



**COUNTY GOVERNMENT OF KITUI**

**THE COUNTY ASSEMBLY**

**THIRD ASSEMBLY – (SECOND SESSION)**

**VOTES AND PROCEEDINGS**

**TUESDAY 3<sup>RD</sup> OCTOBER, 2023 AT 9.00 A.M.**

1. The House convened at Nine O'clock.
2. The proceedings were opened with a prayer.
3. **PRESIDING** – Hon. Speaker on the Chair.

**4. NOTICES OF MOTIONS**

The following notice of motion was given;

**i. MOTION ON REMOVAL OF HON. CHRISTOPHER NZILU NZIOKA FROM THE POSITION OF DEPUTY SPEAKER OF THE COUNTY ASSEMBLY OF KITUI - PURSUANT TO SECTION 11A OF THE COUNTY GOVERNMENTS (AMENDMENT) ACT, 2020, AND KITUI COUNTY ASSEMBLY STANDING ORDER NO. 14(6).**

**AWARE** that Article 73 and 75 (1) of the Constitution of Kenya, 2010 delineate the duties of leadership and the behavior expected of state officers, emphasizing the imperative for all state office holders to execute their authority and public trust assigned to the office in a manner that demonstrates and brings- respect for the people; honor

**TUESDAY 3<sup>RD</sup> OCTOBER, 2023**

**(067)**

**(260)**

to the nation and dignity to the office; promotes public confidence in the integrity of the office and the accountability to the public for decisions and actions, and in a manner that avoids conflict between personal interests and public or official duties; comprising any public or official interest in favor of a personal interest; or demeaning the stature of the office that officer holds as a key guiding principles of leadership and integrity;

**FURTHER AWARE** of the letter and the spirit of Standing Order (S.O) No. 14(2) on the Deputy Speaker being the Chairperson of Committees, S.O 191 on the composition and mandate of the Liaison Committee as read together with S.O 160 on Duties of a Committee Chairperson;

**Whereas**, the Deputy Speaker holds a position of significant responsibility and trust within the Assembly,

**Whereas**, it has been observed that the Deputy Speaker, one Hon. Christopher Nzilu Nzioka has engaged in actions and demonstrated conduct contrary to the principles and responsibilities associated with the Office of the Deputy Speaker,

**Whereas**, the Deputy Speaker has demonstrated a consistent lack of leadership and impartiality in the execution of his duties, and

**Whereas**, the Deputy Speaker's conduct has caused disruption and disharmony within the Assembly, hindering the smooth functioning of the Assembly Committees,

(067)

(261)

Now, therefore, this Assembly **RESOLVES** to remove Hon. Christopher Nzilu Nzioka from the position of the Deputy Speaker of the County Assembly of Kitui, pursuant to Section 11A of the County Governments (Amendment) Act, 2020, and Standing Order No. 14(6) and (8), on the following grounds;

1. Insubordination of the operations of the Assembly.

The Deputy Speaker has worked tirelessly to ensure that he sabotages the operations of the Assembly by employing the divide and rule tactics. He has been a model of disunity in the Assembly and this has been exhibited in various occasions as highlighted below;

- i. He posted in the Kitui County Assembly WhatsApp group that the Honourable Speaker has been making unnecessary adjournments when there were several Motions lying on his table, he could not identify even a single matter which was lying in the Office of the Speaker unattended; this was done on the 13<sup>th</sup> September, 2023 in a WhatsApp group referred to as "Wiper big 13" where he posted **"Budget, Sand bill are reportedly held hostage"**. He further went to the local radio stations to report the same. He failed to understand that he is the Deputy to the Speaker and that if there are critics, they should be objective rather than subjective.
- ii. As the chair of the Liaison Committee, he has failed in coordination of the sectoral and select committees and this

**TUSDAY 3<sup>RD</sup> OCTOBER, 2023**

**(067)**

**(262)**

has majorly derailed the operations of the Assembly. The Liaison Committee, being the one tasked with coordinating the mandates of all Committees of the Assembly should not be chaired by anyone who does not mean well for the Assembly. The said Liaison Committee has not been meeting as the chair, who is the Deputy Speaker has not been convening the meetings. This is a demonstration of high levels of incompetency.

- iii. The Deputy Speaker has been the source of wrangles in the Assembly. He has been holding parallel meetings with intend to incite a section of Members of the County Assembly (MCAs) against others in an attempt to cause havoc and division so as to divide the Assembly.

2. Abuse of the office

The Deputy Speaker has consistently abused the Office of the Deputy Speaker;

The Deputy Speaker is only required to assume the role of the Speaker in instances where the Speaker is incapable of dispensing his duties. The Deputy Speaker, Hon. Christopher Nzilu Nzioka has disregarded the due approval process for Assembly activities and programs; On the 19<sup>th</sup> September, 2023, he posted in the Liaison Committee WhatsApp group giving members a notice to attend a briefing on the Annual Development Plan 2024/2025 by the Committee on Finance and Economic Planning at Mwingi when the same had not been administratively approved and communicated.

(067)

(263)

3. The Deputy Speaker has been extremely unreliable and he hardly attends Assembly Sittings and in the few occasions when he attends, he does it for a short period then leaves the Assembly for his personal engagements.

4. Gross violation of the constitution and other enabling laws: -

The Deputy Speaker has grossly violated Chapter six of the Constitution of Kenya, 2010, Which requires State officers to be guided in their day-to-day conduct by principles of leadership and integrity which, among other requirements, include: being objective and impartial in ensuring that decisions are not influenced by nepotism, favoritism, other improper motives. The conduct of the Deputy Speaker, Hon. Christopher Nzilu Nzioka has been the immediate opposite of the above constitutional requirement, he has been managing and running the office in a manner which does not promote basic principles of integrity of the Office of the Deputy Speaker.

**5. \*. MOTION ON REDUCTION OF THE PUBLICATION PERIOD FOR THE KITUI COUNTY SUPPLEMENTARY I APPROPRIATION BILL, 2023 (C/A BILL NO.5, 2023)**

*(Chairperson, County Budget and Appropriations Committee)*

**THAT**, pursuant to the provisions of Standing Order No. 116, this Assembly hereby resolves to reduce the publication period of the Kitui County Supplementary I Appropriation Bill, 2023 (C/A Bill No.5 of 2023) from seven (7) days to one (1) day to fast track its approval thereof by the Assembly.

**TUSDAY 3<sup>RD</sup> OCTOBER, 2023**

(067)

(264)

*(Hon. Zacchaeus I. Syengo- M.C.A)*

***(Business differed to the afternoon sitting of Tuesday, October 2023)***

- 6. \*.THE KITUI COUNTY SUPPLEMENTARY APPROPRIATION BILL, 2023(C/A BILL NO 5, 2023)-FIRST READING.**

**A Bill for**

**An Act of the County Assembly of Kitui to authorize the issue of a sum of money out of the County Revenue Fund and its application towards the service of the year ending 30<sup>th</sup> June, 2024.**

***(Business differed to the afternoon sitting of Tuesday, October 2023)***

- 7. ADJOURNMENT** – And the time being twenty-three minutes to Ten O'clock the Hon. Speaker adjourned the House
- 8. ASSEMBLY ROSE**- At twenty-three minutes to Ten O'clock.

**MEMORANDUM**

*The Honorable Speaker will take the chair on*

*Tuesday, October 3<sup>rd</sup>, 2023 at 2.30 p.m.*

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