



COUNTY GOVERNMENT OF KITUI
THE COUNTY ASSEMBLY
THIRD COUNTY ASSEMBLY - (THIRD SESSION)
COMMUNICATION FROM THE CHAIR

NO. 9 of 2024

COMMUNICATION AS RELATES TO CHANGE OF LEADERSHIP IN THE MAJORITY PARTY - LEADER OF THE MAJORITY PARTY AND MAJORITY PARTY WHIP.

Honorable Members,

As you all may recall, the Leadership of the Third County Assembly was constituted and communicated to the Assembly on 12th October, 2022, in accordance with Section 10 of the County Governments Act, 2012, and Standing Orders Nos. 15 and 16.

Honorable Members,

Since the constitution of the House leadership there has been some changes in the leadership of the Majority Party. If you may recall, on 30th November, 2022, informed by Standing Order No. 15(8) and (9), the Whip of the Majority Party by a way of a letter to my Office communicated the decision to replace Hon. Erastus Musyoka Mbuno, the then Deputy Leader of the Majority Party with Hon. Jacquelyne Cate Kalenga. The decision was communicated to the House via my Communication No. 21 of 2022 dated 30th November, 2022.

Further, on 24th April, 2023, the Whip of the Majority Party once more wrote to my Office communicating the decision arrived at by the Party to reinstate Hon. Erastus Musyoka Mbuno as the Deputy Leader of the Majority Party and the decision was subsequently communicated to the House via my communication No. 15 of 2023 dated 17th May, 2023.

Honorable Members,

As you are all aware, there has been ongoing legal proceedings as relates to the positions of the Leader of the Majority Party and the Majority Party Whip. On 13th October, 2023 the Political Parties Disputes Tribunal (PPDT) on the matter; Tribunal Case No. E019 of 2023, restrained Hon. Harrison Maluki Mawia (1st respondent) and Hon. Boniface Mukwate Katula (2nd respondent) from occupying the offices and performing the duties of Leader of the Majority Party and Majority Party Whip, respectively, pending the hearing and determination of the application.

Subsequently, on 9th January, 2024, the PPDT issued the following orders;

- i. A declaration is hereby issued that the process of removal of the 1st and the 2nd Respondents as Leader of Majority Party and Majority Party Whip respectively in the County Assembly of Kitui and the election of the Complainants (Hon. Munyoki Mwinzi – 1st Complainant and Hon. Daniel Kimanzi Ngoima – 2nd Complainant) as Leader of Majority Party and Majority Party Whip respectively in the County Assembly of Kitui in a meeting held on 4th September, 2023 was lawful and proper.*
- ii. Unless otherwise elected as such subsequently, the 1st and 2nd Respondents are hereby restrained from holding themselves or acting as the Leader of Majority Party and Majority Party Whip respectively in the County Assembly of Kitui.*

Honorable Members,

Following these orders, the respondents filled in the High Court seeking an order of stay of execution of the judgement issued by the PPDT on 9th January, 2024 which allowed them to be in office until 13th March, 2024 when the High Court ruled that it found no merit in the application of Hon. Harrison Maluki Mawia and Hon. Boniface Mukwate Katula dated 17th January, 2024 and that the PPDT ruling be effected awaiting hearing of the appeal.

Honorable Members,

I now take this opportunity to convey to this Honourable House the Court's ruling; that the Leader of the Majority Party and the Majority Party Whip are Hon. Munyoki Mwinzi and Hon. Daniel Kimanzi Ngoima respectively. I kindly request all the Members of the County Assembly to extend their full support and cooperation to them as they resume their duties in these important leadership positions.