

REPUBLIC OF KENYA



COUNTY GOVERNMENT OF NYANDARUA

**Rules for Public Access
to
Meetings of Select Committees**

The Clerk's Office
Nyandarua County Assembly
P.O. Box 720 – 20303
Ol Kalou
clerk@assembly.nyandarua.go.ke/
nyandaruaassembly@gmail.com

First Edition 2016
A Publication of the Nyandarua County Assembly's House Business Committee - 2016

PURSUANT to Article 155 (5) (j) and Article 226 (3) of the Nyandarua County Assembly Standing Orders, the Speaker and the House Business Committee publishes these rules to govern public access to the Assembly and its Select Committees.

FOREWORD

The County Assembly has three cardinal roles of legislation, representation and oversight. Most the oversight and legislative work is done by the Committees and as such, the work of Committees attract a lot of interest from the public.

The Constitution of Kenya outlines the national values and principles of governance¹. Amongst the key values is the principles of transparency and accountability which are required to be upheld by all public institutions. Further, the constitution guarantees access to information². In line with the need for transparency and accountability; Article 196 of the Constitution of Kenya provides that the business of the County Assembly and its Committees to be conducted in an open manner and that they should be accessible to the public.

Further, Article 181 of the Standing Orders stipulates that all the Committees' proceedings should be accessible to the public unless the Speaker allows them to be held in camera. Transparency is the cornerstone of good governance and as such, the public should be in a position to observe and participate in the business of the County Assembly. However, it is imperative to note that the County Assembly as a Legislative House is a House of rules and procedures thus those who participate in its business must be regulated.

Nyandarua County Assembly has several Committees. These are either Sectoral Committees, House-keeping Committees or Select Committees largely concerned with examining the work of government departments. Some select committees have a role that crosses departmental boundaries such as the Public Accounts and Investments Committee. Depending on the issue under consideration, they can look at any or all of the Government departments.

1 Article 10 of the Constitution

2 Article 35 of the Constitution

RULES FOR PUBLIC ACCESS TO MEETINGS OF SELECT COMMITTEES

Interpretation

For purposes of these rules ‘a member of the public’ means any person not being Member of County Assembly or an employee of the County Assembly.

Members of public who wish to attend Committee meetings must abide by the following rules:

1. Admission to Buildings or Gardens

- (i) No member of the public shall be admitted into or allowed to remain in any part of Assembly Buildings or Gardens unless he/she is in possession of – a Pass issued pursuant to the provisions of the Speaker’s Rules and bearing that day’s date issued to him/her and signed by a Senior Officer of the Assembly; or a permanent pass signed by Mr. Speaker or the Clerk. Where a member of the public is in possession of a temporary pass, he/she shall ensure that the pass is attached conspicuously on his/her clothing;
- (ii) The Office of the Clerk may cause to be published, in at least two newspapers on nationwide circulation and/or Assembly website, an advance copy of notice to the public showing the date, time, venue and agenda of a Committee meeting and indicating whether the sitting is open to the public or not;
- (iii) A member of the public intending to attend a committee meeting shall be accredited at the Assembly security desk/reception at least half an hour before commencement of the meeting;
- (iv) All members of the public intending to attend Committee meetings shall be subjected to security checks;
- (v) Accredited members of the public shall be escorted into Committee rooms at least 15 minutes prior to commencement of the meeting;
- (vi) Accreditation shall be subject to availability of sitting space and on “first come first served basis”;

- (vii) Accreditation for access to a Committee meeting shall be limited to attendance of that particular Committee meeting and shall not serve to permit members of the public access into other parts of the Assembly Buildings;
- (viii) No member of the public shall be allowed to remain in any part of Assembly Buildings or Gardens after conclusion of a Committee meeting unless he/she is attended to by an Honourable Member or an Officer of the County Assembly; and
- (ix) All accreditation passes must be surrendered at the security desk/reception when the holder leaves the Assembly Buildings.

2. Restriction of Audience

A member of the public accredited under these rule shall have no right of audience in Committee meetings and with the press while within the precincts of Assembly.

3. Exclusion from the Committee sittings

- (i) The Committee shall have power to expel any person for disorderliness or contempt. Any expelled person may be reprimanded or prosecuted.
- (ii) Whenever it is deemed necessary, the Chairperson may order the withdrawal of members of the public.
- (iii) Whenever a member rises under Standing Order 228 (1), the Chairperson shall have delegated powers to consider and determine an exclusion of the public or any particular person and shall be under an obligation to give reasons in writing to the Speaker of such decision to exclude.
- (iv) Members of the public shall not bring cell phones, cameras, computers and writing materials into Committee rooms and any person who does not comply shall be ordered to withdraw from the Committee.
- (v) Members of the public shall not applaud during Committee proceedings.

4. Offensive Weapons

No member of the public shall bring any firearm or other offensive weapon into the Assembly Buildings or any part of the Assembly precincts. All such weapons must be deposited with the Serjeant-at-Arms at the time of entry and collected at the time of exit.

5. Adjournments

At the conclusion of a Committee sitting, or adjournment pursuant to lack of quorum or for any other reason, all members of the public shall leave the precincts of the Assembly immediately.

6. In Camera Session

No member of the public shall attend a meeting of a Committee which is scheduled to be held in camera. If a Committee decides that part of its proceeding should be held in camera, the Speaker of the Assembly must give permission for the same. However, the Chairperson may exercise delegated powers if the matter arises outside the Assembly or in cases where the Speaker cannot be reached.

7. General Provisions

The provisions of the Standing Orders and the Speaker's Rules shall apply on any matter not provided for under these rules.

4 *Nyandarua County Rules for Public Access to Meetings of Select Committees*
