

COUNTY GOVERNMENT OF NAIROBI CITY



THIRD ASSEMBLY

THE NAIROBI CITY COUNTY ASSEMBLY (SECOND SESSION)

COMMUNICATION FROM THE CHAIR

No. 5 of 2023

THE CONDUCT OF MEMBERS OF COUNTY ASSEMBLY

Good afternoon Hon. Members, I have the following communication to convey-

Dress code

Hon. Members, the County Assemblies are established by Article 185 of the Constitution and entrusted with onerous responsibilities that are summed up by the quadruple roles of legislation, oversight, representation and oversight and Budget making that we are expected to discharge with the seriousness they deserve. This is because we hold these duties in trust for the people we represent.

In addition, **Hon. Members**, the Leadership and Integrity Act, 2012 as read together with the County Assemblies Powers and Privileges Act, 2017 and the Assembly Standing Orders require of us to uphold certain attributes that set us apart from those we represent and conduct ourselves in accordance with certain codes.

Hon. Members, the conduct of business in this Assembly is largely governed by the Constitution and statutes. However, to a large extent, we apply the provisions of our Standing Orders and the Speaker's Rules as the guide to the seamless conduct of business just like any other legislature.

Hon. Members, it has come to my attention that Members of this Assembly continuously conduct themselves in contrast to the provisions of the Standing Orders, more so on dress code and general conduct during Plenary Sittings. May I draw the attention of this Assembly on the provisions of Rule No. 02 of the Speaker's Rules on dress code that defines appropriate dress code for Members of

County Assembly and staff of the County Assembly attire. Specifically, the Rule requires Members to be dressed as follows:

- 1) **For male Members:** Long trouser, long sleeved shirt, tie, jacket and closed polished shoes; and
- 2) **For Lady Members:** Skirt of reasonable length (knee length or below knees), blouse, jacket, trouser suits, decent shoes, Muslim Lady Members may wear a Purdar (popularly known as Bui Bui) or Hijab and African Wear.

Hon. Members, I urge you to observe the foregoing and not to abuse the dignity of this Assembly with the general trends in fashion market outside the realm of the Precincts.

Hon. Members, Kindly note that the Speaker bears the responsibility of enforcement of the code of conduct of Members that include etiquette and dress code, hence, going forward, the Chair will be keen on compliance with the dress code as spelt out in the Speaker's Rules.

Hon. Members, kindly note that the Speaker is not limited by the Rules to the extent of actions to ensure compliance with the codes. Indeed Rule 059 gives the Speaker latitude to issue circulars to Members and staff alike reminding them of compliance and application of the various codes of etiquette, dignity and contemporary good conduct as well as the sanctions that accompany violations.

Now therefore, **Hon. Members,** I call upon you to familiarize with these Rules and the provisions of the various codes of conduct and always observe them.

Absenteeism from Plenary and Committee Sitzings

Hon. Members, it has come to my attention that Plenary on several occasions has failed to raised quorum to conduct important business as scheduled by the Assembly Business Committee on the Order Papers due to absenteeism of the Members. In addition, Members fail to attend Committee meetings to assist the Committee to properly dispense off business before them.

Hon. Members, may I draw your attention to the provisions of Standing Order 252 (1) that provides that and I quote:

"If, during any Session, a Member is absent from eight sittings of the County Assembly without permission, in writing from the Speaker, the Speaker shall report the matter to the County Assembly and the matter shall stand referred to the Committee of Privileges for hearing and determination."

Further, Standing Order 183 (1) provides that, and I quote:

"If a member fails to attend four consecutive sittings of a Committee without the written permission of the chairperson of the Committee, or the permission of the Speaker if the member is the chairperson, the chairperson or the Speaker, as the case may be shall notify the Committee of the failure." Hon. Members, kindly note that there are specified consequences under the said Standing Orders.

Hon. Members, the lack of specific cases of absenteeism notwithstanding, the continued lack of quorum during Plenary Sittings point to possible cases. I therefore call upon the Select Committee on Powers and Privileges to investigate the matter of absenteeism in the Plenary and Committee Sittings and report back to the Assembly. Further, I call upon the Chairpersons in respective Committees to enforce the provisions of Standing Order 183 going forward. The Chairperson of the Select Committee on Liaison is hereby directed to guide the Chairpersons of Committees on proper enforcement of the foregoing provisions.

You are so guided!

I thank you **Hon. Members**.



The Hon. Kennedy O. Ng'ondi
SPEAKER, NAIROBI CITY COUNTY ASSEMBLY
Wednesday 26th April 2023