



## EAST AFRICAN COMMUNITY

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### EAST AFRICAN LEGISLATIVE ASSEMBLY (EALA)

The Official Report of the Proceedings of the East African Legislative Assembly

45<sup>TH</sup> SITTING – FIRST MEETING – THIRD SESSION- FIFTH ASSEMBLY

Tuesday, 12<sup>th</sup> November, 2024

*The Assembly met at 10.24 a.m., in the Parliament House, Kampala, Uganda*

### PRAYER

*(The Speaker, Hon. Joseph Ntakirutimana, in the Chair)*

*(The Assembly was called to order)*

### COMMUNICATION FROM THE CHAIR

**The Speaker:** Honourable members, I heard a point of procedure.

10.26

**Mr Maina Karobia (Kenya):** Yes, Mr Speaker, I rise on a point of order under Rule 12 to bring to your attention that there is no quorum in this House.

**The Speaker:** Sergeant-At-Arms, do we have quorum? *(A Member rose\_)*

**The Speaker:** We are dealing with the first one. *(A Member rose\_)* Can you sit down? I have asked the Sergeant-At-Arms to ascertain if we have quorum.

*(Sergeant-At-Arms calls register to check on quorum)*

**The Speaker:** Honourable members, there is no quorum. I suspend this meeting for 15 minutes as the rule says.

*(The House was suspended at 10.25 a.m.)*

*(The House resumed at 10.55 a.m.)*

**The Speaker:** Honourable members, good morning. We have in the VIP gallery, a delegation from the United Nations and Food and Agricultural Organisation. They include the following: Mr Jean-Leonard Touadi –(Applause) Please, stand - he is there. And we have Mr Alvaro Espinosa Rodriguez –(Applause) He must be speaking Spanish. The third one is Mr Pierre Ferrand. That one must be speaking French – (Applause) Thank you.

We also have in the public gallery 40 pupils and four teachers from Nakasero Primary School from Kampala District in the Central Region of Uganda. (Applause) Thank you. The other visitors are seventy-six students and three teachers from Gayaza High School from Kampala District in the Central Region of Uganda. (Applause) Thank you.

With this, now we go to our business. Sergeant-At-Arms, what is the situation?

Honourable members, let me announce the other visitors. Sergeant-At-Arms hold. We have a delegation from the Democratic Party Secretariat, which is composed of *Hajji Imam* Makumbi, Vice President, and Western Region; – (Applause) - Ms Hellen Sayuni, Vice President; Mr David Pande Ndinywa, Member of National Council. Ms Diana Alinaye, Youth Coordinator. (Applause)

We had a Member who had raised, was it a motion? [Mr Kakooza: It is procedure, Mr Speaker]

**The Speaker:** Procedure, yes.

10.59

**Mr James Kakooza (Republic of Uganda):** Thank you, Mr Speaker. According to the Order Paper, we have been waiting for your communication, because as the Clerk mentioned, you had to communicate with us.

Two, in the practice of this House, we have business. You raise quorum when there is a matter to be discussed, but we are at communication. We were waiting for you and then the laying of papers, and then, somebody came with a quorum. Are we proceeding well with the practice of the House? Maybe you should guide us because we are waiting for your communication.

**The Speaker:** We have a point of procedure, Hon. Amongin - (A Member rose\_) - Can you sit?

11.00

**Ms Jackline Amongin (Uganda):** Mr Speaker, this is a further procedural matter. Mr Speaker, aware that today is our last sitting in this House for this session, and aware that the issues that we were meant to discuss today as we conclude our plenary in Uganda are paramount to us, and also justifying our 24 days of sitting, for example in Kampala.

Mr Speaker, are we proceeding well for a Member to raise an issue of quorum when actually the agenda on the Order Paper is very clear? Unless a contentious issue comes that needs ascertaining numbers, that is when the issue of quorum would pertain.

For now, Mr Speaker, can we be accountable in terms of the taxpayers' monies that are contributed by the taxpayers; Ugandans, Kenyans, South Sudanese, Burundians, Rwandese, and the rest of the Member States, so that we proceed with the agenda; we were elected to do that.

Mr Speaker, are we proceeding well to allow a motion on suspension pertaining to quorum when actually we are here to conduct the day's business?

I think, Mr Speaker, we should be able to proceed. We are waiting for your communication. Do not entertain any other matters until your communication is done. I beg to move.

**The Speaker:** *(A Member rose\_)* You sit down. Can you sit down? All of you, Members, sit down. I have not given the Floor to anyone. Honourable Members, I want to remind you that we have rules to respect and follow. This House is a House where Members are there to debate. The way we debate is ruled. That is why we have to consider that this is a House of decorum.

Any Member can debate. You have to remember that when I am speaking you must be seated. When I give you the Floor, you have to catch my eye. Then, we will debate in a good manner, respecting each other and respecting the House. Therefore, for those Members who had started to maybe ignore these rules, please come, and then we debate. There were Members who were raising issues of quorum. If the Member who raised that issue does not withdraw the matter himself – that would favour all of us in the House – I will be obliged to read Rule 12 and implement it.

I am now giving the Floor to Hon. Maina who raised this issue. I hope he is willing to withdraw it as all of the Members are wishing, so that this last day can be a happy end, as everyone wishes it to be. We have enjoyed living in Uganda during these three weeks.

**Mr Maina:** Thank you, Mr Speaker. We are a House of procedure, rules and traditions. These rules, as they were made, were not made for convenience. They were made for each one of us and for our prosperity.

I do not think we can transact business of the House when we are not meeting the rules as stipulated in our Rules of Procedure and even other complementary documents such as the treaties of our establishment.

Therefore, Mr Speaker, I would like to graciously say that I am not going to withdraw the point of procedure that I raised. Thank you.

**The Speaker:** Thank you. Now I will ask the Sergeant-at-Arms to count and inform us. Hon. Nadra is from Tanzania. Honourable members, I have told you that you have to sit down and you talk when I give you the Floor.

Honourable members, we have Members following online. I hope the Sergeant-at-Arms is taking that into consideration.

Hon. Maina, please come here.

*(The sergeant-at-Arms conducted a head count and presented the report to the Speaker)*

**The Speaker:** We do not have quorum. Honourable members, rule 12 says that, “*the quorum of the House –*” Hon. Kakooza, would you like to have the Floor? We have concluded.

11.12

**Mr James Kakooza (Uganda):** Mr Speaker, I do not like to interrupt the business of the House or even to misinterpret the meaning of quorum in rule 12. If you read verbatim; Rule 12(1) and (2), my interpretation is that for any business to be discussed in the House, there must be quorum. However, before we reach there, there is business that must be dealt with. We have “Laying of Papers” as item No. 3 on the Order Paper. We are not discussing anything.

If we follow the Order Paper as it is and we get to an item that requires discussion, that is when someone could raise the issue of quorum. This Rule 12 cannot be interpreted to say that when we have not done anything, you raise a procedural matter on quorum. No. It only comes up when there is business to discuss. This is the interpretation. The framers of the rules were clear.

The Order Paper has “Laying of Papers” as item No. 3. We have not gotten to it yet. There is a petition that has to be laid on Table. We cannot raise an issue on quorum. Why do you raise quorum when we have not discussed anything?

Practically, and in the practice of this House, this rule 12, a matter that must be raised when there is a point under discussion. However, the business we have on the Order Paper requires no discussion. (*Interruptions*)

**The Speaker:** Honourable members, you have started again. I will give the Floor to the Counsel to the Community to advise us considering what Hon. Kakooza has raised. It is about the issue of quorum. It came earlier. We need to know if we can proceed as Hon. Kakooza is interpreting the rules. You have the Floor.

11.14

**The Counsel to the Community (Dr Anthony Kafumbe):** Thank you, Mr Speaker. When you look at rule 12, the operational phrase is “*if at any time*” – any time. Then the duration of the Sitting is prescribed under regulation 11 which says that the Sitting starts at 9.00 a.m. and ends at 1.00 p.m.

That is what the rule says. If at any time a Member raises an issue, you have to ascertain that there is quorum.

**The Speaker:** Thank you, Counsel to the Community. With this, I adjourn this sitting sine die.

*(The Assembly rose at 11.15 a.m., and adjourned sine die)*