give your views on the report but Rule 83 is clear. If a member would like to provide an amendment to our Rules of Procedure, it is clearly detailed in the rule I have quoted and I therefore guide and rule that we proceed as such. Therefore unless there is any other clarification or procedural issue which a member requires, I will invite that procedural point but then invite hon. Susan back to the floor to proceed as per my guidance.

Mr Mukasa Mbidde: Just in addition, Rt. hon. Speaker, when you look at a substantive Rule 83, which states that any member may propose amendments to these rules, this sub rule, is implemented under sub rule 2 where any amendments can only be produced before the committee. It is legally impracticable before this august House that you can produce amendments to this report.

The proper guidance that would again be given to the House by way of debate is that anybody may be in position to insinuate on possible changes but in my opinion, it is only the vote awaited for purposes of this report to pass the rules.

The Speaker: Thank you, hon. Mukasa Mbidde.

Ms Pareno: Thank you, Rt. hon. Speaker. I just wanted to make further clarification but I know you already did one. Our rules do not provide for a minority report- the original rules that we have and not the amended ones. As long as they do not provide, you cannot now purport to bring a minority report under the old rules. We have not yet gone into the new rules. Under the new rules, we have even taken care of that so my learned colleague and member should be happy that we have now introduced the issue of minority reports having noted that it was missing in the original rules. Therefore, I do not see the problem. She should wait, let us pass the new rules then she can bring minority reports after the passing of rules that provide for minority reports.

The Speaker: Thank you, hon. Pareno. Hon. Dora, do you still have further clarification?

Ms Byamukama: I concur entirely, Mr Speaker with what hon. Pareno and hon. Mbidde have said, and I have nothing useful to add. Thank you.

The Speaker: Thank you.

Ms Hajabakiga: Thank you, Rt. hon. Speaker. I am not a member of the Legal Committee but going by Rule 83 as was well prescribed by hon. Mbidde, I would like clarification from hon. Nakawuki if she tried to bring amendments because the amendments are supposed to be taken to the Legal Committee and the committee refused to accept them. In that case, we may consider her amendments because the committee will have done justice but she did not, I do not see how we can debate whatever form which does not come from the committee.

The Speaker: Thank you, hon. Patricia. Honourable members, these things are very clear. Rule 83 is so clear. I would guide the honourable member holding the floor to stick to the debate of the report and make her opinion on the report cognisant of Rule 83, I repeat. Hon. Susan, you have the floor.

Ms Nakawuki: Thank you very much Mr Speaker. First, I would like to beg for your indulgence that you use your powers as the Speaker under Rule 82 to direct that I give my proposals to the Committee of Legal Rules and Privileges to be considered.

I am saying this because yesterday when we were in the Committee of Legal Rules and Privileges, we took the first one hour and a half arguing about the report you were given, that it is not the report that was before the House and you needed to first of all wait and they find the report which had actually come to the House that we were going to consider today. Until 7.30 when we left, I had actually not gotten such a report. Even this afternoon I went to the Clerk Mr Kadonya to ask for the same report and he told me it was not ready and they were still developing copies.

I came into the Chamber and that is when I was able to access the real report, which had to be tabled here in the Assembly unless it was a trick that I be deprived then it is something else but I am actually getting the real one from the one we were provided yesterday in the committee right here. So, first of all, Mr Speaker, just guide me on that before I proceed.

The Speaker: Thank you so much, hon. Susan. You realise that I said that I could have ordinarily used Rule 82(2)(d) to give you leverage but I have not decided to and therefore I still guide that you stick to the debate of the report and express your views as you wish.

Honourable members, in the interest of respect to our rules, as you rise to debate I remind you again that these rules are rules of the House and Rule 83 as is now is very clear. Even after this debate, if you so wish that there are things or issues you want to bring for amendment to our rules, you can still approach the committee responsible which is Legal Rules and Privileges that shall consider your point of view and bring a report to this House. That is how our rules are and I beg that you proceed to debate in that direction. Thank you.

Ms Nakawuki: Thank you very much, Mr Speaker for your wise guidance. Now that you have said I can still forward my views to the committee for consideration and presentation before the entire House, I humbly appreciate that and I am going to reserve most of my issues that I had intended for my minority report.

Mr Speaker still for the record, I would like as I debate to put across my issues when it comes to amendment of Rule 8(1) regarding the powers of the Speaker, Rule 9 sub rules 2 and 4 that have to do with the removal of the Speaker from office and Rule 82 regarding the powers of the Speaker.

Mr Speaker, I am concerned because when these proposals were being made especially when we were in Nairobi, the House was not in a very sober mood. The House made proposals depending on the prevailing circumstances. We are all aware that many people had issues with the previous Speaker so I was forced to believe that the rules were not being made for posterity but they were being made for the previous Speaker- (*Interruption*)

The Speaker: Honourable member, there is order from another member.

Mr Ogle: Mr Speaker, is it in order for hon. Nakawuki to impute that the House was not sober? We have never been otherwise. We have always been. Is it in order for her to insinuate that we have not been sober?

The Speaker: Hon. Susan Nakawuki, I think you are not in order and please I guide again that stick to the debate of the report of the Committee of Legal Rules and Privileges.

Ms Nakawuki: Thank you very much, Mr Speaker. I would like first to say that I think listening more than talking would be the best. I know hon. Ogle just has an obsession about me that he cannot even afford to listen to what I have to say first, but pre-determines what I have to say. Mr Speaker, had he listened to me very well – (*Interruption*) -

The Speaker: Honourable members, while I allow hon. Susan Nakawuki to proceed with her debate, it is also important that we use parliamentary language like obsession about a member, is it a social obsession. What kind of obsession? Those are very difficult terminologies to deal with in an honourable House like this so I guide that we proceed with the debate using parliamentary language.

Ms Nakawuki: Thank you very much, Mr speaker. I withdraw that. Mr Speaker, if my colleague had actually listened to me, what I said- Mr Speaker, I beg your protection from hon. Hajabakiga.

The Speaker: You are protected, proceed and you have two more minutes because there are many people.

Ms Nakawuki: Mr Speaker, the *Hansard* can bail me out here. I said I thought that members were making these proposals because they had issues with the previous Speaker. I thought members did that because they were not sober and then I thought that now that-

The Speaker: Hon. Susan, I repeat again, be careful with the choice of diction. Referring to members whether they are sober or not is very un-parliamentary, this is the honourable House, and they have been conducting their business according to our Rules of Procedure. Please proceed. Information, hon. Ngenzebuhoro.

Mr Ngenzebuhoro: Thank you, Rt. hon. Speaker. First, I would like to inform this House that the exercise to amend these Rules of Procedure has nothing to do with the former Speaker. This exercise begun seven years ago so there is no linkage with what happened some months ago. Thank you.

The Speaker: Did you say procedure? I beg that procedure should take precedence then I give you the floor to take information.

Ms Byamukama: Mr Speaker, I humbly would like us to use the rules because this is one of the issues, which brought us into the problems that we had before. I am referring to in particular, the issue of Rule 38, which provides for time and manner of speaking.

Mr Speaker, it is very clear under this particular rule as well as Rule 43 on contents of speeches, in particular 43(3) that it shall be out of order to use offensive, abusive, insulting, blasphemous or unbecoming words or to impute improper motives to any member or to make personal allusions.

Mr Speaker, I am glad that you have ruled this out of order. Connected to this, I think we are finding ourselves in another problem by not following Rule 37, which provides for limitation of debates. It provides that the House may, on any motion made by any member, order or impose a limit to the motion or the contribution made by members on that particular motion by allotting a limited period of time for that motion or for the contributions made by members on the motion or by imposing the time limitation to both the motion and contribution by members.

Mr Speaker, this rule has not been applied or evoked but I believe that we have come of age to evoke this rule because even in the House of Commons, which provides the background for our rules, there is a time limitation to debate. Even when we are asking for a vote in our various parliaments, there is a limitation to that time for debate.

So I would like to implore you and maybe to call upon this House that we should operationalise these rules and propose that if we are debating or example on this particular motion, a member shall not take more than for example, five minutes otherwise we shall continue to indulge in irrelevancies which may impinge on Rule 38 as well as Rule 43. I beg that you kindly guide on this matter. Thank you.

The Speaker: Thank you, hon. Dora. I earlier on already allocated to hon. Susan two minutes of which she had used one minute then a point of information came up and there is a further information which I will give to hon. Sebalu and then give her to utilise her one minute left to summarise. I thank you so much. Hon. Susan, do you give the floor for information?

Ms Nakawuki: Mr Speaker, now that I have one minute, let me use my one minute and then my colleagues will use their time.

Mr Speaker, what I was trying to say is that I thought now that we have a new Speaker, we will not even rush so much with rules, we will take our time and come up with Rules of Procedure, which will stand the test of time.

Mr Speaker, why I mentioned in particular Rule 80(9) and 80(2), if these rules are tampered with, if you take away the powers of the Speaker to direct the Assembly, if you say you only need 23 signatures to remove a Speaker, when you say the Speaker can no longer exercise the powers given to the Speaker under Rule 80(2) for me I feel you are leaving behind a Speaker without any power.

Mr Speaker, we cannot have an Assembly with a Speaker who has no power whatsoever to make decisions, the Commission would have usurped the powers of the Speaker and then we say we have a Speaker? The Assembly comprises of the members of the Speaker. Even the East African Court of Justice in consolidated reference number 3 and 5 of 2014 held that the Office of the Speaker is vital for the operations of EALA and the removal of the holder thereof should never be approached casually or flippantly.

Mr Speaker I beg that instead of making it so easy to remove a Speaker, we make it even harder to remove a Speaker. Let us make use of Article 26 of the Treaty for the establishment of the East African Community which provides for removal of judges so that we can have an independent Speaker who will be able to deliver for us to be able to do our oversight role otherwise the Speaker will be taken at ransom at any time by anybody. Thank you.

The Speaker: Thank you, hon. Susan. Debate is still open.

Ms Pareno: Thank you, Rt. hon. Speaker. I rise to support this report and the motion strongly. In any institution, there must be rules of engagement for it to run smoothly. I want to appreciate that we have had rules from the First Assembly to the Second Assembly, and I appreciate the fact that that this Third Assembly has come up, not to do away with the good work that had been done by the First and Second Assemblies, but to improve it by revising the rules.

Mr Speaker, the exercise that we undertook was very extensive. We did not just have a subcommittee of the Committee of Legal Rules and privileges going through the amendments, presenting to the committee and the committee thereafter doing a report after the amendments and tabling the same report to the House.

Mr Speaker, thereafter we again felt that we needed to brush fully and ensure that we have proper rules. We again adjourned for almost a whole year from 26th March 2014 until December when members had time to input whatever amendments or revisions they required to make to these rules. Therefore, we took quite some time on these rules.

As if that was not enough, we again in December had a whole week as a full House. I want to say we had a full House and through the guidance of a unanimous chair that had been elected to sit, we had an informal sitting of this House for a whole week to revise our rules. I want to say that what we have today is a product of not just the sub committee, not just the Committee of Legal Rules and Privileges but a product of the minds and thinking of all the members that are in this House.

Mr Speaker, it is sometimes said that in terms of constitutions, the best constitutions in the world are done at a time of crisis. I want to say that this is our constitution as far as this House is concerned but we did not do it at a time of crisis. If you look at the history of the amendments of

these rules, in fact I remember I was picking a raw draft that had been done by the Second Assembly on amendments.

By the time we were coming to a crisis, we were just doing the nitty gritty and I want to say that some of these crises are actually some experience that we have gone through and you know experience is the best teacher. (*Interruption*)

Mr Sebalu: Thank you very much, hon. Pareno. The information I want to give is two-fold. First that the crisis was the one interrupting the process of amending the rules because the process was already on in earnest. It was only interrupted by the crisis.

Secondly, it is parliamentary practice globally that the first activity of any Parliament is to review the rules to bring them in tandem with the needs and demands of the day. I thought that you would accept that information because you know it is useful.

Ms Pareno: I thank the hon. Member for the information, but before I got that information, I was just going to say that experience is the best teacher. When you go through hard times, like the times we went through, I can assure you that it was good experience for us to be able, though it was not good for us to stop our work, it was, unfortunately, experience that has given us sharp minds as we look through our rules and be able to address so that we never fall into such crisis again.

Mr Speaker, I want to say that the whole House did justice to the rules in the informal session, we made amendments and I wish to thank all those who supported these amendments and generally looking at what we have done, I want to say that we have been able to address the lapses and little loopholes in our rules. We felt that we needed a strong institution that has a strong Speaker, yes but also has a strong Commission and also has the say of the Assembly.

If you look at the amendments we have gone through, even on the amendments of the powers of the Speaker, the removal of the Speaker and further amendments, those amendments were meant to ensure that the office of the Speaker is protected but such that those powers are shared with the Commission and the Assembly has the final say.

So, I think we are doing an institution that is not there to make sure that we have a weak Speaker but to ensure that these powers are equally shared and that the Commission is able to help the Speaker sort out issues of the House and that the will of the Assembly is also upheld at all times.

If you look at members of the whole House considered the proposals, which I again said,, we have talked about issues of quorum. How many times did we stall as a House for lack of quorum? Is that what we want? Is that the legacy we want to leave as an Assembly? No. We have addressed that in such a way that we will at all times not be able to sit and say that we are lacking quorum as a House. I think those are things that we have had to address for purposes of smooth running.

In a nutshell, I am saying that this is the best we could have done. More amendments could be coming. I have looked at 83 and it does not say that this is a particular time that we must do amendments. It gives leeway for any member to propose any amendment as we go through because

we have dynamics and we appreciate that there could be changes that will call for such amendments.

One such amendment that we have introduced is on the minority report. We realise that it was lacking. If you look at the draft before approval, at 87 we have now provided for how this House can receive minority reports and those are the loopholes that we have been trying to seal as we move through.

In a nutshell, we are saying these are rules for the smooth running of this House, these are not rules to gag anybody, and these are rules of engagement so that we do not abuse ourselves, so that we do not abuse the provisions and supremacy of this House but ensure that we have a smooth running. I support, Mr Speaker.

Mr. Frederic Ngenzebuhoro (Burundi): Thank you, Mr Speaker. I would like to support this report fully, and I would like to express my joy today because today is a very important day for this House. It is a historical day.

Mr Speaker, let me remind this House that the amendments of these Rules of Procedure have been that since seven years, the first who took the responsibility of amending these rules was hon. Mwinyi. I do not know if he is present here. I took over, and after me, it was hon. Dora, and today it is hon. Mathuki to conclude. That is why I say it is a very important day for our House because today after seven years, this House is able to amend its Rules of Procedure. It has not been easy and you know why.

It is important for this House especially under your leadership because members of EALA were allowed to exercise their legal rights according to Article 49 of the Treaty and according to Rule 83 of the rules. For me it is a victory day and I do not want to elaborate further about this. What I wish to say is that I will be very happy to see all members of the Assembly fully supporting this report just as I am doing.

I urge my colleagues here to adopt this report, as it will be very important for our House and for its prosperity. Thank you very much and I wish to thank again my chairperson, hon. Mathuki who is now very happy to conclude this exercise. Thank you.

Mr Mulengani: Thank you very much, Mr Speaker. I want to add my voice to those who have spoken to congratulate the committee for bringing this report eventually. As this report comes before us, I want to remind my colleagues of one of the key amendments we made on these rules when we go to elect the Speaker before we are sworn in as members of this House.

To this I want to congratulate you, Rt. hon. Dan Kidega for your election was in order after we took oath as members of this House.

Mr Speaker, these rules are for all of us in this House and these rules are not meant to build dictators. These rules are meant to build leaders and not rulers.

Mr Speaker, the genesis of amending rules comes from a long way as my colleagues have submitted. Indeed, to some of us who are renown legislators from back home since 2001, the general practice has been that the first item to consider immediately you are sworn in as an Assembly is to consider your rules of which the former Speaker is a renowned legislator from back home as well. It defeated my understanding as a former Member of Parliament of Uganda who was under the Commission of which our former speaker was that these rules have taken this far regardless of what happened earlier on.

Therefore, Mr Speaker as I rise to support the committee report on amendment of rules and its content, I have one observation to make in the new rules that we are amending and this might have been a typo, an oversight, an omission by the people who handled the report. Specifically it is not an amendment because it was raised in Nairobi informal meeting this is on page 11 where we proposed to insert that upon receipt of a duly signed motion to remove the Speaker, the Clerk shall, and that is Article 9, convene the House within 24 hours to elect the interim chairperson. I thought it was a necessary amendment, which was agreeable during the informal meeting, and I would urge the committee to consider this insertion, maybe as an omission so that it is recaptured in this report. I support the report.

Mr Zein Abubakar (Kenya): Thank you very much, Mr Speaker. Allow me to start by saying that on Monday -and I have spoken about the will of the House many times, so allow me to speak one more time about the will of the House. On Monday, I submitted myself among another five very distinguished members from Kenya to the will of this House for an opportunity to serve in the Commission. I was supported by some but my brother hon. Kiangoi and my sister hon. Judith were supported by many so I would like to congratulate them and give my word that I support their tenure and I will be a humble servant to them and to this House.

Having said that, it is my duty and honour to say as a second thing that the letter of Prof. Okoth Hastings Ogendo observed that one of the design of Africa is to have constitutions without constitutionalism. Therefore, the similitude to our situation is that we could have rules without the rule of law. I pray that that is the ugly past and that you are here today seated in that chair to observe our endeavour to adopt new rules, which shall be binding to all of us including you who is first among equals, and if God forbid and you forget, some of us will be there to remind you.

Allow me, Mr Speaker to pay tribute to the former chair of this honourable committee, hon. Dora Byamukama. I have not met a more gracious lady than the one who was chairing this committee. Also, allow me to say that she had to endure a long period of suffering through innuendos, through name-calling, through misinterpretation of her actions and through dragging through the mud her wise counsel.

Let it be heard here in Arusha up to Kampala that we are happy and proud of this honourable member and her contribution to this House.

Let me finish by saying that in the matters that have been holding us back, she is not guilty of any of those charges and that she stands beyond reproach by any sensible member.

Having said that, allow me to thank my brother chair, hon. Mathuki for assuming this chair and it is fortuitous that these rules are being passed under his tenure because he has stood steadfast for the rule of law in this Assembly.

Also, allow me to say this that the solemn journey that we have undertaken today and the many days before seeking to improve our rules will not end with a single act of accepting these rules today. Anything that goes through the hands of man and even woman is not perfect and can be improved all the time. I give you my commitment that I will be one of the people bringing some amendments to this honourable committee. And because this honourable committee is chaired by a distinguished honourable member and it is made up of very distinguished members, I hope that they will look kindly at some of the proposals that will come from me and from the other members with details, but also with merit, and that they will be able to advise appropriately at the right time to this House on the viability of some of those proposed amendments.

Allow me to finish with two quick points. One – (*Interruption*) -

The Speaker: One minute in the interest of time.

Mr Zein: One, that it is incumbent on all of us once we have adopted these rules, we will have no excuse to say either we do not know them or they were made by a different House. We will have no choice but to abide by them.

Lastly, once these rules have been published and circulated, we will have an opportunity to celebrate and this goes to you, Mr Speaker. That you will find an appropriate occasion to call the members without much rules to talk about the journey of adopting these rules that have been torturous but have had a happy ending. I thank you, sir.

The Speaker: Thank you, hon. Zein. Your prayers have been heard.

Dr. Kessy Nderakindo (Tanzania): Thank you, Rt. hon. Speaker. I stand to put the record straight about these new rules. First, I would like to congratulate the committee for the great work. I want to put the record straight in the sense that my dear friend and colleague hon. Susan Nakawuki thinks that these new rules will make it easy to remove the Speaker.

I would like to assure her that this is not true. This is based on the numbers that she saw in the rules. Normally in policies and rules when they come up with numbers or percentages, they consider the sample space. We know that in the first assembly, the number of elected members was 27 but now the elected members are 45 hence if we are talking about 50 per cent of anything or any Parliament, it depends on the number of the elected members.

For example, if you have a parliament of 60 members and you say that the motion to remove a Speaker can be signed by 10 per cent, that means 16 members and that is many members to be able to gather 60 members to sign a motion. If we take the same 10 per cent for this House, it means you only need five members so we cannot come up with such kind of a number. Therefore 50 per cent based on the sample space that we have is the right number and also to assure her that the 50 per cent that is said in these new rules is not about removing the Speaker. It is about moving

the motion but the number of removing the Speaker in the vote is still the same, which is two thirds, 66.7 per cent.

Thank you, Mr Speaker or giving me the chance to clarify.

The Speaker: Thank you, hon. Kessy.

Mr. Chris Opoka Okumu (Uganda): Thank you, Rt. hon. Speaker. I had the honour to chair the workshop in Nairobi. In that workshop, we gave many opportunities to everybody. Hon. Susan Nakawuki submitted very many proposals. Some of her proposals were accepted and some were rejected. I later on met hon. Nakawuki - (*Interruption*) -

Ms Nakawuki: Honourable Speaker, I would like to give information to hon. Chris Opoka that none of my proposals were taken; they were all rejected by the majority who had to have their way. Thank you.

Mr Opoka Okumu: Thank you, hon. Susan for the information. Article 49 (2) (g) says the Assembly shall make its Rules of Procedure and those of its committees. Article 58 talks about voting in the Assembly. The majority of the vote of the members present and voting shall determine all questions proposed for decisions in the Assembly.

Hon. Susan ought to accept that that is the parliamentary practice. If the majority of the members present and voting has rejected your proposals, it is not the chair who is choosing the majority. It is the rules; we are following the rules and the parliamentary practice.

Therefore, while we had this workshop from 19th to 25th November and obviously hon. Nakawuki could have written her minority opinion and brought it at an opportune time when reports were being tabled; she still has a chance under rule 83 to make those proposals as the honourable Speaker has rightly ruled.

I think members put a lot of effort. We spent one week, we had the CTC present, we had the technical person from the East African Community, Mr Kamugisha present and several times, we had guidance from these two people. We did not make these amendments with a view to remove a Speaker. Members made it as rules to govern the Assembly.

While we talk about a possibility of powers being reduced, at the same time the Assembly must guard against the abuse of power and I think that is something or an experience that we went through.

Rt. hon. Speaker, the Committee on Legal Rules and Privileges did a lot of work prior to this workshop and they did a lot of work in tabling this report. These are our rules; they are not rules for anybody else. They are rules to govern our work here in the Assembly, at any time, you are allowed to amend them under Rule 83, and we have preserved that rule. You can amend it so I do not see any problem at all.

I would like to congratulate members of the Committee on Legal Rules and Privileges, the previous members and the current members for doing a great job and I would like us to pat ourselves on the back for doing a great job that has taken seven years to achieve. Thank you, Rt. hon. Speaker.

The Speaker: Thank you, hon. Chris.

Dr Odette Nyiramilimo (Rwanda): Thank you very much, Rt. hon. Speaker.

The Speaker: Honourable members, in the interest of time let us be brief to allow others to participate in this historical debate also.

Dr Nyiramilimo: Thank you, Mr Speaker. I declare my belonging to the Committee of Legal Rules and Privileges from yesterday and I want to thank the previous committee for the good job especially the former chair of the committee and thank our new chair of the committee for the good work.

Mr Speaker, yesterday when we were debating the report because the report had been done while we were sitting in Nairobi, we remembered a wish of some members to have a Speakers panel and we decided to add a clause saying that the Commission shall nominate four members to be known as the Speakers panel but today when we examined the Treaty especially on Article 56, we found that we could not put in place a panel since it is well explained that whenever the Speaker is not in the House, the way he shall be replaced is known and well described in the Treaty.

Therefore, I think that if my chairperson agrees with me, we should remove that clause that we have been trying to add in the annex about having the Speakers panel. Thank you Mr Speaker.

The Speaker: Thank you, hon. Odette. I am sure the chair is taking note.

Dr. Martin Nduwimana (Burundi): Thank you so much, Mr Speaker. As it is my first time to take the floor before the House under your speakership, I want to take this opportunity to congratulate you, Mr Speaker. I want to confess that there is no one here who can be happier than I am to see you in your chair, even yourself.

I said even yourself because I know you were there and you did not campaign to be in that chair. We chose you, you accepted but no campaigns. I repeat that I prayed to God and he heard you and me are there. God bless you.

I rise to support the amendment of these rules totally. Congratulate the committees because as we have heard, this process started seven years ago so I want to congratulate each member of the committees for the job they did so well.

I also think that these amendments are ours including me because we had an opportunity as a House in the workshop to participate and bring our inputs to this document so it is our document. Those are our rules so it cannot be any other way other than to support it.

These rules will be a tool for rulers of law and a tool also for good governance and I am sure that as Speaker, our Commission that we elected and our chairpersons of committees we elected and all of us will be together to go forward and bring again our dignity, the name or the image of our Parliament I wish in a few months will be on the top.

I also rise to show that the rules are not the unique way to improve the work of the Assembly. There are other ways that can be taken and once again, each of us will do his best so that we go in the right way.

I have an issue that I also raise during the workshop and it is related to what hon. Odette raised a few minutes ago. It is about the deputy speakership. I know this matter can be in the rules because it is a matter of the Treaty. What I want to urge the Speaker, the Commission and each of us is please, find an appropriate time so that we have an opportunity to discuss that matter because it is very important when we look at what we have passed through and when we see that it could be an alternative or a tool for improving our duties here in the Assembly. I thank you.

The Speaker: Thank you, hon. Dr Martin.

Ms Valerie Nyirahabineza (Rwanda): Thank you very much, Rt. hon. Speaker. From the onset let me congratulate you on a serious note for your election to a very important post of responsibility. This is my first time to take the floor here and I wish you well. I pray to the Almighty God that He showers you with His protection so that you continue to guide us. We have been befitting from your wise contributions and now I think that being in that chair, we are going to benefit more from your wise guidance.

Back to the report, I happen to be a member of the Legal Rules and Privileges Committee and many things have been mentioned with regard to the background of these amendments. I was a member of the Committee on Legal Rules and Privileges in the last Assembly under the leadership of hon. Mwinyi and I was a member of the subcommittee, which dealt with these amendments. When hon. Frederic Ngenzebuhoro took over, I was also a member of the sub committee and when my sister hon. Dora took over, I was again a member of this sub committee. We are lucky to have come to an end of this and like hon. Ngenzebuhoro is saying, we have come up with a very important document, which is going to guide us as we undertake our Assembly's activities.

Mr Speaker, many of the points I wanted to raise have been covered by my colleagues but let me just mention a few. There is a point related to a minority report. First of all, before I mention that, let me confess that in the last Assembly although we had undertaken the review of these Rules of Procedure, let me confess and I know what I mean. Let me confess that these very rules have been applied or implemented and we did not have any problem whatsoever. They have been applied smoothly, the Assembly has been undertaking its functions very smoothly and we have not been complaining.

However since the activity had already begun, it was very important for us maybe to put an end to it. That is why we went on and sought for technical expertise from many people including members of Parliament from Kenya, technical personnel for the East African Community Secretariat and other minds.

Rt. hon. Speaker, the product you are seeing here is a result of a combination of different minds like those that my colleagues have said there is nothing to complain about. They were willing to take more amendments coming from different members.

Mr Speaker, I mentioned something regarding the minority report. I remember that one day we were dealing with the East African Community Commission Bill. It was a private members bill brought, if I am not mistaken by hon. Masha in the last Assembly I think. One of us came up with some ideas and we wanted to bring a minority report. Unfortunately, because that minority report was not provided for under any of these rules, we rejected the proposal but on the floor of the House, we noticed that even if it was not provided for, the same member who wanted to come up with the minority report had good reasons to bring those ideas. Unfortunately, he was not given a chance to express himself because we did not have any clause related to that minority report.

We therefore said now that we been given the opportunity to deal with the amendment, let us put that very important right for the members to bring their views and express themselves. Therefore, it is here.

Another example for which I would like to thank you, Rt. hon. Speaker, together with the newly elected Commission, is to have come up with the idea of this Assembly not debating reports of some workshops. If a workshop has taken place and then we debate the report of the workshop, what is the value addition? Now in the current proposal we have come up with the idea of members who have represented the Assembly tabling their reports within 21 sitting days of return from an officially recognised parliamentary delegation, or a delegation with some members and staff of the Assembly. The head of such a delegation or any member acting on his or her behalf shall present a report to the House on the activities of the delegation.

Under that, after tabling of a report under sub rule 1, a limited debate may ensue. Rt. hon. Speaker, it means that we will use the very structures we have put in place together with your wise guidance for us to debate or not debate a report from any workshop or any other activity. I thank you for that.

My two last points are this – (*Interruption*) -

The Speaker: Summarise because there are many members who would like to speak, honourable. Thank you.

Ms Nyirahabineza: Most obliged. My two last points are just proposals a di fully concur with some members who mentioned this to us. We have to put something related to the time limit as you are rightly saying to allow as many members as possible to contribute.

Then the oath, it is very important that the report we had produced happened to disappear for some reasons we do not know yet. We had for sure mentioned this illegality of seeing a Speaker being elected by members who are not sworn in yet so if it is not appearing here, it is a kind of oversight but I think the whole committee had come up with a proposal, which was mentioned in this very amendment.

With those few remarks, I thank you for the opportunity and I support the motion.

The Speaker: Thank you. Please let us use about three minutes each to give others time.

Mr Taslima: I thank you very much, honourable Speaker. I will not take all the three minutes. I will take only one minute as much as possible.

First of all honourable Speaker, I would like to join my colleagues to congratulate you very much for your speakership and I have faith in you and I pray before our Almighty God that you do to us all we expect of you and to the excellent point.

My contribution is first of all I would like to declare that I am one of those members of the committee and there is one thing that we could not discuss in detail yesterday and therefore I think this is the time that we can discuss this thing. It is about the prayer that appears as annex 1 on page 37 of our present rules.

The first line talks of the offices of rules and parliaments. My conviction is that the word rulers in our world of today is not a word to continue with because you know what ruling is about. We also cherish our leaders to be called leaders; people who govern our affairs. We do not call them rulers anymore; we call them leaders.

“*Ndugu*” was for “*Ujamaa*”, but now let us call them leaders so that they do good things and we follow them. That is about being a leader. When you are a ruler, you just cut to what you want, that is not advisable, and that is not the thing we want. That is my contribution that we strike out the word rulers and instead put the word leaders. Thank you, Mr Speaker.

The Speaker: Thank you so much, hon. Taslima.

Ms Agnes Mumbi (Kenya): Rt. hon. Speaker, I want again to congratulate you. When you were elected, I was not in the House. I had a misfortune, it is behind now and I am fully in the House but I want to be honest with you. I felt betrayed because I come from a very strong gender background; women movement and empowerment and I can tell you without any fear that I would have campaigned for Dora Byamukama.

I am saying this with due respect, I hope you are not going to be stuck in the mud and remind me all the time that I am not your Speaker. I am saying this because I felt that Uganda had done us good and the best thing to do was to replace Margaret with another woman. Of course, my choice then would have been Dora Byamukama.

I am saying this with a lot of respect. Therefore, I congratulate you for two things or three. That you have brought a freshness in this House that is calming our nerves. Allow me to say it and I am standing to support the report because you have said it from that chair that it is not the end of the amendments, you can still bring amendments and they will be taken.

In Nairobi, a chairperson called hon. Chris Opoka Okumu could not handle some of our amendments because he was under pressure of the majority and therefore he received many papers and so long as it had a name or another, it went to the bottom. It was at the height of those moments and so when I talk about you calming our nerves - (*Interruption*) -

Mr Harelimana: Thank you, Rt. hon. Speaker and thank you, hon. Mumbi for giving way. I am giving information to my dear colleague that the meeting, which was, presided over by hon. Opoka- some of us never saw how peaceful and smooth it was for the last year, which was before that meeting. That is number one.

Number two, the majority that passed the resolution to come with these amendments is still there so there is no need to go ahead talking about the majority and minority and so on. I thank you, Rt. hon. Speaker.

Ms Mumbi: Rt. hon. Speaker, thank you. I do not live in shadows. I accept the information, it is important but I am thanking you that apart from this new Rules of Procedure, you have another bigger assignment and the assignment is the leadership from that chair to bring freshness and newness to this House in our attitude, in our decorum, in the way we look at each other. That is the leadership you have taken and I am praying that you are not going to be a prisoner of the past so that when anybody wants to bring an amendment, I am not reminded all the time about what majority means.

I want to tell you English is probably our second or third language but we know what majority is. I may not have sat in the previous Parliament but I want you to bring fairness and firmness into this House. This is how we are going to experience the change that we all desire and without decorum and without freshness of minds and attitudes, we are going to continue being stuck in the mud.

You have a bigger job, so I accept that information. But, I also want to say, allow us- and I thank you because I do not need any other confirmation that when I walk into your office with an amendment that I want first to find out whether it is in order, you will not look at me as a minority. You will be looking at me as a member, you will be looking at the concept, the details, and then we talk and understand.

I want to believe and I really pray that though they say it is a man's world and I can tell you that you will survive because politics is a man's world, I want to believe that you are going to respect everyone including gender, you will also respect the age differences between all of us. Please protect some languages that are used in this House so that we can all have dignity and sit in a House of which we feel proud. That is your biggest assignment.

The other assignment that I pray that you take boldly is protecting EALA from all other organs because if you do not do that, EALA is going to be a playing ground of Partner States succession politics, it is going to be a playing ground of other Organs and do not be a captive of a few. Please keep the decorum of the House. I know I have faith in you, you have handled a bigger office before and you will do it even now. The lenses that people try to remind you all the time that you owe

that seat to us, be firm, be bold, take authority and leadership so that the next two and a half years will be firm. Thank you.

The Speaker: Thank you so much. There is a procedural point.

Mr Mulengani: Mr Speaker, I do not have my rules here but the procedural point I am raising before other colleagues come up is for you to guide us and we confine our debate to the rules we are amending. I appreciate the sentiments of hon. Mumbi. Maybe during the team building we can discuss these things in detail. We also have advice to give you, Mr Speaker.

The Speaker: Thank you, hon. Bernard. I am conscious of the history of this Assembly and that is why I am being a bit flexible but conscious of time as well. So honourable members, let us confine ourselves to three minutes.

Mr Fred Mukasa Mbidde (Uganda): Thank you very much, Rt. hon. Speaker. I also join my other colleagues in congratulating you over the assumption of the supreme office of the Assembly for the time remaining of the life of this Assembly. I congratulate you; I have much trust that you will definitely do the needful for furtherance of posterity of the Assembly.

Rt. hon. Speaker, just like Dr Martin, I am the happiest when we are considering the matter to do with the amendments to the Rules of Procedure of this august House.

Rt hon. Speaker, I am one of those persons that have found myself before courts of law with the Secretary General in his representative capacity of the Community arguing majorly one, that the House has no rules. Two that in the event that court rules that we have rules then the same do not conform to the Treaty. Three, that definitely then court should rule in favour of the applicant who was my client of Mbidde Foundation Limited. Therefore, when I find myself here and the House is undertaking very seriously and conclusively the matter to do with the amendment of Rules of Procedure, I support this report one hundred per cent.

As for any other that would arise, I am a member of the committee and amendment to the Rules of Procedure is a conscious process that has to be undertaken and it has a life-long experience within the precincts of this august House. Therefore, it can be undertaken once and for all. My only advice will be that as a committee, we shall look at the totality of establishment of an annexure, which would be maybe six for purposes of substantive rules to the committees of the House, and I think that will be done, Mr Speaker.

Mr Speaker, that now again takes me to yet another piece of advice for this Assembly. You know they say if you look back and you begin walking, that is where you will go. This is the Assembly of the future and that was an election for the future. In my opinion, honourable members, I am a member of the majority for the future so for those who are still members of any other minority or majority, that is a design of the past.

We cannot have rules that are without fault but we must pass what we have so that we can use it to correct it further. You know to wait for the best document under the Sun is to wait for a goat to grow stronger to the extent that it will now eat a lion. I think that kind of waiting will not be

material for members of this august House. You can imagine, Rt hon. Speaker you assumed office, you have never campaigned. That is the history we have been told. The meaning is that- You see our elders say that when a ripe fruit sees an honest man, it falls down for him to pick.

So I think that is the vein in which you actually because a Speaker of this Assembly. I respect you because I have known you and that is why I even seconded you because I have known the capacity in which you can serve this Assembly.

Finally, Mr Speaker, these rules have to be respected. It is only when you do not have rules or when the rules are not followed that you can now have the behaviour of members that falls at the way side of the peremptory norms of diplomacy for which we must not go beyond.

I am still available, Mr Speaker. My role is usually to defend the current Speaker and these rules have been coached in such a way that you much be the kind of a Speaker who respects meteorology. Meteorology does not only refer to weather conditions. There must also be political meteorology. You must know when it is about to rain so that you come out with your coat. You do not be the kind of politician that will be shocked at occurrences.

So, Rt hon. Speaker, we will assist you in this. My fellow members of the committee and you know very well, Mr Speaker that this time I am speaking as a very huge man, a chairperson of a committee of very eminent legislators of this House and for that reason, I will give you all the weight necessary. Thank you very much.

The Speaker: Thank you, hon. Mbidde.

Mr. Mike Sebalu (Uganda): Thank you very much, Rt. hon. Speaker. I want to take a different perspective. I want to congratulate the members of this House upon whose power you are assuming that seat. I am saying that with a very clear conscience that it is through the power of these members that you are the Speaker of this House and I would like to thank you for accepting the call of these members to serve them. That was a very noble decision you took because the time warranted so.

I want to say that at no point in time did this House have no Rules of Procedure, and I want it on record. At no point in time did this House have no Rules of Procedure. Even in the last two and a half years - because we were elected under the Rules of Procedure, we were sworn in under the same rules, people assumed office under the same, and it is the very same rules that were used to make the changes that we have witnessed so we have always had rules.

They may have had weaknesses but they were Rules of Procedure respected and appreciated even by the Counsel to the Community so I think that needs to be appreciated.

Rt hon. Speaker, I want to limit my presentation to the issue of the powers of the Speaker. The powers of the Speaker are not in the rules per se because someone may imagine that once the rules are saying so then you are this and that. No, the powers of the Speaker are in the members, guided by the terms of engagement as per the Rules of Procedure; how you engage.

Mr Speaker, you are the Right Honourable Speaker that I know. I have interacted with you and I definitely know your tenets in terms of leadership. It is about building a team. You do not need power in order to guide well. Actually, all you need is strength rather than power and Mr Speaker, with strength, you can govern the Assembly and your strength is in the members and the team because you are the team leader and you guide the team.

As a Speaker, you are a servant leader and with these members behind you, just like they are, that level of strength can never be compromised and it will lead you to serious success.

Mr Speaker, the strength is in term of accommodation, in terms of fairness, in terms of equity, in terms of consultation, mutual respect and mutual trust. These rules just provide the enabling environment.

If you get one appealing to power all the time without necessarily building strength then that power can easily be tilted. I want to give a clear indication that along the way during the time that we were going through some challenges, there came about an issue of team building. In one of the meetings of the Commission, I inquired, “How do you build teams and encourage teamwork without the rules of engagement?” At that point, the Rules of Procedure had been put in abeyance. I asked how you build a team without rules because it is the rules that determine the engagement. If you are in football, you need to know that you do not score in your own goal. You need to know that handball is penalised. You need to know that when you foul, you are doing wrong. Once we all master the rules then the team spirit is generated, teamwork is generated and then victory can come in earnest.

So now that we have the rules, we have the team, we know the rules of engagement, and we have the team leader who believes in the strength of the team and not the strength of an individual office, I believe we are going to do very well. I wish you the best in your leadership, Rt hon. Speaker.

The Speaker: Thank you, hon. Mike.

Mr. Abubakar Ogle (Kenya): Thank you, Bwana Speaker. From the outset I was going to address myself to hon. Susan Nakawuki, she is not here but I just want to clarify that I have no obsession with her, not at all. In fact, there are many members of this House who know my life partner; a very glamorous lady. If she had only met her she would have thought ten times before she even mentioned that kind of word. If only she met my partner.

Having said that, Mr Speaker, let me confine myself to- I do not know. She is here if you want me to repeat that – (*Interruption*) -

The Speaker: Hon. Ogle, the Speaker had already advised on that point. Please proceed on the report.

Mr Ogle: Mr Speaker, I just wanted to limit myself to the issue of the Speaker; the powers of the Speaker, the definitions of his authority and the removal of the Speaker because that appears to be the only contentious issue regarding the rules that are before us.

Now *Bwana* Speaker, if I could go back to a bit of history, the whole idea of speakership and parliamentary democracy began with Britain the mother of democracy. During those days, nobody wanted to be a speaker. There was some bit of democratic institution somewhere because what would happen is the royal family, the king then would sometimes arbitrarily demand for the heads of some members of Parliament and the person who was going to make that decision was going to be the Speaker. Because of the hardness of that decision, nobody wanted to be a Speaker because no one wanted to sacrifice any of their members. That was a speaker responsive to the will of their members.

That has been the tradition all along. Speakers always must respect the will of the people. Now what we have had over the last two years, I am sorry to say *Bwana* Speaker, was not a speaker. That was a wrong person. I am sorry to say but-

The Speaker: Hon. Ogle, just some few minutes ago we were reminding ourselves of parliamentary language.

Mr Ogle: I would like to withdraw and apologise, Mr Speaker. I know the pain I came through, I sat in that Commission confronting somebody talking somebody about the need and the importance of rules and they would always be brushed aside.

I understand the pain and the suffering the former chair of the Legal Rules had to go through because in every particular thing, everything hon. Dora did this, it was hon. Dora against anybody- I can understand that pain. We came through that.

Bwana Speaker, the tradition of making rules and constitutions all over the world is that we make them with a dictator in mind. We do not believe in the goodness of an individual. These are human beings. We do not do that. What might have happened to this Assembly from the First EALA to the Second EALA was that we had men of good will, men of integrity, and I am very glad and proud to say both of them were my brothers, hon. Abdulrahman Kinana and hon. Abdilrahin Haithar Abdi. Both of them were my brothers and then the current Speaker who is a prodigal son of- I am sure he will keep that tradition.

Somehow, that pattern was broken somehow along the way and it is not going to happen. So we should not necessarily be worried about the powers we are conferring to members in seeking to remove a Speaker or trying to redefine the authority of the Speaker. We should not be at all because a good Speaker, a right Speaker, a respectable Speaker ought to know and appreciate the fact that you are always responsive and must turn to the whims of the members.

Having said that Mr Speaker, I support the report.

The Speaker: Thank you.

Mr. Christophe Bazivamo (Rwanda): Thank you, Rt. hon. Speaker. I rise to support the report and I declare being a member of the committee and having participated fully in all processes of deliberating this report since 2011, the time I joined the committee.

Rt. hon. Speaker, in your first official engagement with the media, you declared, “I wish to assure all East Africans that we shall indeed come out of this a stronger and more united Assembly.”

These rules are one of the strongest right way to achieve what you have declared. The amendment of these rules is, as many have said, a long awaited process in the process of streamlining our House. What I am especially happy with is the fact that they are very proactive, they have been amended in a strong participatory approach and actually, I think everyone who has been in this process should be proud to support these rules to be adopted.

As an example, these rules promote our House to be a modern one using modern tools of communication and using new methods of doing business in the House like using electronic voting, electronic allocation of space and time of speech to members, avoiding favouritism and unnecessary long speeches.

I take this opportunity to request the Council of Ministers and the Secretary General to fast track the funding to modernise this chamber so that we can really work as our national parliaments work using this modern method of work. I support the report, thank you.

The Speaker: Thank you so much.

Mr Jeremie Ngendakumana (Burundi): Thank you, Mr Speaker. Let me congratulate you as others have done upon your election as our Speaker. Now changes are coming in this House. Congratulations again.

Mr Speaker, I have been a member of the Committee on Legal Rules and Privileges although now I am in another committee. We have been looking into those rules for many times and the purpose of this was to try to come up with rules that might be able to protect the Speaker against the probable abuse of the members but also rules that might be able to protect the members against the probable abuses of the Speaker. I think that now we have come up with those kinds of rules. They may suffer from some weaknesses, which is quite normal because we never get perfect rules.

As I was saying, we have got enough time to look at those rules, to amend them, to give our contribution and now I would like to say that let us not lose time. Let us come up with the conclusion on these rules and adopt them.

With this small observations, Mr Speaker I support the report.

The Speaker: Thank you.

Ms Sarah Bonaya (Kenya): Thank you, Mr Speaker for giving me this opportunity. I would like to start by thanking all the members who supported me in the just concluded elections for the Commission and I am happy for those who won the seat. I know they are competent members who will serve all of us with the distinction with which they have always performed.

Mr Speaker, I would want to contribute to this important report first and foremost. I would also want to thank the committee members, the chair and the whole House for the various contributions

they have made towards this report and including the former members, among them myself because I sat on this committee for five years and I have also made several contributions to these amendments in the past.

The amended rule, actually, as we have already been told, is an important tool for governance of this Assembly and it grants us a new scope, space and opportunity for development and growth of this Assembly. It is because with the old rules, we were a smaller House and times have also changed, new ideas have also come on board and I think this will serve us well.

One thing I wanted to get clarification and maybe propose is the issue of adoption of these rules because one eminent member took us to court saying that we have no rules. When we came into this House, we were sworn in. Yes, it was by the rules used by the previous Assembly, but in these amendments I think we also need to consider the adoption of the Rules by successive assemblies as they come in. Maybe we need to make a provision under Rule 7 or any other, which we shall consider. Even in the national parliaments, I know that they always adopt new rules right at the beginning because they have to own the rules as they are so that they can function with them. This will help us to avoid similar embarrassments to the ones we have had in the past.

The other issue is I know these rules are for the floor of the House – (*Interruption*) -

The Speaker: Hon. Sarah, there is information from the Counsel to the Community.

The Counsel to the Community (Mr Wilbert Kaahwa) (Ex-Officio): Mr Speaker, may I inform my honourable friend that in Consolidated Applications 3 and 5 of 2014, the East African Court of Justice took due recognition of the fact that the Assembly has Rules of Procedure. Therefore, the fears that she has that the House may at any one time be misunderstood not to have Rules of Procedure or to be operating without Rules of Procedure is with due respect far-fetched and I would like to comfort her that the court took due recognition of the Rules of Procedure of this House.

If the court did not take due recognition of the Rules of Procedure, then the motion for the removal of Dr Zziwa would not have proceeded the way it did. I thank you.

The Speaker: Thank you. Hon. Sarah, tend towards a summary.

Ms Bonaya: Thank you, Mr Speaker. I would wish to appreciate the Counsel to the Community's guidance, but I am also saying that for us to own as new incoming members we need to own this report as an Assembly as a practice.

The other issue I wanted to raise is the issue of committees. I know these rules are for the business on the floor of the House but we know committees are also part of our activities as a house whereby our workload keeps on expanding as an Assembly and we do that through the committees but this is always determined by the funding that is available.

As we determine the sittings of the Assembly, maybe I was thinking we could also suggest or propose the sittings of the committee if it is not too far, because sometimes because of lack of

funding we might over exceed – We might not be able to capture all the responsibilities that we are supposed to undertake. Most of the times it is dictated by the funding available but we do not have any structured approach to determining the scope of our work and the timing. Thank you.

The Speaker: Thank you so much.

Mr. Joseph Kiangoi (Kenya): Thank you very much, Rt. hon. Speaker. I wish to state that I am a member of the committee and I fully support the amendments.

Mr Speaker, it is important to note that we are not actually making the rules. We are amending the rules as provided for in Article 60 of the Treaty so the rules are there but we are amending the rules and not making new rules.

Having said that let me say that it is a very important process. The process we are undertaking is very important because it is the rules that will facilitate the Assembly to perform its functions that are given in the Treaty and in particular, the legislative functions.

Mr Speaker, it was said by hon. Sebalu and some other member that it is parliamentary practice at the beginning of each Assembly to amend the rules so that you begin on a clean slate. This is because parliamentary work is dynamic and new situations may demand that you amend the rules to fit in particular situations.

Therefore, when I came here, Mr Speaker, having been a member of the Standing Order Committee in the Eighth Parliament in Kenya, my first engagement after three months of our election was to approach the chair, the hon. Dora Byamukama - whom I can say is a great lady, and who has led the committee up to this time. Another great member, the hon. Mathuki is taking over - I approached her and told her, can I make proposals? She agreed but she told me, it has taken some time to amend these rules so could you clear with maybe the Speaker.

Mr Speaker, I approached the Speaker and I am giving the history of how concerned I was from the very beginning about the amendments. However, what is important is not that you have rules that are excellent and that are in the books. Are we able to respect our rules? That is what is important. Because there have been situations not only in this Parliament and in other parliaments that people deliberately misapply the rules. The rules that we make here today are important and I would like to inform hon. Taslima that in the prayer the committee had actually substituted the word ‘rulers’ for ‘leaders’ so it is now leaders and not rulers. It is good that he brought it up.

Therefore, this is an important process, and we need to support this process. As a committee, and through our chair of the committee, the very honourable Peter Mathuki, former coordinator, I would like to say that we will be willing to receive any amendments in accordance with Rule 83 so that this process does not become cumbersome, and so that at the end and it is not engulfed in suspicion like we have heard and seen in the past. I thank you, Mr Speaker for giving me this opportunity.

The Speaker: Thank you so much, hon. Kiangoi. I call upon hon. Dora. After that, I will invite the Chair, Council of Ministers if he has some comments to make before I call the Chair of the committee to wrap up and respond.

Ms Dora Byamukama (Uganda): Thank you, Rt. hon. Speaker for giving me this opportunity. Speaking last, I may have fewer comments but because I also have a history on this matter, please kindly bear with me.

First of all, I would like to congratulate hon. Mathuki Peter Mutuku for taking over this very important committee, which deals with issues of legal rules and privileges. It is a very important committee as you note and I hope and pray that he will take it to higher levels.

My colleagues have articulated the issue of the history of what has happened ably so I will not indulge in that but permit me to say two things. One, I sincerely appreciate the support I was accorded by the committee and the whole House. I also sincerely appreciate all the comments that have been made on the floor of the House today. I have been vindicated in a way that I have never dreamt of and I want to thank the Almighty God that every time I have been party to this kind of issues whether struggle or otherwise whether it was in Parliament of Uganda or elsewhere, I have been always vindicated in my lifetime and I thank God for this.

I want to thank God because He gave me the opportunity to be a professional so when I perform my duties, I perform them as a professional. I do not consider any other issue but the fact that we have rules, we have laws and that I have a duty to perform. So I would like to thank wholeheartedly all who have talked well of what happened and my involvement and in particular to thank hon. Zein for being very sensitive to some of our sufferings. This is because some of us have suffered in ways that we cannot articulate on the floor of the House but we are convinced we are doing the right thing and therefore we are not shaken.

I would like to thank hon. Mumbi my sister. I want to thank you wholeheartedly. We have always conferred and we will continue to confer. I only wish in the words of one of the people in the Bible that you were here when we had to change leadership. I believe I would be sitting in the Speaker's chair.

That said, I am not but I am. Let me just say very clearly for the record that we have in the chair of the Speaker today a 'woman'. Why am I saying this? I am saying this with all honesty because ever since I served in the Parliament of Uganda, I have almost- I think at all times, served on the same committee with hon. Kidega. The first committee was the Committee on Legal and Parliamentary Affairs. He graciously supported my candidature as the vice chairperson.

After two years, he supported my candidature as the chairperson. When I moved on to Equal Opportunities, he again supported my candidature as chairperson. Really when I came to EALA, he again supported my candidature as Chairperson, Legal Rules and Privileges. I think this goes to show that having hon. Kidega in the chair means we actually have someone who is very well groomed and who has over the history of our time together, espoused his support for the women's cause.

Together we worked on the persons with disabilities law, which was signed in record time by His Excellency the President. He is one of those who supported the chairing of the chapter by hon. Nusura Tiperu, and I would like to remind this House that he is a patron of the women's forum. So, indeed we have a 'woman' sitting in the chair, and I have no remorse and I have given and will continue to give him my total support because I know his background and his support for the women's cause.

Therefore, hon. Mumbi, do not worry. In effect, you have me in the chair because I am also a woman and we have a 'woman'. Thank you very much.

I would like to go back to the rules, with your permission and this is very simple. In Mombasa, some of us have long memories. Let me just start in 2007. We made two major amendments. The first amendment was to expand the role of Legal Rules and Privileges Committee to add on the aspect of good governance. The second amendment was to see how best we could incorporate the joining of the Partner States of Rwanda and Burundi. Over time, we have had need to amend these Rules of Procedure.

I would like to say clearly that every time we have Treaty amendments or new laws like the Administration of EALA Act or we have court rulings, we obviously must amend the rules so as hon. Zein said, the fact that we have amended rules today does not mean that we have perfect rules. We shall continue and I hope as a member of the committee to receive amendments to better these rules so that we can function better.

I would like to add a small comment on the issue he raised on the will of the Assembly. I am a strong believer in the autonomy of the Assembly. I believe that the will of the Assembly cannot be subverted. For example, when we have moved a motion and the motion has been legally moved then our will has to be respected by everybody.

So in effect, I am saying that the office of the Clerk must capture consequential amendments at all times and these should be brought to the committee. For example when we passed the EALA Administration Act, some of these amendments were consequential and they did not need us to go through these rigours but obviously I think it is important that they bring this to the attention of the Committee of Legal Rules and Privileges.

There is the issue, which was raised in Mombasa by the Deputy Speaker of Uganda Parliament Rt. hon. Jacob Oulanyah, and this was the issue of packaging of the Rules of Procedure. When you look at this huge document and the way it is dressed, it does not give the dignity and the decorum warranted of Rules of Procedure. We need the Rules of Procedure to be user friendly and pocket friendly. So, I would like to implore the Office of the Clerk to make us rules which can fit in our pockets and hand bags for ease of reference and rules which we can pull out at any venue and hand over for example to other people whom we meet which will really reflect the dignity and decorum of this House.

The other aspect that was raised is on the issue of new proposals. As I said this will continue but I would like to bring to your attention, I think certain aspects, which need to be captured because these are already in operation. One of these aspects is the oath. When we come to this Assembly,

we take oath and there is the oath of members and the oath of the Speaker. These two oaths must be annexed to the Rules of Procedure as a matter of priority. In fact, for me they should be number two after the prayer so that we are very clear about these oaths. If need be, we can look at the oaths again because for the Speaker there is the issue of secrecy but for the members it is missing. I have both of them here.

For the member it says that we shall preserve, protect and defend the Treaty for the Establishment of the East African Community and give true and faithful service. For the Speaker it goes on to say that, the Speaker will not directly or indirectly reveal any matter referred to the Assembly and committed to his secrecy. I think we have to find a way of looking at these issues.

In respect to issues of the annex, I think we need to operationalise some aspects of it. The annex talks about code of conduct. Up to today, we do not have a code of conduct. I remember in Nairobi hon. Judith Pareno I think tried to bring in the issue of the code of conduct. It means that this Assembly will have to take off time and definitely come up with a code of conduct agreeable to all of us.

We shall be building a culture and value system, which I hope and pray, will address some of the conducts, which were raised by hon. Mumbi, and other colleagues on issues of dignity and respect of each member.

Finally is the issue of declaration of financial interests. This is also in our Rules of Procedure and as you know, we are all leaders and we must abide by the leadership code so that we do not have conflict of interest. We again have to work on it.

In essence Rt hon. Speaker, I am trying to cut out work for the Legal Committee so even when I am not a chairperson but a mere member, I hope and pray that this prestigious Legal Committee which is sometimes not given its due place and respect will this time around be given that accord.

With those few comments, I would like to implore members to support the report. I thank you.

The Speaker: Thank you so much. Hon. Christophe, I am restrained because you have already spoken on this matter and my rules are very stringent. Let me take it as information you are trying to give and not debate.

Mr Bazivamo: Thank you for this exception, Mr Speaker. Actually, I apologise for not having noticed it before. It is point 102. In the committee, we discussed an issue, which we have not agreed upon saying we shall bring it on the floor of the House so that it can be discussed. This is the speaker's panel. (*Interjections*) What are you saying?

The Speaker: Honourable, this matter came on the floor and they conceded to it in respect to Article 56 of the Treaty establishing the East African Community.

Mr Bazivamo: But my fear was that in the debate, it has no base in the Treaty and furthermore, it can bring budgetary complications and sometimes can cause bad situations when it is not –

The Speaker: Thank you very much, hon. Christophe for reminding us and re-echoing that matter. I would like the Chair, Council of Ministers who is a member of this House if he has any comments to make.

The Assistant Minister for East African Cooperation and Chairperson, EAC Council of Ministers (Dr Abdallah Saadalla) (Ex-Officio): Thank you so much, Mr Speaker. The Council of Ministers appreciates all the work well done by the members on amending these Rules of Procedure. We wish the august House that members will abide with these Rules of Procedure for good governance of East African Legislative Assembly. Thank you so much and congratulations to you all.

The Speaker: Thank you so much. I now invite the Chairperson, Committee on Legal Rules and Privileges to respond to the comments and questions raised during the course of debate. Hon. Peter Mathuki.

Mr Mathuki: Thank you very much, Rt. hon. Speaker. Let me start by thanking all members for supporting this report. First and foremost, I would like to appreciate remarks made by hon. Ngenzebuhoro reminding me that the chair emeritus of this committee, hon. Dora, himself, hon. Mwinyi, and the members of the First and Second Assemblies of the role they played in trying to get where we are in terms of these rules. Therefore, I want to thank them in a very special way. I will still depend on them as we move forward because as you will appreciate, there is still some work to do.

When you look at Article 49 on the functions of this Assembly, we are supposed to be talking about rules and procedure of committees and I can assure you that should be the next activity of the committee that will be ready to undertake. Thank you very much hon. Dora and hon. Ngenzebuhoro for reminding me.

I do notice that you have been like Moses in the Bible who took the children of Israel from Egypt but finally it was Joshua who delivered them. The Third Assembly is Joshua. Indeed, it is not one particular person, so I must appreciate that all of us have been committed.

I remember the effort all members put when we were in Nairobi sitting for a whole week trying to think about the rules. I want to remind and appreciate hon. Nakawuki in her submission. It is not about strengthening an individual in this particular case but strengthening an important organ of this Community and this is the Assembly. I think this is one of the objectives of doing the amendments.

In that spirit I want to appreciate those who have contributed to this starting with hon. Susan Nakawuki, hon. Pareno, hon. Ngenzebuhoro, hon. Mulengani Bernard and I do take his submission for the omission particularly on the procedure that when the Clerk receives and what he is supposed to do. I take note of that. I want to recognise hon. Zein. Thank you so much, my brother. I appreciate you in a very special way because we do know the kind of efforts we put in these amendments. I thank you so much. Thank you, hon. Kessy for the mathematical presentation and analysis on how you did it. I thank you. Hon. Chris Opoka for the excellent job you did when you led us in the informal meeting in trying to amend these rules.

Hon. Dr Odette, a strong and powerful lady who stood firm in the struggle. I appreciate you, and I appreciate the remark that we need to remove the aspect of the Speaker's panel. I think that is what hon. Bazivamo was trying to say. We will see how we can consult further on this to avoid a situation where we contradict the Treaty so that when nobody can challenge us when he or she passes through the rules. So, I appreciate.

I appreciate hon Dr Martin, thank you so much. Hon. Valerie, thank you very much I take your submissions in terms of time limits. Hon. Taslima, thank you very much on the issue of changing leaders in the place of rules. Hon. Mumbi, thank you very much. hon. Mbidde Mukasa, hon. Sebalu, hon. Ogle, hon. Bazivamo, hon. Jeremie, hon. Sarah Bonaya, hon. Kiangoi, hon. Dora the chair emeritus, thank you so much I appreciate you and I still count on you. This is your baby and indeed, we must go to the end and ensure that we do the right thing. In fact, the submissions that you made in terms of the code of conduct is what we had agreed as an activity for the committee going forward. So, I think that as we do this, we get to know that we have a task ahead of us and that we must be ready to do it.

Thank you, Chair Council for your submission. I count on you and I know you are equal to the task in terms of supporting us as an Assembly and congratulating you because you have assumed the seat of the Chair of Council. We know that you are equal to the task. I thank you so much.

With that Rt. hon. Speaker, I thank all the members and I plead that now this report is formally adopted. Thank you very much.

The Speaker: Thank you so much, hon. Peter Mathuki, Chair, Legal Rules and Privileges. Honourable members, the question on the floor is that the report of the Committee on Legal Rules and Privileges on the proposed amendments to the East African Legislative Assembly Rules of Procedure be adopted. I now put the question.

(Question put and agreed to.)

The Speaker: Honourable members, I would like to congratulate you. I know there is a business coming from the Committee of Legal. I would like to congratulate you upon the historical work that you have done. The Committee of Legal has got its work cut out clearly during the course of this debate which includes coming out with rules of proceedings of the committees, code of conduct and several other assignments and awaiting more proposals of amendment from members who will come to your office. I implore you to treat them with the dignity they deserve which I know you will do. I thank you so much for this good job.

Ms Byamukama: Mr Speaker, I would like to crave for your indulgence and the indulgence of this House that I move a motion without notice under Rule 31(d) and 82(1). Mr Speaker, I beg to move that this House do suspend the application of Rule 83(4) to the motion for adoption of the amendment of the rules. Mr Speaker, this is the motion I would like to move. I beg to move.

The Speaker: Can we have a seconder for this motion first? Hon. Susan, hon. Pareno. Hon. Dora, proceed.

Ms Byamukama: Mr Speaker, the justification for this motion I as follows. Rule 31 provides that the following motions may be moved without notice and 31(d) states as follows: Any motion provides for any motion for suspension of Rules of Procedure. In addition to this, Rule 82(1) provides that any member may with the consent of the Speaker, move that any rule be suspended in its application to a particular motion before the House and if the motion is carried, the rule in question shall stand suspended.

It is on the above basis that I have moved that the suspension of the application of Rule 83(4), which provides as follows that amendment to these rules, shall enter into force immediately following their adoption.

Mr Speaker, the rationale for this is that one, the amendments to the rules we have just adopted are many and diverse. We need time to have them incorporated and published. This cannot be done immediately. We need a transition period for this process to take place.

Mr Speaker, I am one of those people who always ask for time frame. I would like to propose under my second justification that application of the new rules should commence at the fifth, which is the next meeting of this session due in March 2015.

Mr Speaker, I believe that this justification is justified taking into account the need, as I said before, for further verification and publication as was noted. I beg to move.

The Speaker: Thank you, hon. Dora Byamukama. The honourable member has moved in accordance with our Rules of Procedure to suspend Rule 83(4) to allow very critical administrative work to be done for the beautiful work we have accomplished to come into force. Debate is open.

Ms Patricia Hajabakiga (Rwanda): Thank you, Rt. hon. Speaker and I stand to support the motion as moved by hon. Dora Byamukama. Since the amendments were quite immense and we require that they are done and the clarifications and everything else so that we also get the copies when they finalise the final draft that members also get the copies so that we see if there is, nothing lost – *(Interruption)* -

The Speaker: Honourable members, just a point of correction. It will no longer be a draft. The House has fully adopted Rules of Procedure. Proceed.

Ms Hajabakiga: Thank you, Rt. hon. Speaker. Therefore, the only thing I would wish to happen is that before they are finally published, we are given an opportunity as members to look at them again and see if nothing has skipped the typo so that we get what we have adopted today. Thank you, Rt. hon. Speaker and I support.

The Speaker: Thank you.

Ms Judith Pareno (Kenya): Rt. hon. Speaker, I wish to say quickly that I support that motion just for purposes of a cleaner exercise. We already have the text, and it is only a matter of cleaning and ensuring that nothing is missed out, like the amendment, that...the hon. Mulengani is not here, but there is an amendment that he noticed was missing. We actually inserted an amendment twice in

Nairobi. It was missing in another occasion and again we inserted and today it was still missing. So we want to just be sure and as we suspend, I want to add into what she has said if she allows me. We also need to suspend 87 because it talks about the same thing. If you look at Rule 87, it says these rules shall come into force on the day of adoption by the Assembly.

So we are adopting today yes but we want to suspend the same rules together. The two should be read together so I support with those amendments.

The Speaker: Thank you so much.

Mr. Mike Sebalu (Uganda): Thank you, Rt. hon. Speaker. I really want to thank hon. Dora for that because we did to do quality control, orderly application and appropriate packaging and branding so that at the end of the day, the product meets the transformation we are undergoing. Thank you.

The Speaker: Thank you so much, hon. Sebalu.

Ms Valerie Nyirahabineza (Rwanda): Thank you very much, Rt. hon. Speaker. As my colleagues have said, we need to clean it up because the committee came up with the report and while considering this, we noticed that some elements from that report that was presented to the workshop are missing. Therefore, we need to combine the two documents and see whether there is nothing left out and then the clear packaging like my sister has put it rightly so that they are distributed not only to members but also to outsiders who are willing to look at them. Thank you so much.

Ms Byamukama: Mr Speaker, I do not differ, and I want to thank hon. Patricia for her comments. I agree with her entirely because we need to look at the committee reports, we need to look at the report of the Nairobi meeting, we need to look at today's *Hansard* and like was mentioned by hon. Mulengani, we need to make sure that what we have accomplished and what we agreed upon has been captured properly.

I also want to thank hon. Pareno. I think what she mentioned as in the rules is a consequential reference and so that is well taken and I believe that will be part of the *Hansard*. I thank hon. Sebalu and hon. Valerie. What has been proposed will definitely harmonise and give authenticity to what we have done.

Maybe a small sub committee or the Committee of Legal for that matter can be given another opportunity at the earlier opportunity to ensure that what we have agreed upon is captured.

Mr Speaker, finally, my humble plea is that we have a time frame, to which we must adhere. So this is end of January and we are hoping that by March if possible in the plenary we will have the new set of Rules of Procedure. So obviously, I think that this needs to be taken into account, as it is very urgent. I thank you again and I hope and pray that you will support this motion. Thank you.

The Speaker: Thank you very much, hon. Dora Byamukama. Honourable members, the motion is that Rule 83(4) and Rule 87 be suspended to allow a transition period to engage with the new rules. I put the question.

(Question put and agreed to.)

The Speaker: Honourable members, before we adjourn I would like to congratulate you again for a job well done. A lot has been done since we came here a lot has been stated on the issues related to the Office of the Speaker. I can give you assurance that I cannot do less than being your servant and the Office of the Speaker, which I occupy now, is not worried about the powers of the Speaker.

One of the constitutions of the Partner States of EAC says power belongs to the people. Power belongs to you. You have just delegated me to be your servant and therefore we shall be together in this service.

I would like to thank you again and make the following announcements. The Committee on Agriculture, through the new leadership, the East African Farmers Federation invites you to a launch of the Agri-Business Directory of Agriculture Value Chain Actors, which will take place at the SG Resort in Arusha here today at 7.00 p.m. Honourable members of this committee who may be new, may wish to know that this group has been a very good partner to this Assembly. We have worked with them, and I encourage you to attend this function so that we can further our cooperation with them. I thank you so much.

With this, allow me to adjourn the House to tomorrow 2.30 p.m. The House stands adjourned.

(The House rose at 5:17 p.m. and adjourned until Thursday, 22 January 2015 at 2.30 p.m.)