

PAPERS LAID	
DATE	18/7/18
TABLED BY	Sen. Mahamud
COMMITTEE	
CLERK AT THE TABLE	

THE EAST AFRICAN COMMUNITY
BILLS SUPPLEMENT

No. 2

4th May, 2018.

to the East African Community Gazette No. 6 of 4th May, 2018.

Printed by the Uganda Printing and Publishing Corporation, Entebbe, by Order of the East African Community.



THE EAST AFRICAN COMMUNITY

**THE ADMINISTRATION OF THE EAST AFRICAN
 LEGISLATIVE ASSEMBLY (AMENDMENT) BILL, 2018**

MEMORANDUM

The object of this Bill is to amend the Administration of the East African Legislative Assembly Act, 2012 An Act of the Community to amend the Administration of the East African Legislative Assembly Act, 2012 to provide for the Assembly to be wholly responsible for its administrative and financial affairs; to streamline the functions of the Commission in order to support the financial and administrative autonomy of the Assembly and to provide for other related matters.

At the 33rd Meeting of the Council of Ministers of the East African Community, which is the policy organ of the Community, the Council granted financial and administrative autonomy to the Assembly. However, the Administration of the East African Legislative Assembly Act, 2012 in its current form does not support the implementation of the financial and administrative autonomy of the Assembly.

PARLIAMENT
 OF KENYA
 LIBRARY

The Bill therefore seeks to amend the Act in order to operationalise the financial and administrative autonomy granted to the Assembly by the Council.

HON. SUSAN NAKAWUKI-NSAMBU,
Member, East African Legislative Assembly.

*Administration of the East African
Legislative Assembly (Amendment) Bill, 2018*

THE ADMINISTRATION OF THE EAST AFRICAN
LEGISLATIVE ASSEMBLY (AMENDMENT) BILL, 2018

ARRANGEMENT OF CLAUSES

Clause

1. Short title.
2. Amendment of the Administration of the East African Legislative Assembly Act, 2012
3. Amendment of section 3 of the principal Act
4. Amendment of section 4 of principal Act
5. Insertion of new section 5A
6. Amendment of section 10 of the principal Act
7. Replacement of section 11 of the principal Act
8. Replacement of section 15 of the principal Act
9. Replacement of section 18 of the principal Act
10. Insertion of new section 19A.
11. Repeal of section 20.

A Bill for an Act

ENTITLED

**THE ADMINISTRATION OF THE EAST AFRICAN
LEGISLATIVE ASSEMBLY (AMENDMENT)
ACT, 2018.**

An Act of the Community to amend the Administration of the East African Legislative Assembly Act, 2012 to provide for the Assembly to be wholly responsible for its administrative and financial affairs; to streamline the functions of the Commission in order to support the financial and administrative autonomy of the Assembly; and to provide for other related matters.

ENACTED by the East African Community and assented to by the Heads of State.

1. This Act may be cited as the Administration of the East African Legislative Assembly (Amendment) Act, 2018. Short title.

2. The Administration of the East African Legislative Assembly Act, 2012, in this Act referred to as the principal Act, is amended in section 2 by substituting for the definition of "Staff Rules and Regulations", the following definition— Amendment of the Administration of the East African Legislative Assembly Act, 2012

*Administration of the East African
Legislative Assembly (Amendment) Bill, 2018*

“staff rules and regulations” means then rules and regulations relating to staff of the Assembly made in accordance with this Act;”

Amendment
of section 3
of principal
Act.

3. Section 3 of the principal Act is amended by inserting immediately after subsection (1), the following—

“(1a) The Commission shall be a body corporate with power to sue and be sued in its corporate name.”

Amendment
of section 4
of principal
Act

4. Section 4 of the principal Act is amended—

(a) by substituting for paragraph (d), the following—

“(d) appoint Clerk, Deputy Clerk and other officers of the Assembly;”;

(b) in paragraph (e) by substituting for the word “Council”, the word “Assembly”;

(c) by substituting for paragraph (f), the following—

“(f) promote and exercise disciplinary control over officers and other staff of the Assembly;”;

(d) in paragraph (h), by substituting for the word “Council”, the word “Assembly”.

Insertion of
new section
5A

5. Part II of the principal Act is amended by inserting immediately after section 5, the following new section—

Sub-
committees

“5A.(1) The Commission may establish subcommittees to assist the Commission to discharge its functions and may delegate to a subcommittee any function determined by the Commission.

*Administration of the East African
Legislative Assembly (Amendment) Bill, 2018*

(2) The Commission shall determine, the composition, functions and procedure of its subcommittees.”

6. Section 10 of the principal Act is amended by substituting for subsection (1) the following—

Amendment of section 10 of the principal Act

“(1) The Commission shall, from time to time, review and determine the terms and conditions of staff of the Assembly and make proposals to the Council for review of terms and conditions of service of members of the Assembly.”

7. For section 11 of the principal Act, there is substituted the following—

Replacement of section 11 of the principal Act

Creation of offices of the Assembly “11. The Commission may create, abolish, classify or re-designate offices for the efficient functioning of the Assembly.”

8. For section 15 of the principal Act, there is substituted the following—

Replacement of section 15 of the principal Act

Bank accounts “15. The Commission shall ensure that the Assembly, in accordance with the financial rules and regulations of the Assembly, operates bank accounts as are necessary for the efficient discharge of the functions of the Assembly.”

9. For section 18 of the principal Act, there is substituted the following—

Replacement of section 18 of the principal Act

Financial rules and regulations “18. The Assembly shall on the recommendation of the Commission, make financial rules and regulations for the Assembly.”

*Administration of the East African
Legislative Assembly (Amendment) Bill, 2018*

Insertion of
new section
19A.

10. The principal Act is amended in Part VI by inserting immediately after section 19, the following new section—

Power to
make
regulations **“19A.** The Assembly may on the recommendation of the Commission, make regulations—

- (a) relating to staff of the Assembly;
- (b) for the better carrying into effect the provisions of this Act.”

Repeal of
section 20.

11. The principal Act is amended by repealing section 20.

1950
1951
1952
1953
1954
1955
1956
1957
1958
1959
1960