

**REPUBLIC OF KENYA**  
**KITUI COUNTY ASSEMBLY**  
**THIRD ASSEMBLY- FOURTH SESSION**  
**OFFICIAL REPORT**  
**(THE HANSARD)**

**Wednesday 16<sup>th</sup> July, 2025**

*The County Assembly met at 2:30 p.m. in the County Assembly Chambers*

*[The Speaker Hon. Kevin Kinengo Katisya)] in the Chair]*

**PRAYERS**

**The Speaker (Hon. Kevin Kinengo Katisya):** Clerk, next Order!

**COMMUNICATION FROM THE CHAIR**

**NOTIFICATION OF CHANGES IN THE MAJORITY PARTY LEADERSHIP**

**The Speaker (Hon. Kevin Kinengo Katisya):** Hon. Members allow me issue the following communication, communication No. 31 of 2025. Communication from the Chair, as relates to the notification of changes in the majority party leadership.

Honourable Members, I wish to bring to your attention a matter of significant procedural and legal concern regarding the notification of changes in the majority party leadership as received from Honourable Daniel Ngoima Kimanzi on 7th July 2025. Members, standing, please quickly take your seats so that I proceed.

*(Several members walked into the Chambers)*

Thank you, let me proceed. Honourable members, the said letter from the Honourable Member sought to notify the office of the speaker of changes in the leadership of the majority party, Wiper Democratic Movement, Kenya, including the position of leader of the majority party, deputy leader of the majority party, majority party whip, and deputy majority party whip as below.

- I. That, Honourable Munyoki Mwinzi had been elected as the Leader of the Majority Party.
- II. That, Honourable Daniel Ngoima Kimanzi had been elected as the Majority party whip.

III. That, Honourable Cyrus Kisavi Musyoka had been elected as the Deputy Majority Party Whip.

The communication was accompanied by minutes of the purported meeting convened to effect these changes. Upon receipt of this communication, my office directed the office of the clerk to seek a legal opinion on the matter.

This was duly undertaken and the opinion was received on 10th July 2025.

Honourable members, the legal opinion sought to address the validity of the notification issued by the Honourable Daniel Ngoima Kimanzi on change of the majority party leadership by addressing the following issues for determination.

- I. Whether the notification issued was proper and procedurally compliant.
- II. The legal effect of the sent notification.
- III. The legal implications of the Wiper Democratic Movement leadership elections conducted on 4th July 2025 in light of court orders issued by the High Court of Kenya at Kitui.

To this end, I wish to inform this House of the following key findings from the legal opinion/analysis.

A. On the procedure of validity of the notification, Honourable Daniel Ngoima Kimanzi, as the purportedly elected majority whip, issued the notification to the office of the Speaker, pursuant to Standing Order No.15(9) of the Kitui County Assembly, which provides, “ The whip of the largest Party or coalition of parties in the County Assembly shall forthwith, upon a decision being made under this Standing Order, communicate to the Speaker in writing, the decision together with the minutes of the meeting at which the decision was made”.

It is well-established parliamentary practise that any change in the leadership of the majority party only takes effect upon formal communication by the Speaker of the House. At the time of issuing the notification, Honourable Daniel Ngoima Kimanzi had not been formally recognised as a majority party whip.

Additionally, both the majority party whip and the deputy majority party whip had been removed without their replacements, being duly recognised in the House, thereby creating a procedural vacuum. In the absence of a formally recognised whip or a deputy whip, the notification was procedurally defective and inconsistent with the Standing Orders.

B. Legal effect of the notification. Honourable Members, As the notification was issued by a person not formally recognised as a majority party whip in the Assembly, it lacks legal standing. In accordance with Standing Order No.15 (9), only a duly recognised whip may communicate such changes. Therefore, the Speaker is under no lawful obligation to act on this communication.

C. Legal implications of the High Court's Stay Orders. Honourable Members, The High Court of Kenya, sitting in Kitui, issued Stay Orders suspending the implementation of Part B of the judgement by the Political Parties Dispute Tribunal, PPDT, which had directed fresh elections within the Wiper Democratic Movement within thirty days. These Court Orders remain in force and are abiding on all parties, including this Assembly.

As such, any attempt to effect leadership changes at this juncture would contravene lawful judicial orders.

Honourable Members, in view of the above, I wish to communicate and guide as follows.

1. That the notification dated 7 July 2025 is both procedurally and legally defective.
2. That the County Assembly shall not recognise any purported changes in the majority party leadership based on the said notification.
3. That the current leadership structure of the majority party remains where:
  - I. Hon. Harrison Maluki Mawia is the leader of the majority party.

II. Hon. Boniface Mukwate Katula is the whip of the majority party.

III. Hon. Godfrey Muthengi Ndagara is the deputy whip of the majority party.

These office bearers shall continue to discharge their functions until such a time, the stay orders are lifted or a final determination is made by the Court.

Honourable Members, I urge all of us to uphold the rule of law, protect the dignity of this House, and allow the judicial process to take its full course. I thank you. Members standing, please take your seats.

*(Several members walked into the Chambers)*

Clerk, next Order!

#### STATEMENTS

- I. SCHEDULE OF PLENARY BUSINESS AND COMMITTEE SITTINGS FOR THE WEEK ENDING ON 25<sup>TH</sup> JULY 2025

*(The Designated Member of the County Assembly House Business Committee)*

- II. RESPONSE TO STATEMENT REQUEST MADE BY HONOURABLE CYRUS MUSYOKA KISAVI ON THE RECENT LAYOFF OF SOME COMMUNITY HEALTH PROMOTERS IN IKANGA/KYATUNE WARD.

*(The Chairperson, Committee on Labour and Social Welfare).*

**The Speaker** (*Hon. Kevin Kinengo Katisya*): We shall do the Schedule of Plenary Business and the response by Honourable Cyrus Musyoka will be deferred to next week, Wednesday, 2.30.

So, Honourable David Masaku, I think you are the designated member of the Business Committee. Please proceed and lay the Schedule.

*(Schedule of the Business for the coming week was read by Hon. David Masaku, a designated Member of the County Assembly House Business Committee)*

Thank you, Hon. David Masaku. Clerk, next order.

#### MOTION

##### GOVERNOR'S ADDRESS ON THE STATE OF THE COUNTY

*(The Leader of the Majority party)*

**The Speaker** (*Hon. Kevin Kinengo Katisya*): Thank you. Members, as scheduled in the plenary, this motion will be debated next week. I've just briefed the deputy major leader. I know he was ready to represent the major leader in moving this motion. The whole of next week, the four sittings, we shall be debating the governor's address.

So, let the majority leader or the deputy major leader move the motion on Tuesday, 9 a.m. We debate both Tuesday morning sitting, Tuesday afternoon sitting, Wednesday morning sitting, and we finish Wednesday afternoon sitting. Four sittings. This is a very

important motion. So, members, kindly let's be ready, so that next week, we debate this motion on the governor's address. Thank you very much.

Members, allow me to indicate that after this address by the governor is debated. Practically there will be no other agenda because I think we have debated all the pending motions which are ready, apart from the ones which we have not written.

So, I am discussing with the committee on liaison. So that we can see if we can have a whole house programme. And as most of you had requested, we are trying to see if we can go to Mombasa, the last week of July. So next week when you come, kindly, please come. We debate the governor's address so that we are joined for one week. We go and write the report.

So, let's be prepared for that. And then when we come back, of course, we will come back on 5th of August. We shall be adjoining the house for the August recess. And August will be a very busy month because we are going for the devolution conference, from there I am planning we do some oversight; whole house oversight programme. And I think the ones for the committees are actually very successful.

So, I think we shall be doing a Committee oversight programme, but as a whole house. We don't need to take all the – do we have ten sectoral committees? Clerk, how many sectoral committees do we have?

*(Clerk-at- the Table confirmed that there was twelve sectoral Committees)*

So, we don't need to go as twelve sectoral Committees. Maybe when liaison committee meets because they always meet every Tuesday. We can try to pick maybe four sectoral committees. And, of course, as per our Standing Orders, any member can participate in any committee. So long as you're not paid committee sitting allowance but you're going to be paid the night-out when you go.

So, I think if we can pick four or at most five and identify projects in those committees and we go as a whole house. So that we have, of course, the committee members plus other members who are friends of the committee. I think we shall be able to do successful oversight programmes.

And my challenge members we know where points of concern in county. They are matters to do with health, roads, *Mheshimiwa* Mukwaiyu, even environment, because the issue of sand, charcoal is – and members, we need to also as we do oversight, please look into this critical issue.

I've not seen you members trying to oversight this critical issue of charcoal burning in Kitui County and also, sand harvesting. We have an act, yes, but is it fully implemented? We need to really do a proper oversight and even on mineral exploitation.

**Hon. Alphonse Mukwaiyu:** *(Spoke off-record)*

**The Speaker** *(Hon. Kevin Kinengo Katisya):* Pardon, wonderful, please target that issue. Another forgotten sector is tourism sector. It's completely forgotten. So, I think we need to agree. When the committee members meet, we need to agree so that we don't forget some sectors...*Mheshimiwa* Ciambutra. Please take your seats so that I proceed.

*(Hon. Ciambutra Karigi walked into the Chambers)*

Thank you. So, we need to agree, members. Let us not focus on one sector and forget another sector. So, I think we need to agree so that we're able to do proper – and of course after we do the oversight, we shall be immediately writing a report.

August will be a very busy month. I am planning to meet the governor to discuss when we can have a joint retreat which we had planned for last year. So that we see if once the budget is uploaded, we have the joint retreat. We are trying to see if it can be early

September. So that we can – a house which sits together and eats together. Remains together in unity and we serve our people. And that is – this retreat was for the last financial year. We still have the one for this financial year.

Then, of course, we know September is a very busy month. We have the ADP to look into. We have the Finance bill, we have supplementary Budget one. So, it will be very busy. We have the bill, Hon. Mwangangi Munyasya, on the FIF. We also have the youth policy.

So, September will be a very busy – October we are thinking of having the CASA games. And next week I'll issue a detailed communication on the issue of CASA preparation.

I have just met the team, which is planning and next week we shall be able to communicate to you members. But already the chairperson, committee on culture, youth and sports Hon. Benjamin Mulandi has communicated to you members. Choose your discipline by latest Monday. At most two disciplines, please. So that we can start preparing in advance.

So, that next week we need to know which are the disciplines, who are the members of the disciplines. And we also know the captains, the vice-captains. So that we are able to resume practise. Hon. Cyrus, please take your seats. And members who are standing so that I proceed. So that we are joined together.

*(Hon. Cyrus Musyoka walked into the Chambers  
accompanied by other Members)*

So, members, please take note of that. And make sure that you cooperate with the chairperson, committee on culture, youth and sports.

Secondly, members, I think the deputy speaker has shared a communication to you in your WhatsApp group. The CS for sports will be actually landing any time from now at Kitui air strip. Those who are available, you can go there. He's inspecting the Ithokwe stadium.

I'm trying to push so that MCAs are properly involved because these are projects where the country government and the national government are cooperating. We are doing this jointly with the national government.

So, those who are available, you can rush there, we inspect together. And I'm sure we shall be happy to be part of this process of hosting that national celebration. Members standing, please take your seats. So that we finish together.

*(Several members walked into the Chambers)*

Thank you. So, members, I want to appreciate you. And ask that we be committed to assembly work. This governor's address was supposed to be debated yesterday and today. Let's hope that next week, we finalise with it. So that we can undertake other important assembly matters. With those few remarks, members, let's now be upstanding so that we adjourn the house.

#### ADJOURNMENT

Hon. Members, this house is adjourned until Tuesday, 22nd July 2025 at 9 a.m.

*The County Assembly rose at 2:47 p.m.*