RULING ON ADMISSIBILITY OF PROPOSED MOTIONS TO ADOPT THE REPORTS OF THE DEPARTMENTAL COMMITTEE ON FINANCE, PLANNING AND TRADE AND THE DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS ON THE NOMINATION OF CERTAIN CONSTITUTIONAL OFFICE HOLDERS

Honourable Members, on Tuesday, 15th January, 2011 in compliance with my directives given on 10th February, 2011 extending the time allowed to complete work and table a report, the Member for Nambale, the Honourable Chris Okemo, who is the chairman of the Departmental Committee on Finance Planning and Trade laid on the table of the House the Report of the Committee on the Nomination to the Office of Controller of Budget. The Report of the Departmental Committee on Justice and Legal Affairs which was also expected to be laid on the Table was not laid, and the Speaker, at the request of the chairman of that Committee, the Member for Budalang'i, the Honourable Ababu Namwamba gave a final extension of time to the Committee to table their Report not later than 12.30 p.m. on Wednesday, 16th February, 2011. The Departmental Committee on Justice and Legal Affairs did not meet this deadline. However, yesterday, at about 3.30 p.m., the chairman of the Committee, Mr. Ababu Namwamba, accompanied by about five other members of the Committee, did present the Report of the Committee to me in my chambers and the Report has since been laid on the Table of the House, earlier this afternoon.

Subsequent to the laying of the Report of the Departmental Committee on Finance, Planning and Trade by its chairman, when the Order "Notices of Motion" was read,

I explained that by standard procedure, it would have been expected that Mr. Okemo would give Notice of Motion for the adoption by the House of the Report he had just tabled, at that point. I, however, informed the House that I had received the Proposed Motion only that afternoon and that I needed to acquaint myself with its substance and would speak to the proposed Motion on Thursday, 17th February, 2011 at 2.30 p.m. As all Honourable Members are aware, in terms of standing order no. 47 the Notice of Motion for the adoption of the report of the committee cannot be given and the motion cannot be moved unless the Speaker has approved. For the avoidance of doubt, the text of the Motion proposed to be moved by the Hon. Okemo is as follows:

> ***THAT,*** *this House adopts the Report of the Departmental Committee No. F on Finance, Planning & Trade on the nomination to the Office of Controller of Budget, laid on the Table of the House, today Tuesday 15th February, 2011.*

By this Ruling today, I will give directions whether in terms of standing order 47, I approve or do not approve the giving of Notice and the Moving of the Proposed Motion by the Honourable Okemo. As I have indicated earlier this afternoon, my Ruling on the admissibility of the proposed Motion of the Committee on Finance, Planning and Trade will apply equally to that of the Committee on Justice and Legal Affairs. In order to make this Ruling, Honourable Members, it is necessary that I commence with some background and context.

Honourable Members, you will recall that on Thursday 3rd February 2011, I ruled on a point of order raised by the Member for Imenti Central, Honourable Gitobu

Imanyara and canvassed by a number of other Honourable Members. Mr. Imanyara, had sought to invoke standing order no. 47 to urge the Speaker to find that the nomination process of the Chief Justice, the Attorney-General, the Director of Public Prosecutions and the Controller of Budget had been undertaken contrary to the Constitution and that it was therefore not admissible before this House or any of its organs and could not properly be considered by either the House or any of its Committees.

Mr. Imanyara relied for his claims on statements, which he tabled, attributed to the Judicial Service Commission and the Commission for the Implementation of the Constitution both of them taking the position that the nominations forwarded to the National Assembly by the Office of the President were arrived at by a process that contravened the Constitution. Additionally, Mr. Imanyara stated that the process was unconstitutional because he claimed to be aware that the Right Honourable Prime Minister, who under the Constitution is to be consulted prior to the nominations, had written to the Speaker disassociating himself from the said nomination process.

Honourable Members, you will recall that I indicated that the issues raised by the Honourable Imanyara and other members required the determination both of matters of law as well as matters of fact and I asserted that as Speaker I did not feel that the points of order raised and the forum at which they were raised afforded me adequate opportunity to make a summary determination, either that the Constitution was contravened or that it was complied with. I expressed the view that the importance of questions posed and the critical ramifications that they have to the

overall implementation of the New Constitution were such that a more collegiate and participatory process was required and that in the context of the National Assembly the forum for a full hearing entailing adducing and rebuttal of evidence, examination and cross-examination of witnesses is the committee of the House. I stated that the role of a committee in the vetting process was to consider all aspects of the proposed nominations, including compliance with the Constitution and all relevant, enabling and incidental laws.

Honorable Members will recall that from the representations of Honourable Imanyara as well as the submissions of other Members, I filtered ten issues as having arisen and calling for determination. Of the ten issues, I disposed of two; namely: issue number 1. on the question whether or not the Speaker was competent to make the determination on the constitutionality of the nomination process as sought by Mr. Imanyara, and issue number 10 on the question whether or not the propriety of the nominations could be resolved by a vote in this House to approve or disapprove the nominees. On the former issue I ruled that it is within the competence of the Speaker to determine the constitutionality of a matter before the House while on the latter, I ruled in the negative, finding that a matter in which the question is whether nominations were arrived at through a constitutional process could not be resolved by a vote of the House. I found on that occasion, that it was not necessary for me, at that time, to rule on the following remaining eight issues: (I have retained the original numbering of the issues as appeared in my previous Ruling for ease of reference)

2. Is Parliament properly seized of the matter of the nominations;
3. What is the status, import and weight to be attached to the opinion of the Commission on the Implementation of the Constitution on a matter such as this;

4. Do the provisions of the Constitution require the involvement of the Judicial Service Commission in the nomination process (of the Chief Justice) and going hand in hand, if the Constitution dictates that the process be participatory, competitive and transparent;
5. Were there consultations between the President and the Prime Minister as contemplated by section 29(2) of the Sixth Schedule to the Constitution; tied to this point, are a number of other questions including what the minimum threshold of consultation should be and if consultation denotes concurrence, consensus or other measure of agreement. Additionally there is the further point of what was intended by the drafters of the Constitution in providing for consultation as they did;
6. What is the import of making the consultations subject to the National Accord and Reconciliation Act;
7. Is a serving member of the judiciary constitutionally eligible to be nominated and appointed as Chief Justice;
8. Do the nominations meet the constitutional requirements of regional balance and gender parity;
9. Do the questions raised on the nomination of office-holders amount to a dispute within the meaning of the Political Parties Act.

Honourable Members, in referring the matter of the nominations as well as the letters received both from the President and the Prime Minister to the respective Committees, to consider and report on or before 10th February, 2011, the crux of my Ruling was, firstly, that I could not determine that a Motion or Proposed Motion was unconstitutional when there was no Motion or Proposed Motion before the House, and secondly that I did not have the information necessary to enable me to make such a determination even if there had been a Motion or Proposed Motion.

Honourable Members, between the time when the Honourable Imanyara first raised the matter and now, I have had the benefit of considering a range of material addressing the various aspects of the matter. Specifically, I have benefited from, among others, the position given by the Judicial Service Commission, the Commission on the Implementation of the Commission and the Law Society of Kenya. I have also carefully read and considered the Ruling of the High Court relating to the matter of nominations, which was delivered on 3rd February, 2011. The first three of these bodies are constitutional or statutory and their views on matters of the law though not binding on this House, are of significant persuasive value.

As for the Ruling of the High Court, despite my re-statement of the constitutional relationship between the Legislature and the Judiciary, I have repeatedly emphasized that subsisting judicial decisions, while they cannot restrain the Legislature from the discharge of its functions are of binding effect and may have a bearing on the products emanating from this House. The learned Honourable Justice Musinga in his Ruling in the above case found that nomination of the Chief Justice was unconstitutional for not according with Article 166 of the Constitution as read with section 24(2) of the Sixth Schedule to the Constitution. He stated as follows *"On the basis of the concession made by the Attorney General, who is the respondent in this petition, it must be accepted that the said nomination did not comply with the constitutional requirements of Article 166(1) (a) as read together with Section 24(2) of Schedule Six of the Constitution. To that extent, the petitioners have proved that the nomination was unconstitutional."* The learned judge further found that Article 27(3) of the Constitution was violated regarding equal treatment

of men and women. He therefore concluded that: *"In view of the violations to the letter and spirit of the Constitution as shown hereinabove, even without considering other relevant provisions of the Constitution, like Article 10, which spells out national values and principles of governance, I am satisfied that the petitioners have demonstrated that they have a prima facie case with a likelihood of success."*

Justice Musinga therefore concluded as follows: "*Consequently, and in view of the court's findings regarding constitutionality of the manner in which the aforesaid nominations were done, I make a declaration that it will be unconstitutional for any State officer or organ of the State to carry on with the process of approval and eventual appointment to the offices of the Chief Justice, Attorney General, Director of Public Prosecutions and Controller of Budget based on the nominations made by the President on 28th January, 2011. That will have to await the hearing of the petition or further orders of this court."* Honourable members, although I have ruled that this Court decision does not stop the National Assembly from proceeding with its work and cannot determine for the House how to proceed it must be noted that as matters currently stand any decision made by this House on the nominations though perfectly procedural from the point of view of the Legislature, outside the Legislature, it is, to the extent that it does not accord with the Ruling of the Court, null and void, for all purposes.

Not least of all, the Chair has had the benefit of reading the Reports of both the Departmental Committee on Finance, Planning and Trade and the Departmental Committee on Justice and Legal Affairs. In this respect I wish to remind the House that the function and rationale of Committees is to assist the House to reach an informed decision on matters referred to them. This role is best discharged when Committees conduct their affairs in an amicable atmosphere that upholds the

dignity of the National Assembly. Appropriate procedures exist in our Standing Orders for dealing and disposal of any issues that may arise in the course of the work of Committees.

With the benefit of all this material I am now able, and in the course of the present Ruling, I will beg indulgence to address and rule not only on the admissibility of the Motion, but also on all of the other outstanding issues. I have in particular considered and I am now in a position to rule summarily on at least four of the outstanding issues and I will proceed to do so as follows:

- On issue no. 2, Honourable Members will recall that I had I ruled that standing order no. 47 was inapplicable and could not be relied on by the Speaker for the guidance sought by Mr. Imanyara because there was neither a Motion nor a proposed Motion before the House as contemplated by standing order no. 47. In light of the developments that have since occurred, I now rule that the National Assembly is seized of the matter of the nominations because the matter was received by the appropriate organs of the House and a Motion has been proposed thereon by a Committee of the House.;
- On issue no. 3, as I have already stated, I rule that the pronouncements of the Commission on the Implementation of the Constitution on a matter such as the present matter have relevance and are of persuasive value and should be considered carefully by the National Assembly and the Speaker. But as I have ruled before in the context of the Judiciary, the opinion of a body or organ outside the National Assembly cannot rise to such a level as to be construed to bind the National Assembly to any particular action or inaction in the discharge of its constitutional mandate.
- On issue no. 7, I rule that it is not unconstitutional for a serving judicial officer to be nominated for appointment as the Chief Justice if he or she is

qualified under Article 166 notwithstanding that he or she has not undergone vetting as provided for by section 23 of the Sixth Schedule to the Constitution. We have in fact set a precedent in this House by approving serving judicial officers to the Judicial Service Commission before they were vetted under the Constitution. All that this means is that if any of these judicial officers should be found unsuitable to serve as such when the vetting process is undertaken, they will have to leave office and a vacancy will arise in their respective offices.

- On issue no. 9, I rule that the questions raised on the nomination of office-holders do not amount to a dispute within the meaning of the Political Parties Act, as questions relating to the constitutionality of these appointments and any dispute thereon affect and relate to the country at large and not any particular party or parties. This is not a dispute between political parties, or for that matter, individuals!

Honourable Members, before I proceed to rule on the remaining issues allow me to re-visit some of my pronouncements when I last ruled on this matter. Referring the nominations to the relevant Departmental Committees, I declined to make a determination as to whether or not the nominations transmitted to my office by the Office of His Excellency, the President, were or were not constitutionally made nor whether there was or was not consultation within the meaning of the Constitution, nor whether or not ethnic diversity and gender equality were observed. I also withheld any determination or comment on the veracity and weight to be accorded to the letter I had received from the Right Honourable Prime Minister urging that the House declines to consider the nominees because the process for their nomination had not been observed.

I made it clear that reference of the correspondence received both from the Office of His Excellency, the President and the Right Honourable Prime Minister to the relevant committees of the House did not amount to a finding or determination that these nominations were or were not constitutionally made and promised to rule on that question if an objection under standing order no. 47 were to be raised again when the Committees, having delved into the matter, proposed an appropriate Motion. I cautioned the House to remember that despite the work of the Committees, questions of constitutionality and observance of the law are not matters to be determined exclusively by the vote of either Committee or indeed of the House. This is the reason that standing order no. 47(3) makes the admissibility of a Motion subject to the opinion of the Speaker. That opinion must, of course, be reasonable and be formed justly and judiciously.

Honourable Members will recall my passionate plea that the window remained open, and my hope, that developments would occur that would make this important nomination process uncontested on the basis either of constitutionality or howsoever and thereby render my guidance and directions as requested by Honourable Imanyara unnecessary. This was not to be. Indeed, what was an unsatisfactory position at the time has grown by leaps and bounds in the past one week or so, to become the source of considerable anxiety in the whole country. The Speaker's efforts to contain the escalation of differences were clearly unsuccessful and the time has therefore now come to make difficult decisions. The Speaker takes much solace, however, in the widely reported commitment of both His Excellency

the President and the Right Honourable Prime Minister to accept, respect and abide by the outcome of the parliamentary process.

One of the main reasons I had hoped that I would not have to rule on contestations on the constitutionality of the Motion or proposed Motion by the Departmental Committees was the effect of such a Ruling on the work of any such Committee and of this House. This is because if I were to rule that the proposed Motion is unconstitutional because the nomination process did not accord with the Constitution as sought of me by Mr. Imanyara, it would follow that, *ab initio*, there were never really any nominations capable of consideration by the Committees or by this House and accordingly any Motion seeking the approval or disapproval of the nominees by the House cannot proceed. It would mean that despite all the hard work done by the Committees, the House would not have the opportunity to debate their report at all! This would be so even though the reports of the Committees may themselves contain evidence and findings on the very questions in respect of which I shall have ruled. On the other hand a Ruling by the Chair that the Motion may proceed, does not prevent the questions of unconstitutionality still arising in the course of the debate of the Report. Be that as it may, the Speaker must now make this determination in the context of whether or not to approve the proposed Motion.

I have reflected on issue no. 3 on whether provisions of the Constitution require the involvement of the Judicial Service Commission in the nomination process of the Chief Justice and, whether going hand in hand with that question, if the Constitution dictates that the process be participatory, competitive and transparent. I have read all the arguments I could find on the subject. Without going into a

lengthy discussion on the matter, I recognize the two contesting arguments: the first, demanding a participatory, competitive and transparent process that involves the Judicial Service Commission in terms of Articles 166 and 172 and sections 24 and 29 of the Sixth Schedule to the Constitution; and the second to the effect that in this transitional period, Articles 166 and 172 of the Constitution have no application. Considering all the circumstances and in particular Article 259 (1), I am personally more persuaded by the first interpretation that entails an open and transparent process that involves the Judicial Service Commission. Considering the history of our country and the reasons why we have adopted a new Constitution, I find the argument that there should be lower constitutional standards during this delicate period of transition and implementation of the Constitution to be untenable. I have, as a matter of fact, not been able to find any language in the Constitution excluding either expressly, or by necessary implication, the application of Articles 10 or 73 of the Constitution to the nomination of the Chief Justice or the other three offices.

Issue no. 7 on whether the nominations meet the constitutional requirements of regional balance and gender parity needs to be considered in the broad context of all the constitutional appointments available, not on one or two appointments being made at any particular time. It is difficult to establish at this time whether the four nominations accord with requirement for giving a fair deal to all the diversities of Kenya. Considering the emotion which a feeling of unfair treatment has, or may evoke in sections of our society, I see no harm, and it would probably assist the country very much if important nominations were to be accompanied by some memorandum explaining how the nominating authority has addressed itself to such constitutional requirements. I concede that this is not an express constitutional requirement, but it is not unconstitutional, and I have previously urged against dry,

technical and uncreative interpretations of the Constitution. On the face of it however, in the present case, considering that there has been no set of constitutional appointments so far, in which the majority of the appointees were women, it is hardly inspiring and it is quite understandable that the argument has been made that the nominations are unconstitutional for discriminating against women contrary to Article 27 of the Constitution.

Honourable Members, on Thursday 10th February, 2011 when ruling on the point of order raised by the Hon. Olago Aluoch on whether or not in light of the Ruling of the High Court delivered by the Honourable Justice Musinga on 3rd February, 2011 in Nairobi High Court Petition No.16 0f 2011, Centre for Rights Education and Awareness (CREAW) & Others Vs. the Attorney-General the matter of the nominations was sub judice, I remarked about how strikingly identical the issues raised on that occasion were to those raised by same member on 12th November, 2009 when he asked the Chair to rule as to whether or not conservatory orders issued by the High Court in Judicial Review Petition No. 689 of 2008 (Samuel Mutua Kivuitu & 22 others –versus- The Hon. Attorney General) amounted to a derogation of the constitutional principle of separation of powers by the Judiciary. I cautioned the House that the conduct of parliamentary business requires a respect for the procedure, traditions, practice and precedents established by the House. I emphasized that the Chair represents the institutional memory of the House to ensure this and that the Chair could not therefore indulge in the luxury of changing positions and departing from practice and precedents unless the operational circumstances can be shown to be distinctly different.

I say this because, once more I note that we have a precedent which may have some relevance to issues no. 5 and 6 on whether there consultations between the President and the Prime Minister as contemplated by section 29(2) of the Sixth Schedule to the Constitution; and the related questions of, what the minimum threshold of consultation should be, whether consultation denotes concurrence, consensus or other measure of agreement; and the import of making the consultations subject to the National Accord and Reconciliation Act.

The matter of the interpretation of the constitutional provisions of the National Accord and Reconciliation Act was dealt with at length in a Ruling from this chair on the 28th April, 2009. As matters would have it, this Ruling was also delivered at the request of the Hon. Olago Aluoch who had on 23rd April 2009 sought the guidance of the Chair in respect of a dispute that had arisen on the choice of the Leader of Government in this House. Among the issues for determination then, which bear a semblance to the present matter, were: how any inconsistency between the National Accord and Reconciliation Act and the Constitution was to be resolved; and, what the Speaker was to do in the event that he received two different letters from the same Government designating different persons as Leader of Government Business in the House.

On that occasion, I observed that the Speaker acts as a neutral arbiter, not a protagonist in the arena that is the House and that any Member could, at any time, raise with the Speaker, a question on the constitutionality of any action or set of circumstances in this House and it was always open to the Chair to entertain and rule on the merits of such a question. I made it clear that the National Accord and

Reconciliation Act was an integral part of the Constitution of Kenya and quoted some words from it which, you will bear with me, as they warrant recitation:

> *"Given the current situation, neither side can realistically govern the country without the other. There must be real power-sharing to move the country forward and begin the healing and reconciliation process.*
>
> *With this agreement, we are stepping forward together, as political leaders, to overcome the current crisis and to set the country on a new path. As partners in a coalition government, we commit ourselves to work together in good faith as true partners, through constant consultation and willingness to compromise.*
>
> *This agreement is designed to create an environment conducive to such a partnership and to build mutual trust and confidence. It is not about creating positions that reward individuals. It seeks to enable Kenya's political leaders to look beyond partisan considerations with a view to promoting the greater interests of the nation as a whole. It provides the means to implement a coherent and far-reaching reform agenda, to address the fundamental root causes of recurrent conflict, and to create a better, more secure, more prosperous Kenya for all.*

I ruled then that in considering the matter of multiple letters received by the Speaker designating two different individuals to the position of Leader of Government Business, that the House, and the country at large needed to understand that changes made in the Constitution with the introduction in it of the provisions of the National Accord and Reconciliation Act had fundamentally

altered the nature and character of Executive decision making in this country. As Honourable Members are aware, the Constitution of Kenya promulgated on 27th August, 2010 saved and continued the National Accord and Reconciliation Act in its entirety until the first general elections held under it.

Honourable Members, I have noted, and so have you, I am sure, that a good part of the debate on the constitutionality of the nomination process has centred on whether or not His Excellency, the President consulted with the Right Honourable Prime Minister on the nominations, the duration and extent of the consultations and whether there was, or there was required to be, any concurrence. Section 29 (2) of the Sixth Schedule has been much quoted. It provides as follows:

> *Unless this Schedule prescribes otherwise, when this Constitution requires an appointment to be made by the President with the approval of the National Assembly, until after the first elections under this Constitution, the President shall, subject to the National Accord and Reconciliation Act, appoint a person after consultation with the Prime Minister and with the approval of the National Assembly.*

Because of this subsection, there have been a number of treatises on the meaning of "consultation." Numerous precedents have been cited from the Commonwealth and beyond. I acknowledge with much appreciation that I have been referred by friends and well-wishers and by many well-meaning ordinary Kenyans, to learned commentaries and opinions on how courts and tribunals in various jurisdictions have interpreted the phrase "after consultation." Having considered all these, I do think that the over-emphasis on the meaning and scope of consultation can lead to a blurring of the larger picture on this matter. I also think that the matter is probably not nearly as complex as it has been made out. In legal circles, it is said that

precedents should not be invoked unless they are in *pari materia* with the matter being dealt with. This means that you must compare only comparable situations and circumstances.

Honourable Members, the consultation required of the two Principals in our Constitution, is subject to the National Accord and Reconciliation Act. With respect, I have been unable to find, because there hardly exists, a precedent from anywhere in the world where "consultation" is made subject to an identical standard as our National Accord and Reconciliation Act. The threshold of consultation and its parameters are demarcated in the National Accord and Reconciliation Act as cited above. After careful reflection on this matter, doing the best I can, weighing one thing against another, it is my considered opinion that the required standard of consultation is not so high as to *mean* concurrence or agreement and thereby become a recipe for deadlocks and brinkmanship. In my estimation, considering Article 259 (1) of the Constitution and the events that led to the Accord, I am convinced that the minimum consultation expected and required by section 29(2) of the Sixth Schedule to the Constitution is one that results in "compromise." Indeed, a willingness to compromise is the centre piece of the National Accord.

In my Ruling of 28th April, 2009, I held that in the current state of our Constitution, the Office of the Speaker of the National Assembly was not well-suited to determine and therefore I declined to determine who the Leader of Government Business was to be, in a situation where I had received two letters from the President and the Prime Minister respectively, each designating a different Minister as the Leader of Government Business. I held that the Office of Speaker was not

competent to rule on which letter overrides the other. Note, Honourable Members, that in the current scenario, the Constitution expressly provides that the President shall make the appointments but subject to the rider that follows below. I was however clear in my mind that the Constitution and the National Accord and Reconciliation Act contemplate only one indivisible Government of the Republic of Kenya and where the Speaker is faced with a situation eliciting uncertainty as to a designation made by the Government, such uncertainty was not for the Speaker to resolve, and I therefore ruled that I would await the name of one Minister consensually designated as Leader of Government Business. I think that there are aspects of this precedent that bind me in the present matter. I am however awake to the fact that then, I was dealing with a provision of the Standing Orders providing for a designation to be made by the "Government." This is distinguishable from the present case where among other things, appointments are required to be made by the President subject to the National Accord and Reconciliation Act, and after consultation with the Prime Minister and with the approval of the National Assembly.

Honourable Members, for the reasons I have stated, and having paid due regard to the positions advanced by the High Court and other constitutional and statutory bodies, I find and rule that the constitutional requirements of section 24 (2) and 29 (2) of the Sixth Schedule to the Constitution requiring consultation subject to the National Accord and Reconciliation Act are not met if the National Assembly receives a list of nominees to constitutional offices, on which there is open and express disagreement between His Excellency, the President and the Prime Minister. Such is not the nomination contemplated by the National Accord and Reconciliation Act, which is part of the Constitution. It is unconstitutional and the

unconstitutionality cannot be cured by any act of this House or of its Committees nor by a vote on a Motion in the House. Further, and I so find, no Motion on such a nomination, whatever its terms and whatever the contents of the Report upon which the Motion is based, is admissible and I therefore hereby so order.

The effect of this Ruling is that this House shall not proceed with any process of approval in respect of the nominations that the National Assembly received from the Office of His Excellency, the President, by the letter dated 31st January, 2011. Additionally, the work of the Departmental Committees of Justice and Legal Affairs and Finance, Planning and Trade and their respective Reports, on this matter shall lapse forthwith in their entirety. The House shall await nominations for the respective offices to be forwarded in the manner provided for by the Constitution read in totality and ensuring full compliance therewith. Needless to say, this development is not a commentary on the suitability of any individual for nomination or appointment to the offices to which they had been nominated or to any other.

May I, Honourable Members, reaffirm that the Chair remains faithful to the Oath off Allegiance which I took on Tuesday, 15th January, 2008.

Thank you.

Hon. Kenneth Marende, M.P.

Speaker of the National Assembly.

Thursday, 17th February, 2011.