

Tuesday, 13th May, 2014 (Morning) – Special Sitting

COMMUNICATION FROM THE CHAIR PROCEDURE FOR CONSIDERATION OF
REPORT OF SPECIAL COMMITTEE ON PROPOSED REMOVAL FROM OFFICE
OF THE GOVERNOR OF EMBU

The Speaker (Hon. Ethuro): Order, Senators! I have the following Communication to make relating to the procedure that we will use in conducting the business with regard to the consideration of the Report of the Special Committee on the proposed removal from office of the Governor of Embu County.

Hon. Senators, the Chairperson of the Special Committee will lay the Report of the Committee this morning. Once it is laid, hon. Senators will have time to peruse it. It will, therefore, not be debated immediately, but the House will adjourn for one hour in order to allow hon. Senators to go through it. This is because at the point at which it is being laid now, it will not be known to the House which of the two procedures provided by Section 33(6) of the County Governments Act and Standing Order No.68(4) will be applied. Its contents will determine the procedure to be applied.

Hon. Senators, for your information, both Section 33(6) of the County Governments Act and Standing Order No.68(4) provide as follows:-

“If the special committee reports that the particulars of any allegation against the governor—

(a) have not been substantiated, further proceedings shall not be taken under this section in respect of that allegation; or

(b) have been substantiated, the Senate shall, after according the governor an opportunity to be heard, vote on the charges.”

Consequently, after you, hon. Senators, have had the opportunity of perusing the Report and after establishing whether or not the particulars of the allegations against the Governor have been substantiated, the Motion to consider it will be listed for business in a Supplementary Order Paper which once prepared will be circulated when we reconvene after one hour. If the Special Committee reports that any particulars of the allegations have been substantiated, the Senate will vote on each of the impeachment charges, after according the Governor the opportunity to be heard.

Hon. Senators, arrangements have been made for the Governor of Embu County to sit in the Gallery during debate on the Motion. At the appropriate time before I put the Question on the Motion, he will appear before the Senate and be heard, either by himself or his legal representative. I wish to inform the hon. Senators that if the Governor chooses to exercise his right to appear and be heard by the Senate, he shall be heard here, either by himself or his advocate in total silence. His speech shall not be followed by any question or comment. The Senate shall, thereafter, immediately proceed to vote on each allegation found to have been substantiated.

Thank you.