



## EAST AFRICAN COMMUNITY

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### EAST AFRICAN LEGISLATIVE ASSEMBLY (EALA)

#### Official Report of the Proceedings of the East African Legislative Assembly 46<sup>TH</sup> SITTING - SECOND ASSEMBLY: FOURTH MEETING – SECOND SESSION

**Tuesday, 17 February 2009**

*The Assembly met at 2.30 p.m. in the Chamber of the Assembly, Sixth Floor, Ngorongoro Wing, AICC Building, in Arusha.*

#### PRAYER

*(The Speaker, Mr Abdi H. Abdirahin, in the Chair.)*

*The Assembly was called to order.*

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#### ADMINISTRATION OF OATH

The oath was administered to the following Member:

Ms Hafsa Mossi

#### BILLS

##### First Reading

##### **The Acts of the East African Community Act (Amendment) Bill, 2009**

**Ms Lydia Wanyoto (Uganda):** Mr Speaker, I beg to move that “*The Acts of the East African Community Act (Amendment) Bill, 2009*” be read for the First Time.

**The Speaker:** The Bill is read for the first time and is hereby referred to the Committee on Legal, Rules and Privileges.

#### MOTION

##### **FOR THE APPOINTMENT OF A SELECT COMMITTEE OF THE HOUSE**

**Mr Clarkson Otieno Karan (Kenya):** Mr Speaker, I rise to seek leave of the Assembly to move the following motion:

*“THAT, this Assembly, pursuant to the provisions of rules 77 and 80(1) of the Rules of Procedure, do appoint a Select Committee to investigate the circumstances under which the Fourth Meeting of the Second Session of the Assembly was suspended, and the trend and prioritization of the financial remittances from Partner States to the EAC for the Financial Years 2007/2008 and 2008/2009.”*

**Ms Jacqueline Muhongayire (Rwanda):** Seconded.

**Mr Clarkson Otieno Karan (Kenya):** Mr Speaker\_

*“WHEREAS the operational principles of the East African Community are guided by the Treaty for the Establishment of the East African Community, which provides a number of mechanisms to address all matters pertaining to the Community;*

*AND WHEREAS Article 9(1) establishes organs of the Community and expressly sets forth principles for their functioning under Article 9(4), which empowers the organs and institutions of the Community to perform the functions and act within the limit of the powers conferred upon them by or under the Treaty; and that the Assembly is one such organ, which is duty bound by the provisions of the Treaty;*

*AWARE that the functions of the Assembly are embedded in Article 49 of the Treaty and are further reinforced in the provisions of the Rules of Procedure in Part XIV, together with matters incidental to appointment of committees (rules 71 and 80) of the Rules of Procedure);*

*NOTING that in the discharge of its functions, it is guided by a legislative calendar adopted by the House Business Committee and is circulated widely to cause its implementation;*

*FURTHER NOTING that the discharge of those functions requires the Assembly to sit at such times and places as the Assembly may appoint; and the Fourth Meeting of the Assembly having been planned to take place in Arusha, the United Republic of Tanzania, the Seat of the Assembly;*

*HAVING confirmed that the Fourth Meeting will be held in Arusha between 15<sup>th</sup> – 28<sup>th</sup> February 2009, which was preceded with committee meetings between 8<sup>th</sup> – 14<sup>th</sup> February 2009, to consider Bills to be discussed during the Meeting;*

*CONSEQUENTLY, following an internal memo from the DSG (F&A) of 6 February 2009, which occasioned the cancellation of the Fourth Meeting and the related committee activities a day prior to commencement of the activities, which action was reversed through another notice for resumption of the Fourth Meeting of the Assembly;*

*NOW, THEREFORE, this Assembly:*

- (a) Collectively conveys its displeasure to the Office of the Secretary General;*
- (b) Collectively endorses a proposal to set up a select committee of the House to:*
  - i. Investigate the causes and consequences of such an action and make appropriate recommendations to the House; and,*
  - ii. Establish the trend and prioritization of financial remittances from Partner States to the EAC for the Financial Years 2007/2008 and 2008/2009 and make appropriate recommendations to this House.”*

Mr Speaker, I beg to move.

**The Speaker:** Hon. Members, debate is open.

**Ms Jacqueline Muhongayire (Rwanda):** Mr Speaker, I would like to thank hon. Karan for moving this motion. The way that the East African Community Secretariat gave the directive to EAKA to suspend the Assembly activities is an important precedent in the history of the EAC in general, and in the EALA in particular – *(Interruption)* -

*(Interruption due to a technical fault in the power transmission)*

**The Speaker:** Hon. Members, it seems the technicians are not able to rectify the problem. In the circumstances, I shall now adjourn the House.

### **ADJOURNMENT**

**The Speaker:** Hon. Members, I now adjourn the House until tomorrow 2.30 p.m.

*(The Assembly rose at 3.00 p.m. and adjourned until Wednesday, 18 February 2009 at 2.30 p.m.)*