



REPUBLIC OF KENYA
TWELFTH PARLIAMENT
THE SENATE
SUPPLEMENTARY ORDER PAPER
SPECIAL SITTING
WEDNESDAY, JANUARY 29, 2020 AT 9:00 AM

PRAYERS

1. Communication from the Chair
2. **HEARING AND DETERMINATION OF THE PROPOSED REMOVAL FROM OFFICE, BY IMPEACHMENT, OF HON. FERDINAND NDUNG’U WAITITU BABAYAO, THE GOVERNOR OF KIAMBU COUNTY**
3. **NOTICE OF MOTION** (as listed in the Appendix)
4. **MOTION** – (The Senate Majority Leader)

THAT, WHEREAS, pursuant to Article 181 of the Constitution and section 33 of the County Governments Act, 2012, on 19th December, 2019, the County Assembly of Kiambu approved a Motion “*to remove from office, by impeachment,*” the Hon. Ferdinand Ndung’u Waititu Babayao, the Governor of Kiambu County;

AND FURTHER, WHEREAS by letter dated 20th December, 2019 (*Ref: CAK/1/19/10(24)*) received in the Office of the Speaker of the Senate on 23rd December, 2019, the Speaker of the County Assembly of Kiambu 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 WHEREAS pursuant to Article 181 of the Constitution, section 33 of the County Governments Act, 2012 and standing order No. 75, the Senate heard the County Assembly on the grounds of removal from office by impeachment of the Governor;

AND FURTHER, WHEREAS pursuant to Article 181 of the Constitution, section 33 of the County Governments Act, 2012 and standing order No. 75, the Senate also heard the Governor of Kiambu County on the grounds of removal from office by impeachment of the Governor;

...../Motion

NOW THEREFORE, pursuant to Article 181 of the Constitution, section 33 of the County Governments Act, 2012 and standing order No. 75, the Senate resolves to remove from office by impeachment, the Hon. Ferdinand Ndung'u Waititu Babayao, the Governor of Kiambu County on the following charges; namely:-

1. Gross Violation of the Constitution of Kenya, 2010, the County Governments Act, 2012, the Public Finance Management Act, 2012 and the Public Procurement and Disposal Act, 2005;
2. Crimes under the National Law; and
3. Abuse of Office/Gross Misconduct.

APPENDIX

NOTICE OF MOTION - (The Senate Majority Leader)

THAT, WHEREAS, pursuant to Article 181 of the Constitution and section 33 of the County Governments Act, 2012, on 19th December, 2019, the County Assembly of Kiambu approved a Motion “*to remove from office, by impeachment,*” the Hon. Ferdinand Ndung’u Waititu Babayao, the Governor of Kiambu County;

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3. Abuse of Office/Gross Misconduct.
