



REPUBLIC OF KENYA

OFFICE OF THE PRIME CABINET
SECRETARY

**PARLIAMENTARY LIAISON
FRAMEWORK**

**FRAMEWORK ON COORDINATION OF
GOVERNMENT BUSINESS IN PARLIAMENT**

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**REPUBLIC OF KENYA
PARLIAMENTARY LIAISON FRAMEWORK**

THE NATIONAL EXECUTIVE AND PARLIAMENT

RECOGNISING the supremacy of the Constitution, and mindful of the distinct and complementary roles of the Executive and Parliament in advancing national development; and

AFFIRMING that effective Parliamentary Liaison enhances accountability, cooperation, and the harmonized dispatch of Government business, while safeguarding the autonomy of Parliament;

COMMITTING to promote collaboration between the Executive and the Legislature in discharge of its respective constitutional roles and duties.

ADOPTS THIS FRAMEWORK to promote structured coordination, consultation, transmission, and processing of Government business in Parliament, and to strengthen the implementation of Parliamentary Resolutions and National Executive undertakings

1. DEFINITIONS AND INTERPRETATIONS

Definitions

Save as may be expressly otherwise provided for in this Framework—

“**Clerk**” means the Clerk of the National Assembly or Clerk of the Senate as the case may be;

“**Framework**” means this Parliamentary Liaison Framework;

“**Government Business**” means any matter initiated by, or falling under the responsibility of the Government in Parliament, including the legislative agenda, oversight of the Executive, governance of State corporations, and the provision of services and policies through legislation and budgetary appropriations.

“**Government Legislative Agenda**” means the Schedule of policy and legislative initiatives that the Government (thro’ the National Executive) is pursuing or intends to pursue as enablers of the national development agenda;

“**House**” means the National Assembly or the Senate;

“**Legislative Brief**” means a written memorandum expounding the grounds on which the Ministry, Department or Agency proposes a Bill, Statutory Instrument, Sessional Paper or other legislative initiatives;

“**Legislative Initiative**” means any action undertaken to introduce or advance matters before Parliament, including the introduction of Bills, the formulation, laying, amendment, or revocation of statutory instruments, and the consideration of sessional papers.

“**Majority Leader or Party/Coalition Leader**” means the leader of the largest party or coalition of parties, who is also the sponsor of Government business in the Parliament;

“National Executive” means Ministries, Departments and Agencies (MDAs)

“Parliamentary Liaison Officer” means an officer within the public service performing a Parliamentary Liaison Service.

“Parliamentary Liaison Services” is the systematic coordination of activities for effective communication, collaboration and information exchange between the National Executive and Parliament.

“Prime Cabinet Secretary” means the Cabinet Secretary for the time being responsible for Parliamentary Affairs;

“Parliament” means the National Assembly and the Senate as established under Article 93 of the Constitution;

“Parliamentary Resolution” means the final decision, ruling or communication of the relevant House of Parliament on Government Legislative Agenda or initiative.

“Parliamentary Standing Orders” means the Standing Orders of the National Assembly or the Senate as established pursuant to Article 124 of the Constitution;

“Parties” means the National Executive and Parliament;

“Regulation Making Authority” has the meaning assigned to it under section 2 of the Statutory Instruments Act (Cap. 2A, Laws of Kenya);

“Sitting days” shall be as defined in the Standing Orders of the Houses of Parliament.

“Statutory Instrument” has the meaning assigned to it under section 2 of the Statutory Instruments Act (Cap. 2A, Laws of Kenya).

“Sessional Paper” means a policy document approved by Parliament, not in the form of an Act of Parliament.

2. OBJECTIVES

This Framework seeks to—

- (a) promote timely, coordinated and transparent communication between the National Executive and Parliament in the transmission, processing and consideration of Government business;
- (b) facilitate structured liaison between Ministries, Departments and Agencies (MDAs) and Parliament to support efficient legislative processes, oversight and policy development;
- (c) support Members of Parliament in discharging their constitutional mandate, while upholding institutional comity between the two arms of Government;
- (d) strengthen the implementation and reporting of Parliamentary Resolutions and National Executive undertakings; and
- (e) reinforce national values of unity, inclusion, good governance, public participation and sustainable development.

3. TRANSMISSION OF GOVERNMENT BUSINESS TO PARLIAMENT

- (1) The Cabinet Secretary for the time being responsible for Parliamentary Affairs shall be responsible for the coordination of:
 - a) the development and transmittal of the Government Business to Parliament;
 - b) transmittal of Legislative Briefs to Parliament;
 - c) the implementation of Parliamentary resolutions and National executive undertakings.

- (2) The Government business referred to above includes –
- a) Messages/Communication of Presidential Action;
 - b) Cabinet approved Bills,
 - c) Policies/Sessional Papers,
 - d) Treaties and Protocols,
 - e) Host Agreements;
 - f) Draft and published Statutory Instruments;
 - g) Responses to Parliament Questions and Statements;
 - h) Reports;
 - i) Petitions required to be submitted by the Executive;
 - j) Cabinet Resolutions/Briefs/Memos/Letters/Circulars; and
 - k) any other business as may be required to be submitted to Parliament
- (3) Specific Transmittal Mandates
- a) Messages/Communication of Presidential Action shall be transmitted by the Head of the Public Service.
 - b) Cabinet approved Bills shall be transmitted by the Attorney-General.
 - c) Cabinet approved budget support Bills and other related documents shall be transmitted by the Cabinet Secretary responsible for Finance pursuant to the Public Finance Management Act (Cap. 412A, Laws of Kenya).
 - d) Cabinet approved Policies to be adopted by Parliament as Sessional Papers shall be transmitted by the responsible Cabinet Secretary.

- e) Cabinet approved Treaties and Protocols shall be transmitted by the Cabinet Secretary responsible for Foreign Affairs pursuant to the Treaty Making and Ratification Act (Cap. 4D, Laws of Kenya).
- f) Draft and published Statutory Instruments shall be transmitted by the responsible Cabinet Secretary/Regulation Making Authority pursuant to the Statutory Instruments Act (Cap 2A, Laws of Kenya).
- g) Each Cabinet Secretary shall be responsible for the transmittal of Ministerial responses to Questions, Statements, Petitions and any other Reports required by Parliament.
- h) Each Cabinet Secretary shall be responsible for the transmittal of Petitions originating from the Ministry and any other business as may be required to be submitted by the Executive.

4. PARLIAMENTARY LIAISON

- (1) In order to strengthen Parliamentary Liaison, the Office of the Prime Cabinet Secretary shall—
 - (a) designate Parliamentary Liaison Officers within MDAs and both Houses of Parliament, as appropriate;
 - (b) obtain facilitation of access and accreditation of Liaison Officers to Parliament for effective coordination;
 - (c) maintain an updated directory of parliamentary liaison contacts and protocol arrangement; and
 - (d) ensure efficient communication by copying the

Cabinet Secretary responsible for Parliamentary Affairs on all actionable correspondence between Parliament and MDA.

- (2) Modes of communication shall uphold timeliness, clarity and institutional formality.

5. PROCESSING OF LEGISLATIVE BUSINESS

The Cabinet Secretary responsible for Parliamentary Affairs shall coordinate—

- (a) the transmittal of Bills in consultation with the Sponsor of Government Business in the relevant House;
- (b) consultations and interventions by MDAs to ensure Government Bills in Committees are prioritized;
- (c) timeous, direct and effective participation by the relevant MDAs and the public affected by the contents of any Bill before Parliament until its passage;
- (d) consultations and interventions by MDAs on Legislative Briefs and relevant explanatory information supporting the Bill to the Sponsor of the Bill; and
- (e) sharing of draft vellums of Private Members Bills with the relevant MDAs at least forty-eight hours before Assent.

6. PROCESSING OF STATUTORY INSTRUMENTS

- (1) Upon transmission of a published Statutory Instrument to the Clerk, the Cabinet Secretary responsible for

Parliamentary Affairs shall coordinate consultations between the Ministry and Parliament to align the Government position and legislative intent.

- (2) The responsible Cabinet Secretary shall cooperate with Parliament and the relevant Committees on Delegated Legislation in the scrutiny of Statutory Instruments in accordance with Part IV of the Statutory Instruments Act.
- (3) The responsible Cabinet Secretary shall consult the relevant Regulation-Making Authority and the appropriate Parliamentary Committee.

7. PARLIAMENTARY APPEARANCES

- (1) For purposes of coordination, the promotion of Parliament's oversight function and to ensure MDAs prepare their responses on time in such manner and procedures as may be prescribed in the Parliamentary Standing Orders, the National Executive and Parliament make the following commitments—
 - a) Parliament shall ensure that the Cabinet Secretary for the time being responsible for Parliamentary Affairs is copied in all correspondences to Cabinet Secretaries invited for responses to Parliamentary Questions and Requests for Statements; and
 - b) every MDA shall, upon receipt of Parliamentary Question(s), Statements and Petitions, cause the responses to be prepared within the timelines provided by the respective House.

- (2) The Cabinet Secretaries shall—
 - a) attend on such dates and time to answer to Question(s), Statements and other Parliamentary enquiries; and
 - b) provide Five (5) physical copies and an electronic copy of the reply to a Question(s) at least Twenty Four (24) hours prior to appearing before the House or Committee, or as provided by the Parliamentary Standing Orders from time to time.
- (3) In the event a Cabinet Secretary is unable to appear in a House of Parliament on the scheduled date, the Cabinet Secretary shall write to the Clerk, giving sufficient reasons for the non-attendance and propose an alternative Wednesday morning or afternoon (as is relevant to the inviting House), when he/she will be available. This re-scheduling request shall be delivered to the House at least Forty-Eight (48) hours before the scheduled appearance.
- (4) Where a Cabinet Secretary, a Principal Secretary or any other accounting officer has been invited to a Committee of Parliament and is unable to appear before the Committee on the scheduled date, he or she shall notify the Clerk in writing, giving sufficient reasons for the non-attendance and propose an alternative day when they will be available. This re-scheduling request shall be delivered to the Clerk at least Forty-Eight (48) hours before the scheduled appearance.

8. IMPLEMENTATION OF PARLIAMENTARY RESOLUTIONS AND NATIONAL EXECUTIVE UNDERTAKINGS

To enhance monitoring and accountability, the Cabinet Secretary responsible for Parliamentary Affairs shall—

- (a) maintain a database of House Resolutions and Undertakings made to Parliament by each Ministry;
- (b) facilitate quarterly reporting by MDAs on Resolutions and Undertakings; and
- (c) regularly consult with Parliament on the status of implementation of Resolutions and Undertakings.

9. INFORMATION SHARING AND DISSEMINATION

The Cabinet Secretary responsible for Parliamentary Affairs shall collaborate with the Houses of Parliament to ensure timely access to—

- (a) order Papers, Hansard, Votes and Proceedings, Parliamentary Reports;
- (b) calendars, Committee Sitting Schedules and Rules of Procedure;
- (c) invitations for Public Participation and stakeholder engagement; and
- (d) other official parliamentary publications and legislative briefs for the information of the Executive and the general public.

10. CAPACITY BUILDING AND COOPERATION

The Ministry responsible for Parliamentary Affairs shall endeavor to deepen cooperation with Parliament through—

- (a) induction and continuous capacity building of Parliamentary Liaison and technical officers;
- (b) sharing expertise on legislative procedure, policy development and lawmaking practices;
- (c) developing a Parliamentary Liaison training curriculum; and
- (d) promoting legislative diplomacy and knowledge exchange with other jurisdictions.

11. IMPLEMENTATION, MONITORING, EVALUATION & REVIEW

- (1) The Cabinet Secretary responsible for Parliamentary Affairs shall, in consultation with Parliament, coordinate the implementation, monitoring, evaluation and review of this Framework.
- (2) Any revision to this Framework shall be made in writing, agreed upon, signed, and shall take effect on an agreed date, forming part of this Framework.



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for Foreign and Diaspora Affairs*