



**REPUBLIC OF KENYA**

**THIRTEENTH PARLIAMENT – (FOURTH SESSION)**

**THE SENATE**

**SUPPLEMENTARY ORDER PAPER**

**SPECIAL SITTING**

**AFTERNOON SITTING**

**FRIDAY, AUGUST 29, 2025 AT 2.30 P.M.**

**PRAYER**

1. Communication from the Chair.
2. **HEARING AND DETERMINATION ON THE PROPOSED REMOVAL FROM OFFICE, BY IMPEACHMENT, OF HON. (DR.) ERIC MUTAI, GOVERNOR OF KERICHO COUNTY**
3. Notice of Motion (as listed in the Appendix)
4. **MOTION – ASCERTAINMENT OF THE THRESHOLD REQUIRED FOR THE IMPEACHMENT, OF HONOURABLE (DR.) ERICK KIPKOECH MUTAI, THE GOVERNOR OF KERICHO COUNTY**  
(The Senate Majority Leader)

**THAT, AWARE** that pursuant to Article 181 of the Constitution and Section 33 of the County Governments Act, on Friday, 15<sup>th</sup> August, 2025, the County Assembly of Kericho approved a Motion for the removal from office by impeachment, of the Hon. (Dr.) Erick Kipkoech Mutai, Governor of Kericho County;

**NOTING THAT**, by a letter Ref. No. KCA/SP/3 Vol. I (39), dated Friday, 15<sup>th</sup> August, 2025, and received in the Office of the Speaker of the Senate on Monday, 18<sup>th</sup> August, 2025, the Speaker of the County Assembly of Kericho 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 including the list of 33 out of 47 Members of the County Assembly that voted in favour of the removal from office, by impeachment, of Hon. (Dr.) Erick Kipkoech Mutai, the Governor of Kericho County;

**...../Motion**

**FURTHER NOTING** that in the course of the hearing, an important question arose on whether the threshold of 32 votes needed for impeachment of a Governor as contemplated in section 33 of the County Governments Act and Standing Order 74 of the County Assembly of Kericho was met;

**CONSIDERING** the evidence adduced before the Senate by the parties on the issue and further considering the Report on the County Assembly of Kericho Chamber electronic voting system submitted by ICT experts on the invitation of the Senate;

**NOW THEREFORE**, the Senate resolves that the threshold required for removal of a Governor from office, by impeachment, contemplated in section 33 of the County Governments Act and Standing Order 74 of the County Assembly of Kericho was met.

5. **MOTION - HEARING AND DETERMINATION ON THE PROPOSED REMOVAL FROM OFFICE, BY IMPEACHMENT, OF THE HONOURABLE (DR.) ERICK KIPKOECH MUTAI, THE GOVERNOR OF KERICHO COUNTY**  
(The Senate Majority Leader)

**THAT, WHEREAS**, pursuant to Article 181 of the Constitution and Section 33 of the County Governments Act , on Friday, 15<sup>th</sup> August, 2025, the County Assembly of Kericho approved a Motion for the removal from office by impeachment, of the Honourable (Dr.) Erick Kipkoech Mutai, Governor of Kericho County;

**FURTHER WHEREAS**, by letter Ref. No. KCA/SP/3 Vol. I (39), dated Friday, 15<sup>th</sup> August, 2025, and received in the Office of the Speaker on Monday, 18<sup>th</sup> August, 2025, the Speaker of the County Assembly of Kericho 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;

**FURTHER WHEREAS**, pursuant to Article 181 of the Constitution, Section 33 of the County Governments Act and Standing Order 80 of the Senate, the Senate heard the County Assembly on the grounds for the proposed removal from office, by impeachment, of Honourable (Dr.) Erick Kipkoech Mutai, Governor of Kericho County;

**AND FURTHER, WHEREAS** pursuant to Article 181 of the Constitution, Section 33 of the County Governments Act and Standing Order No. 80 of the Senate, the Senate also heard the Honourable (Dr.) Erick Kipkoech Mutai, on the grounds for his proposed removal from office, by impeachment, as the Governor of Kericho County;

**NOW THEREFORE**, pursuant to Article 181 of the Constitution, Section 33 of the County Governments Act and Standing Order 80 of the Senate, the Senate resolves to remove from office, by impeachment, the Honourable (Dr.) Erick Kipkoech Mutai, Governor of Kericho County, on the following charges-

...../**Motion**

Charge 1: Gross violation of the Constitution and other Laws.

Charge 2: Abuse of Office.

Charge 3: Gross misconduct.

**--XXX--**

APPENDIX

NOTICES OF MOTION

- i) ASCERTAINMENT OF THE THRESHOLD REQUIRED FOR THE IMPEACHMENT, OF HONOURABLE (DR.) ERICK KIPKOECH MUTAI, THE GOVERNOR OF KERICHO COUNTY  
(The Senate Majority Leader)

**THAT, AWARE** that pursuant to Article 181 of the Constitution and Section 33 of the County Governments Act, on Friday, 15<sup>th</sup> August, 2025, the County Assembly of Kericho approved a Motion for the removal from office by impeachment, of the Hon. (Dr.) Erick Kipkoech Mutai, Governor of Kericho County;

**NOTING THAT**, by a letter Ref. No. KCA/SP/3 Vol. I (39), dated Friday, 15<sup>th</sup> August, 2025, and received in the Office of the Speaker of the Senate on Monday, 18<sup>th</sup> August, 2025, the Speaker of the County Assembly of Kericho 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 including the list of 33 out of 47 Members of the County Assembly that voted in favour of the removal from office, by impeachment, of Hon. (Dr.) Erick Kipkoech Mutai, the Governor of Kericho County;

**FURTHER NOTING** that in the course of the hearing, an important question arose on whether the threshold of 32 votes needed for impeachment of a Governor as contemplated in section 33 of the County Governments Act and Standing Order 74 of the County Assembly of Kericho was met;

**CONSIDERING** the evidence adduced before the Senate by the parties on the issue and further considering the Report on the County Assembly of Kericho Chamber electronic voting system submitted by ICT experts on the invitation of the Senate;

**NOW THEREFORE**, the Senate resolves that the threshold required for removal of a Governor from office, by impeachment, contemplated in section 33 of the County Governments Act and Standing Order 74 of the County Assembly of Kericho was met.

...../Appendix

- ii) **HEARING AND DETERMINATION ON THE PROPOSED REMOVAL FROM OFFICE, BY IMPEACHMENT, OF THE HONOURABLE (DR.) ERICK KIPKOECH MUTAI, THE GOVERNOR OF KERICHO COUNTY**  
(The Senate Majority Leader)

**THAT, WHEREAS**, pursuant to Article 181 of the Constitution and Section 33 of the County Governments Act , on Friday, 15<sup>th</sup> August, 2025, the County Assembly of Kericho approved a Motion for the removal from office by impeachment, of the Honourable (Dr.) Erick Kipkoech Mutai, Governor of Kericho County;

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**FURTHER WHEREAS**, pursuant to Article 181 of the Constitution, Section 33 of the County Governments Act and Standing Order 80 of the Senate, the Senate heard the County Assembly on the grounds for the proposed removal from office, by impeachment, of Honourable (Dr.) Erick Kipkoech Mutai, Governor of Kericho County;

**AND FURTHER, WHEREAS** pursuant to Article 181 of the Constitution, Section 33 of the County Governments Act and Standing Order No. 80 of the Senate, the Senate also heard the Honourable (Dr.) Erick Kipkoech Mutai, on the grounds for his proposed removal from office, by impeachment, as the Governor of Kericho County;

**NOW THEREFORE**, pursuant to Article 181 of the Constitution, Section 33 of the County Governments Act and Standing Order 80 of the Senate, the Senate resolves to remove from office, by impeachment, the Honourable (Dr.) Erick Kipkoech Mutai, Governor of Kericho County, on the following charges-

Charge 1: Gross violation of the Constitution and other Laws.

Charge 2: Abuse of Office.

Charge 3: Gross misconduct.

**REPUBLIC OF KENYA**



**PARLIAMENT OF KENYA**

**THE SENATE**

**HEARING PROGRAMME**

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**PROPOSED REMOVAL FROM OFFICE, BY IMPEACHMENT, OF HON. (DR.)  
ERIC MUTAI, GOVERNOR OF KERICHO COUNTY**

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**The Clerk's Chambers,  
The Senate,  
1<sup>st</sup> Floor, Main Parliament Building,  
Nairobi, Kenya.**

**August, 2025**

**...../Hearing Programme**

**FRIDAY, 29<sup>TH</sup> AUGUST, 2025**  
**Venue: Senate Chamber, Nairobi**

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|-------------------|---|
| 2:30 pm – 4:30 pm | Evidence by the Governor (Evidence of witnesses, if any, cross-examination and re-examination: <i>A total of 5 hours</i> ) -<br><b><i>Continued</i></b> <ul style="list-style-type: none"><li>• Governor – <i>maximum of three hours for evidence by witnesses and re-examination (if any) – balance of time 1 hr 22 mins</i></li><li>• County Assembly – <i>maximum of two hours for cross examination – balance of time 42 mins</i></li></ul> |
| 4:30 pm – 5:00 pm | Questions/Requests for Clarification by Senators  |
| 5:00 pm – 6:00 pm | Closing Statement on behalf of the County Assembly<br>( <i>60 minutes</i> )   |
| 6:00 pm – 7:00 pm | Closing Statement on behalf of the Governor ( <i>60 minutes</i> )   |
| 7:00 pm           | Deliberations by Senators / Motion on the proposed removal from office, by impeachment, of Hon. (Dr.) Eric Mutai, Governor of Kericho County. <ul style="list-style-type: none"><li>- Debate by Honourable Senators.</li><li>- Final Submission, if any, by Hon. (Dr.) Eric Mutai, Governor of Kericho County.</li><li>- Voting on the charges.</li></ul>   |

**Adjournment**

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