



Statement received
 the leader of minority
 party on 29/9/2020
 SCA

Approved for
 29/09/2020

**STATEMENT BY THE LEADER OF MINORITY PARTY PURSUANT TO
 STANDING ORDER 45(2)(B)**

Hon. Speaker,

Pursuant to Standing Order 45(2) (b), I wish to request for your direction and ruling from you, the Hon. Speaker regarding the probable swearing in of Hon. Perpetual Mponjiwa.

Hon. Speaker, Article 177 (2) of the Constitution of Kenya, 2010 read together with Section 37 (1) of the Elections Act, 2011 is express on the nomination of special seat members and reallocation of the special seat respectively. Hon. Speaker, it is enlightening to note that it is the political parties that nominate such members to the special seats positions.

Hon. Speaker, in view of this, it will be in total contravention of the law for this Hon. House to give a nod and proceed to swear in a Member who resigned from the Orange Democratic Party (ODM) on 8th May, 2017 and as such, has never been recognized by the very party she purports to cling on.

Hon. Speaker, A political Party of the stature of the Orange Democratic Party Movement (ODM) has its own mechanisms and/or structures particularly the National Executive Council (NEC) which the Member could have used to have her issue resolved amicably and in good time.

Hon. Speaker, cognizant of the fact that it is the sole task of political parties to nominate their Members for the positions of special seats; and notwithstanding the recent Court's ruling on this matter in light of Hon. Perpetual Mponjiwa, it is the considered opinion and position of the Minority Party of this Assembly that the anticipated swearing in of the said Member be halted forthwith.

Hon. Speaker, as a Minority party, we implore you to intervene on this matter and give proper guidance and direction to this Honorable House.

The Hon. Michael Ogada, MCA
 The Leader of Minority Party