

# **SPECIAL ISSUE**



# **THE KENYA GAZETTE**

**Published by Authority of the Republic of Kenya**

(Registered as a Newspaper at the G.P.O.)

**Vol. CXVI—No. 24**

**NAIROBI, 17th February, 2014**

**Price Sh. 60**

GAZETTE NOTICE No. 1052

THE CONSTITUTION OF KENYA

THE COUNTY GOVERNMENTS ACT

(No. 17 of 2012)

STANDING ORDER NO. 65 OF THE SENATE  
STANDING ORDERS

REMOVAL FROM OFFICE OF THE GOVERNOR OF EMBU COUNTY

IT IS notified for the information of the general public:

THAT pursuant to Article 181 of the Constitution and section 33 of the County Governments Act, 2012, on 28th January, 2014 the County Assembly of Embu approved Motions “to remove from office, by impeachment,” the County Governor and the Deputy Governor of Embu County:

And that by letters dated 29th January, 2014 (*Ref: CAE/SCA/1/28 and 29*) and received in the Office of the Speaker of the Senate on 30th January, 2014, the Speaker of the County Assembly of Embu informed the Speaker of the Senate of the approval of the Motion by the County Assembly and further forwarded to the Speaker of the Senate documents in evidence of the proceedings of the Assembly;

And further that, pursuant to section 33 (3) (b) of the County Governments Act, 2012 and Senate Standing Order No. 65 (1) (b), the Senate, by resolution on Tuesday 4th February, 2014 appointed a special committee comprising eleven of its members to investigate the matter of the proposed removal from office of the Governor and Deputy Governor of Embu County and to report to the Senate within ten (10) days of its appointment on whether it finds the particulars of the allegations to have been substantiated;

And that, pursuant to section 33 (4) of the County Governments Act, 2012 and Senate Standing Order No. 65(2), the Special Committee investigated the matter and tabled its Report in the Senate on Friday 14th February, 2014;

And that, pursuant to section 33(4) and (6) (b) of the County Governments Act, 2012 and Senate Standing Order 65 (4) (b), the Special Committee found that the particulars of the following allegations against the Governor of Embu County had been substantiated; namely—

(a) violation of the Public Procurement and Disposal Act, 2005 and Regulations 2013;

(b) violation of the Public Finance Management Act, 2012; and

(c) violation of the Constitution of Kenya;

And that, pursuant to section 33 (6) (b) of the County Governments Act, 2012 and Senate Standing Order 65 (4) (b), the Senate after according the Governor of Embu County an opportunity to be heard, did on Friday, 14th February, 2014 resolve to impeach the Governor of Embu County on the following grounds; namely—

(a) violation of the Public Procurement and Disposal Act, 2005 and Regulations 2013;

(b) violation of the Public Finance Management Act, 2012; and

(c) violation of the Constitution of Kenya.

Dated the 14th February, 2014.

EKWEE ETHURO,  
Speaker of the Senate.

GAZETTE NOTICE No. 1053

THE CONSTITUTION OF KENYA

THE COUNTY GOVERNMENTS ACT

(No. 17 of 2012)

STANDING ORDER NO. 65 OF THE SENATE  
STANDING ORDERS

RESOLUTION OF THE SPECIAL COMMITTEE OF THE SENATE  
ON THE PROPOSED REMOVAL FROM OFFICE OF THE DEPUTY  
GOVERNOR OF EMBU COUNTY

IT IS notified for the information of the general public:

THAT pursuant to Article 181 of the Constitution and section 33 of the County Governments Act, 2012, on 28th January, 2014 the County Assembly of Embu approved Motions “to remove from office, by impeachment,” the County Governor and the Deputy Governor of Embu County;

And that by letters dated 29th January, 2014 (*Ref: CAE/SCA/1/28 and 29*) and received in the Office of the Speaker of the Senate on 30th January, 2014, the Speaker of the County Assembly of Embu informed the Speaker of the Senate of the approval of the Motion by the County

Assembly and further forwarded to the Speaker of the Senate documents in evidence of the proceedings of the Assembly;

And further that, pursuant to section 33 (3) (b) of the County Governments Act, 2012 and Senate Standing Order No. 65 (1) (b), the Senate, by resolution on Tuesday 4th February, 2014 appointed a special committee comprising eleven of its members to investigate the matter of the proposed removal from office of the Governor and Deputy Governor of Embu County and to report to the Senate within ten (10) days of its appointment on whether it finds the particulars of the allegations to have been substantiated:

And that, pursuant to section 33(4) of the County Governments Act, 2012 and Senate Standing Order No. 65 (2), the Special Committee investigated the matter and tabled its Report in the Senate on Friday 14th February, 2014;

And that, pursuant to section 33 (4) and (6) (b) of the County Governments Act, 2012 and Senate Standing Order 65 (4) (b), the Special Committee found that the particulars of the allegations against the Deputy Governor of Embu County were not substantiated.

Dated the 14th February, 2014.

EKWEE ETHURO,  
*Speaker of the Senate.*

GAZETTE NOTICE No. 1054

# THE CONSTITUTION OF KENYA

## THE ELECTIONS ACT

(No. 24 of 2011)

### THE ELECTIONS (GENERAL) REGULATIONS, 2012

#### MEMBER NOMINATED TO MANDERA COUNTY ASSEMBLY

IN EXERCISE of the powers conferred by Articles 90 and 177 of the Constitution of Kenya, sections 34-37 of the Elections Act, 2011 and Regulations 54 and 55 of the Elections (General) Regulations, 2012, the Independent Electoral and Boundaries Commission gives notice to the public that the person listed in the 2nd column to the schedule was, pursuant to the Order issued by the Magistrates Court in Makadara C. M. EP NO. 11 of 2013, National Vision Party and Sarah Mohamed Ali versus Independent Electoral and Boundaries Commission and Nestehe Bare Elmi, validly elected by way of Party List to the Mandera County Assembly representing the Political Party listed in 6th Column to the schedule.

The election of Nestehe Bare Elmi was, by the said Court Order, nullified and hence her Gazettement *vide* Gazette Notice No. 9794 of 17th July, 2013 is revoked.

#### SCHEDULE

<i>Name</i>	<i>Gender</i>	<i>ID No.</i>	<i>Name of Party</i>	<i>Category</i>	<i>No of seats</i>
Sarah Mohamed Ali	Female	1130351	National Vision Party	Gender top up	1

Dated the 13th February, 2014.

A. I. HASSAN,  
*Chairperson,  
Independent Electoral and Boundaries Commission.*