

STATEMENTS

I. Introduction

This brochure has been designed to provide information on the manner of presenting statements in the county assembly. It also shows the types of statements admissible in the Assembly as well as the procedure for processing statements as required by Part XII of the County Assembly of Kiambu Standing Orders.

The Brochure also explains the role of all the concerned parties in processing statements including the fate of statements at the end of session of a County Assembly.

What is a statement?

This is an expression/speech/account given in House by a Member on a subject matter of concern to the people he/she represents either raising an issue with the authority or seeking information regarding the matter of concern. It is a clarification on a matter of personal nature given by a Member though there is no request for that clarification before the House.

Types of statements

i.) General statements of topical concerns (S.O 56)

This is a statement requested by a Member raising issues of concern to the people on a particular subject matter that falls within the jurisdiction of the County of Kiambu. It could also seek for unavailable information on a matter seized by the Assembly or ask for information which is not readily available in ordinary works of reference or official publications.

ii.) Statement for Weekly business (S.O 62)

This is a statement prepared by the Assembly Business Committee outlining business scheduled for the upcoming sitting week. It is presented every Tuesday for not more than ten minutes and thereupon tabled by a Member of the Assembly Business Committee designated by the Committee for that purpose.

iii.) Personal statements (S.O 63)

This is a statement issued by a Member raising a matter of a personal nature to that particular Member of which no question is before the Assembly.

Such statement is made with the permission of the Speaker and the matter therein may not be debated. On the day the statement is to be made, the Member must hand to the Speaker a written notification of the statement at least two hours before the commencement of the Sitting.

Time for statements (S.O 55 (1) (a) (b) & (c))

Members general request for statements are done on Wednesday morning and Thursdays while response statements are disposed off on Tuesdays. Statements for weekly business are issued on Tuesdays while personal statement may be done on any day.

II. Procedure for processing of general statements of topical concerns

Presenting a notice for request for statements

- A Member desiring to request for a Statement must hand to the Clerk the written request, at least twenty one days before the day the Member intends to have the Statement addressed in the Committee;
- The Clerk must certify that the request meets the requirement of the standing orders including ensuring that its drafted in correct form and style;
- The Clerk must, if satisfied that the request meets the requisite requirements forward the request for statements to the Speaker for approval; and,
- Following approval, the Clerk may publish a summary of the request for statement in the Order Paper for the day in which the statement is scheduled to be requested.

Requirements for a notice of request for statements

A notice of request for statements in committees must:

- fall within the subjects under the mandate of the particular Committee;
- its scope falls within a matter in the jurisdiction of the County of Kiambu;
- not seek an expression of an opinion;
- not repeat in substance, any matter already addressed by the Assembly within the Session;
- not refer or seek information on a matter already before a Committee;

- not seek information which is readily available in ordinary works of reference or official publications; and,
- be made to a Committee by a Member who is not a member of that particular Committee;

A notice of request for statements to the Leader of the Majority Party must:

- raise cross-cutting issues under more than one Committee or Sector;
- raise issues whose urgency or nature may not be properly addressed by a Committee; and,
- Contain issues that may be properly addressed under the Office of the Leader of the Majority Party.

In admissible statements

A statement may be disallowed if:

- the scope does not fall within a matter in the jurisdiction of the County of Kiambu;
- is seeking an expression of an opinion;
- it repeats a substance, any matter already addressed by the Assembly within the Session;
- it refers or seeks information on a matter already before a Committee;
- it seeks information which is readily available in ordinary works of reference or official publications; and,
- it is made by a Member who is a member of that particular Committee.

III. Seeking the request in the Assembly

- When the order “**statements**” is read, the Speaker directs a Member whose request for a statement is published in the Order Paper to request him/her Statement by reading the summary of the text of the approved request for a statement.
- Except with the direction of the Speaker, not more than ten requests for statements may be requested in one day in respect of statements to Committees and not more than two statements may be requested to the Leader of the Majority in one day.
- The Speaker may allow a Member to also request for a statement that is of urgent character or relates to exceptionally important issues of concern to the people,

in which case the statement may be requested at a time before the expiry of 21 days and without being published in the order paper.

Responsibility of a Committee

When a request is made to a Committee:

- a) The Chair or the Vice-chair of the Committee or, in their absence, any other Member of the Committee must acknowledge the request and may indicate a time when the response may be availed to the Assembly;
- b) The Committee must prioritize the requests according to their programmes and seek information from the relevant sectors/departments in the Executive. If the Committee resolves to request the attendance of the concerned county executive officials, the Committee must inform the Member or Members who sought the Statements and accord them an opportunity to interrogate the matters contained in the request; and,
- c) Where a committee has either deliberated on the matters contained in the statement with the concerned County Executive Committee Member or has received a written response may make a reply statement in the Assembly on a day prescribed for response to statements.

Responsibility of the Leader of the Majority Party

When a request is made to Leader of the Majority Party:

- a) the Majority Party Leader must acknowledge the request and may indicate a time when the response may be availed to the Assembly; and,
- b) The Majority Party Leader must seek information from the relevant sectors/departments in the Executive and may make a reply statement in the Assembly on a day prescribed for response to statements.

IV. Manner of disposing a response statement

- a) Following receipt of a response from the Chairperson of a Committee, the Clerk may publish a schedule indicating the statements whose response will be disposed off in the Order Paper.
- b) A Statement may be replied to only if the Member who made the request is present, but if the Member is absent without the Speaker's authority the Chairperson or vice-chairperson must table the response

before the Assembly and no further proceedings shall be allowed.

- c) The Speaker may allow Members to seek clarifications on a response statement, but a clarification must be limited to the subject of the original request for statement.
- d) The Speaker may defer a response not issued, or any other response statement appearing in the Order Paper to another time on the same day or to another day, for the convenience of the Assembly.

V. Withdrawal and re-introduction of statements

A Member may withdraw a request for statement appearing for request in the order paper. A statement once requested in the Assembly may only be withdrawn with the permission of the Speaker. A statement whose response has not been given in the Assembly lapses at the end of a Session. The said statement may be sought again in the next Session in the same or a different form in accordance with the standing orders.

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COUNTY ASSEMBLY OF KIAMBU

FACT SHEET ON STATEMENTS



*A vibrant, value oriented, quality driven & people
responsive County Assembly in Kenya*