



COUNTY GOVERNMENT OF KITUI

THE COUNTY ASSEMBLY

THIRD ASSEMBLY – (THIRD SESSION)

VOTES AND PROCEEDINGS

TUESDAY 26TH MARCH, 2024 AT 2.30 P.M.

1. The House assembled at Two Thirty O'clock.
2. The proceedings were opened with a prayer.
3. **PRESIDING** – Hon. Speaker on the Chair.
4. **COMMUNICATION FROM THE CHAIR**

The following communication was made;

**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



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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*

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- ii. *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.*
- iii. *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 filed 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.

Honourable Members,

I wish to express sincere appreciation to Hon. Harrison Maluki Mawia and Hon. Boniface Mukwate Katula for their dedicated service and



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leadership. Your commitment, diligent efforts and your contributions will be remembered with gratitude.

Honourable Members,

Subsequently, by virtue of being the holder of the Office of the Leader of the Majority Party, and in adherence to our Standing Orders;

- i. Hon. Munyoki Mwinzi assumes the role of Chairperson of the Selection Committee replacing Hon. Harrison Maluki Mawia;
- ii. Hon. Munyoki Mwinzi replaces Hon. Harrison Maluki Mawia as a Member in the Appointments Committee; and
- iii. Hon. Munyoki Mwinzi should be a Member of the County Assembly Business Committee.

Honourable Members,

Lastly, I wish to congratulate Hon. Munyoki Mwinzi and Hon. Daniel Kimanzi Ngoima on assuming their new roles and wish them the very best in their endeavors. I assure you of my support as you transition into your new roles and my office shall remain open for any consultations or assistance you may require.

Together, let us continue striving for the betterment of our community and the well-being of its residents.

Thank you.

5. PAPERS

The following paper was laid on the table of the County Assembly pursuant to the provisions of Standing Order No. 179 (6);

- i. The Report by the County Budget and Appropriations Committee on consideration of the Kitui County

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Supplementary Budget Estimates II, for the Financial Year 2023/2024.

(Chairperson, County Budget and Appropriations Committee).

6. NOTICES OF MOTION

The following notices of motions were given pursuant to County Assembly Standing Order No. 44 (1);

Notices of Motions;

- i. Motion on adoption of the Report by the County Budget and Appropriations Committee on consideration of the Kitui County Supplementary Budget Estimates II, for the Financial Year 2023/2024. *(Chairperson, County Budget and Appropriations Committee).*

7. MOTION ON GOVERNOR'S ADDRESS ON THE STATE OF THE COUNTY. (Leader of Majority Party)

THAT, Pursuant to the provisions of the Standing Order No. 20(5), the thanks of the County Assembly be recorded for the exposition of public policy contained in the address of the Governor.

(Hon. Harrison Maluki Mawia-M.C. A)

(Resumption of debate deferred on 13th Wednesday, 2024 in the Morning sitting of 9.00A.M.)

Debate was deferred with the leave of the Hon. Speaker to be debated on Tuesday 2nd April, 2024 at 9.00 a.m.

8. ADJOURNMENT - And the time being Two minutes past Five O'clock the Hon. Speaker adjourned the house



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9. **ASSEMBLY ROSE**- At Two minutes past five O'clock.

MEMORANDUM

*The Honorable Speaker will take the chair on
Wednesday, March 27th, 2024 at 9.00 a.m.*

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