

STATEMENT REQUEST FOR SPEAKER'S CONSIDERED RULING ON THE CONSTITUTION OF THE KITUI COUNTY EXECUTIVE COMMITTEE. (PURSUANT TO STANDING ORDER NO 41(2)- *Leader of Minority Party*

Mr. Speaker Sir,

1. H.E Dr. Julius Makau Malombe was sworn-in as the 3rd Kitui County Governor on Thursday, 25th August, 2022 whereas the Members of the County Assembly were sworn-in on 21st September, 2022.

Mr. Speaker Sir,

2. The Governor has a responsibility to constitute the County Executive Committee as established by Article 179 of the Constitution of Kenya, 2010 to facilitate delivery of services to the people of Kitui.

Mr. Speaker Sir,

3. By dint of section 42(2) of the County Governments Act, the Governor is mandated to constitute the County Executive Committee within 21 days of swearing-in of the Members of the County Assembly.

Mr. Speaker Sir,

4. Noting that H.E the Governor constituted the County Executive Committee on 4th of November 2022, more than 21 days from the day the County Assembly was sworn in.

Mr. Speaker Sir,

5. The provisions of section 42(2) of the County Governments are couched in mandatory and not discretionary terms and therefore the County Executive Committee Members should have been constituted within the stipulated timelines.

Mr. Speaker Sir,

6. In view of the foregoing, I wish to request for your considered ruling on this matter and particularly on whether it is not illegal for the County Assembly to vet and approve or otherwise the Governor's nominees to the County Executive Committee because in my view, the County Assembly would be acting in breach of section 42(2) of the County Governments Act in vetting and approving the nominees.



Hon. Alex M. Nganga - (MCA)

Done
Approval.



22/11/2022