



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT - (SECOND SESSION) THE NATIONAL ASSEMBLY

COMMUNICATION FROM THE CHAIR

_____ (No. 082 of 2023) _____

ON

DRESS CODE, ADMITTANCE OF VISITORS TO PARLIAMENT AND SECURITY MEASURES

Honourable Members,

1. You may recall that during the afternoon Sitting of the House of Tuesday, September 26, 2023, the Minority Party Whip and Member for Suna East, the Hon. Junet Mohamed, MP, rose on a Point of Order and sought the guidance of the Chair on whether the Member for Kimilili, the Hon. Didmus Barasa, MP was appropriately dressed. For greater clarity, at the time, the Hon. Didmus donned a collarless coat popularly known as *Kaunda* suit.
2. You may also recall that, in my preliminary response, I decried the emerging tendency by certain Members of the House to breach the Rule on the Dress Code. I indicated that the breaches were occurring in plenary, in committees and in controlled Members' facilities within Parliament, particularly the lounges and restaurant.
3. There are several Honourable Members, both ladies and gentlemen, who have on various occasions, approached the chair to point out how indecently or inappropriately some of their colleagues are dressed.

As your Speaker, I have resisted the temptation to name and shame any Member because I feel and know the devastating effect it can have on Honourable Members, especially first-term Members.

4. Consequently, I undertook to guide the House on this matter. In this regard, Hon. Members, in my communication, I will guide on the Rules on Dress Code, admittance of visitors to Parliament and security measures within the precincts of Parliament, since they are all related.
5. Let me commence with the matter of dress code. As you may be aware, **Hon. Members**, this is not the first time the Speaker has been invited to determine the appropriateness or otherwise of Members' dress code. I have gone through the Speaker's Rulings from 1963 to 2022 and established several instances where Presiding Officers were called upon to rule on the dress code.
6. The decisions made by my predecessors are clear on what would pass as appropriate dress code for Members, while attending parliamentary business. Now that there is no *lacuna*, I will refrain from delving into the substance of the Point of Order raised by the Minority Party Whip and the other issues attendant thereto. Instead, I will focus on what the Rules and the precedents of the House expect of Honourable Members on matters of dress code.
7. **Honourable Members**, prescription of a parliamentary dress code is important as it not only establishes the sartorial standards of the House but also preserves its honour and dignity as an august House. It is for this reason that parliamentary dress code has been jealously guarded and defended over the years.

To this end, Parliaments, the world over, have anchored descriptive provisions on the dress code for Members of Parliament, staff and other persons admitted to the precincts of Parliament.

8. In the case of this House, appropriate dress code is described in Rule No. 9 of the Speaker's Rules. The Rule provides as follows, and I quote—

"Members of Parliament, members of the press and guests should not enter the Chamber, Lounge, Dining Room or Committee Rooms without being properly dressed. A proper dress for men means a coat, collar, tie, long-sleeved shirt, long trousers, socks and shoes or service uniform. For the ladies, business, formal or smart casual wear applies. Skirts and dresses should be below knee-length and decent. Sleeveless blouses are prohibited."

9. **Honourable Members**, whereas the Rule is clear, determination of the Speaker has been sought on various occasions owing to the variants that the described dressing has assumed over time. Of interest to the matter at hand is the appropriateness of religious regalia, *Kaunda* suits, hats and caps for men and traditional or cultural wear in the context of Rule 9.

10. **Honourable Members**, with regard to *Kaunda* suits, I need not belabour the fact that several Members of the 13th Parliament and past Houses have donned *Kaunda* suits. For the record, donning of *Kaunda* suits has somehow gained acceptance in the House since the 8th Parliament when the then Member for Runyenjes, Hon. Njeru Kathangu, always wore the attire.

In subsequent Parliaments, including in the 12th Parliament, certain Members have seemingly been following in Hon. Njeru Kathangu's footsteps. Senior Counsel, the Hon. (Dr.) Otiende Amollo, MP, the Member for Rarieda stands out as having a particular taste for collarless coats. The same was the case for the former Member for Kisumu Town West, the Hon. Olago Aluoch, among others.

- 11. Honourable Members,** My predecessors have had no issue with the *Kaunda* suit. The records of the House include a ruling made on Wednesday, 13th March 2019, on '*Appropriate Dress Code for Members in Parliament*', in which my immediate predecessor, Speaker Justin Muturi, re-affirmed that "***indeed, as I ruled before in 2014, Kaunda suits and even, for lack of a better term, the Mao Zedong coats, worn without a tie, are admissible as part of proper dressing in the House.***"
- 12.** Consequently, despite clear prohibition by Rule 9 of the Speaker's Rules, *Kaunda* Suit has somehow been tolerated in the House.
- 13.** However, **Hon. Members**, arising from emerging fashion trends that now threaten the established parliamentary dress code, it has become necessary for me to depart from what has been obtaining regarding admittance of the *Kaunda* suit as appropriate dress. I do this to guard against negating the set standards especially given the current preference by some Members to dress easy while attending parliamentary business in plenary and Committees. **This practice outrightly does not accord with the seriousness of the proceedings of the House and its Committees.**

14. Going forward, therefore, any attire outside of what is prescribed in Rule 9 of the Speaker's Rules is prohibited. This includes *Kaunda* suits, whether long or short-sleeved.

15. With respect to our gracious Honourable lady Members, I have been petitioned regarding appropriate attire for the distinguished Honourable Members. These concerns have largely been raised by fellow gracious Honourable Lady Members, who have asked me to protect the dignity of the House and its committees. In this regard, **Honourable Members**, it is instructive that **lady Members must also be dressed in official attire at all times whilst in the precincts of Parliament and while attending Committee meetings**, in adherence to Rule 9 of the Speaker's Rules. Honourable lady Members must also avoid tightly fitting clothes and revealing attire.

16. The above directive is in no way meant to prefect Honourable Members but to protect and uphold the dignity of the House and your stature as Hon. Members of Parliament.

17. Honourable Members, allow me now to address a second issue on the place of traditional or cultural attire in the Chamber. You will recall that on Tuesday, 15th August 2023, I exceptionally permitted the Hon. Rebecca Tonkei, MP and the Hon. Agnes Pareiyo, MP to momentarily be in the Chamber while donning in *Maasai* cultural dress.

18. It is instructive for the House to take note that the admittance to the House of the two gracious lady Members ought not be construed as having rewritten or suspended the application of Rule 9 of the

Speaker's Rules. For the record, I indulged the two Members with utmost regard to the circumstances of that particular moment.

19. As you may recall, **Honourable Members**, the two gracious lady Members sought the Speaker's permission to don the *Maasai* cultural attire to publicize the *Maa Cultural Festival - 2023*, which was scheduled to be observed at the end of that week.

20. I therefore invoked my exceptional indulgence on the premise of Article 44 of the Constitution relating to promotion and manifestation of cultures. Consequently, the provisions of Rule 9 as the threshold for dress code to protect the sartorial standards of the House, still applies.

21. Looking at practice, it is noteworthy that in 2009, Speaker Kenneth Marende grappled with the question as to whether to permit traditional wear in the Chamber or not. Further, the Speaker also considered whether indeed there was a known dress that would pass as a standard national traditional wear that could be permitted in the Chamber.

22. Honourable Members, on 7th May 2009, Speaker Marende thus observed that—

"..... there has been clamour in the recent times for us to relax our rules on dress code and also allow traditional wear in the House, its Committees, the Lounges and Dining areas.

*Indeed, you will recall that this matter was debated at length during the all-Members retreat on review of the Standing Orders in August last year (2008). **It was unanimously resolved that there has not been a commonly accepted traditional dress for all.**"*

- 23.** The then Speaker observed that it was difficult to *"find an agreed position, codified or otherwise, as to what is our national dress."*
- 24.** In the circumstances, the Speaker concluded that Members ought to uphold the dignity of the House and observe the Speaker's Rules on dress code, not only in this Chamber, but also in Committees, the Lounges and Dining areas.
- 25. Honourable Members,** recently in the 12th Parliament, my immediate predecessor guided the House comprehensively on the matter of dress code. In a Ruling made on Wednesday 13th March 2019, the Speaker addressed the question of *"whether, in fact, it was time to depart from the traditionally prescribed dress code that the House has been accustomed to for decades and which has been used for preserving the dignity and sartorial standards of this House."*
- 26.** In settling this question, the Speaker left the decision on whether to depart from the traditions of the House with regard to dress code to the determination of the House.
- 27.** He stated that, and I quote *"as your servant, in fact, when time comes for the House to review its sartorial standards and to break with tradition, we shall proceed as the House shall determine."*
- 28. Honourable Members,** it is clear from the foregoing that two cardinal triggers would have guided the Speaker on the issue of the dress code. **First**, would be existence of a national dress. On this, the Speaker observed that Kenya does not have a standard national dress which manifests the multiplicity of its cultures.

- 29.** Consequently, as was then, it still is untenable to permit all manner of cultural wear in the Chamber and in committee sittings without compromising the sartorial standards of the House.
- 30.** The second trigger would be a definitive decision of the House to vary its rules on dress code. Considering that the House had not varied its rules, my predecessor was of the considered opinion that the House was yet to find it appropriate to review its sartorial standards and break from its long-held tradition that is codified in the Speaker's Rules.
- 31.** In view of the foregoing, I am inclined not to depart from practice which disallows cultural wear in the House so as to uphold the sartorial standards espoused in the Speaker's Rules.
- 32.** With regard to Committee meetings and activities, you will recall that in my Communication dated 11th May 2023, I did guide the House on the appropriate dress code in committees. To this end **Honourable Members**, the Rules on dress code also apply in Committees.
- 33. Honourable Members**, it is noteworthy that the foregoing directions also apply to parliamentary staff and visitors as a pre-requisite for admission to the precincts of Parliament. All staff, without exception, are required to dress appropriately and display their badges at all times. Indeed, I hasten to remind parliamentary staff that section 9 of the Public Officer Ethics Act, 2003 requires all public officers to maintain an appropriate standard of dress and personal hygiene.

34. In addition, all accredited media representatives who report parliamentary proceedings and visitors shall strictly be admitted only if properly dressed and shall be required to display their accreditation or visitor badges whilst within the precincts of Parliament.

35. As the Chairman of the Parliamentary Service Commission, I hereby instruct the Clerks of the Houses of Parliament and the Director-General, Parliamentary Joint Services to ensure that staff, parliamentary reporters and visitors strictly comply with the foregoing requirements on dress code and display of badges.

36. Further, in dealing with cases of non-compliance, the Clerks of the Houses of Parliament and the Director-General, Parliamentary Joint Services are hereby directed to take immediate disciplinary action under the Parliamentary Service Commission Code of Conduct and Regulations governing admittance of visitors to the precincts of Parliament.

37. Honourable Members, with regard to admittance of Member's visitors to the precincts of Parliament, Rule 4 of the Speaker's Rules places responsibility for the conduct of visitors on the Member. For clarity, the said Rule states as follows –

"4. Members are responsible for the selection and conduct of all visitors whom they introduce to the precincts of the Assembly, and are required to assist in enforcing these Orders."

38. Honourable Members, I have cited this Rule which governs access by visitors to the precincts of Parliament because it has constantly been breached.

The violations have also led to access by visitors to places exclusively reserved for sitting Members both alone and in the company of Members.

39. Owing to our numbers against the limited capacity of our facilities, **no Member will be admitted in the Members' Restaurants if accompanied by more than one guest at a time, except with prior notice to the Clerk of the National Assembly.** The Guests must be properly dressed and must display their visitor badges at all times. **Further, no Member shall take a guest to an area of the Restaurant reserved for Members only, unless permitted by the Honourable Speaker.**

40. Honourable Members, to safeguard your comfort and privacy, I have instructed the Chief Serjeant-At-Arms to ensure that no visitor accesses areas designated as 'restricted' in the Speaker's Rules. Further, I have directed the Clerk, who is also the Officer Administering the Catering Fund, to alienate, clearly designated and marked areas in the restaurant for Members only. This is a provisional measure, awaiting the comprehensive consideration and recommendations of appropriate Membership Rules by the Parliamentary Catering Fund Management Committee.

41. Honourable Members, there shall be no exception with regard to exclusion of non-Members from areas designated for exclusive use of Members. The Chief Serjeant-At-Arms, under the guidance of the Clerk, is directed pursuant to Rule 23 of the Speaker's Rules to expel any visitors from the stated places or any part of the precincts of Parliament if he considers such exclusion necessary for the convenience of Members or for preservation of order.

- 42. Honourable Members,** permit me to also address concerns raised by Members about the conduct of security checks at the gates and entry to the Chamber. Some Members have objected to being physically frisked by our security personnel and Serjeant-At-Arms and requested that we apply a more decent approach.
- 43.** As you may have noticed, installation of the Integrated Security Management System is nearing completion. Upon completion, the system will offer contactless security screening. In the interim, I have directed that the Director-General, Parliamentary Joint Services immediately procures security scanning gadgets for use at all entry points.
- 44.** Additionally, **Honourable Members,** all entries and exits to Parliament are and shall continue to be manned by parliament security officers, with the support of officers from the National Police Service. The officers should be vigilant at all times and must enforce security measures without exception.
- 45.** With respect to frisking Members at the entrance to the Chamber, as you may have noticed, the Clerk has already availed hand-held screening gadgets for purposes of contactless screening. This follows a resolution of the House Business Committee.
- 46. Honourable Members,** permit me also speak to manner of handling of firearms within the precincts of Parliament. I wish to remind you of Rule 8 of the Speaker's Rules which states as follows—

'Members and visitors who are duly authorized to hold firearms must deposit them with the Serjeant-At-Arms at the time of entry and collect them at the time of leaving.'

47. Currently, a majority of the Members dutifully comply with this Rule. However, it has been reported that a number of Members have, on occasion, failed to comply with the Rule.

48. Honourable Members, It is quite distasteful for any Member to attempt to carry a firearm into the Chamber, a Committee sitting; the Lounges or Dining areas at any time. Firearms must never be brought into these cited areas for the security of all Members whilst within the precincts of Parliament. The Chief Serjeant-At-Arms is hereby instructed to strictly enforce this directive at all times.

49. In summary, **Honourable Members**, I direct as follows –

- (1) THAT,** all Members must observe Rule 9 of the Speaker's Rules on dress code, not only in this Chamber, but also in Committees, in the Lounges and Dining areas;
- (2) THAT,** *Kaunda* suit is not permitted in the Chamber, Committees, in the Lounges and Dining areas;
- (3) THAT,** hats and caps for men are not permitted in the Chamber and in Committees;
- (4) THAT,** traditional and/or cultural attire is not permitted in the Chamber, Committees, the lounges and dining areas until such a time as—

- (a) there is an agreed standard national dress that manifests the national cultures;
- (b) the House reviews its sartorial standards to define the bounds applicable to traditional or cultural attire in the dress code; or
- (c) the Honourable Speaker may otherwise direct.

- (5) THAT,** staff, accredited media representatives and visitors to Parliament must be appropriately dressed and must display their identification badges at all times whilst within the precincts of Parliament;
- (6) THAT,** the Clerk of the National Assembly delineates and clearly marks areas in the restaurant for exclusive use by Members of Parliament. For the convenience of Members, no other person other than a sitting Member of Parliament shall be permitted into an area designated for exclusive use by sitting Members, except with the leave of the Speaker;
- (7) THAT,** the Clerks to the Houses of Parliament and the Director-General, Parliamentary Joint Services implement the directives in this Communication, without exception, in their respective services;
- (8) THAT,** the Catering Fund Management Committee hastens the process of putting in place Membership Rules to govern the use of the Members' Restaurants; and,
- (9) THAT,** the Clerk of the National Assembly circulates the Speaker's Rules to all Members.

50. Honourable Members, I give these directions conscious of the fact that they might bring discomfort to some Members. However, as I said sometime early this year, the discomfort is necessary for the convenience and security of Members and for good order.

51. The House is accordingly guided.

I thank you!



THE RT. HON. (DR.) MOSES F.M. WETANG'ULA, EGH, MP
SPEAKER OF THE NATIONAL ASSEMBLY

Tuesday, 28th November, 2023