

The SDC (MA)

URGENT VERY

THE SENATE RECEIVED 22 NOV 2016 SPEAKER'S OFFICE

The committee could do a brief report focusing on this matter only. once reported to the Senate, it could be prioritised for consideration so that the committee is not...

STATEMENT TO THE SENATE BY THE CHAIRMAN, CPAIC  
DISORDERLY CONDUCT BY GOVERNOR MWANGI WA IRIA IN THE COUNTY PUBLIC ACCOUNTS AND INVESTMENTS COMMITTEE MEETING

I rise, pursuant to Standing Order 45 (2) (a) to make a Statement on an issue of topical concern. As you may be aware, the Sessional Committee on County Public Accounts and Investments has been considering the Auditor-General's reports on financial operations of county executives and county assemblies for the Financial Year 2013/2014, pursuant to Articles 228 (b) and 229 (7) of the Constitution and Standing Order No.212.

I wish to bring to your attention that the Committee invited the county executive of Murang'a County to appear before it on Thursday, 27<sup>th</sup> October, 2016. The county executive and Governor honoured the Committee's invitation. Pursuant to Standing Order No.199, the Senator for Murang'a County attended and participated in the session as a friend of the Committee.

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As is the practice, the Committee proceeded to welcome the Governor and began to interrogate various audit queries as raised by the Office of the Auditor-General. The county executive under the direction of the Governor gave responses to various queries, however, when the Committee reached the audit query on purchase of land, the Governor refused to give any response to the query and instead referred the Committee to his impeachment proceedings, held in the Senate between 28<sup>th</sup> October, 2015 and 6<sup>th</sup> November, 2015. I impressed upon the Governor on the investigatory mandate of the County Public Accounts Committee and especially with regard to audit queries raised in the Auditor-General's Report. Several members of the Committee intervened and informed the Governor that the impeachment process was a different process from that being carried out by the Committee, as it discharged its oversight role.

The Governor did not take heed and instead referred the Committee to the hansard reports of his impeachment process before the Senate, for further information on the query raised. The Governor then proceeded to accuse the Senator for Murang'a County of politicizing the issue of the purchase of land. Needless to say Mr. Speaker, the Governor went round and round, myriad of issues surrounding the political arena in the county, without giving any information on the queries raised by the Committee.

Mr Speaker, due to the hostile nature of the Governor as a witness, I had to pre-maturely adjourn the meeting and ordered the Serjeant-At-Arms to escort the Governor out of the precincts of Parliament. The conduct of the Governor contravened Article 73(1) of the Constitution on the responsibilities of leadership and specifically the authority assigned

THE SENATE RECEIVED 22 NOV 2016 DIRECTOR LEGISLATIVE AND PROCEDURAL SERVICES

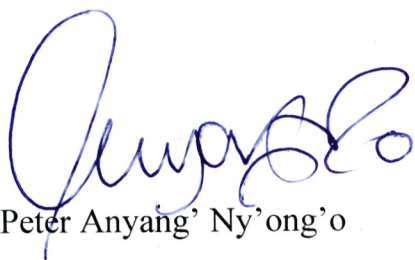
Hon. Speaker  
The request is in order save for the committee directly report the matter to DPP. The committee may make a report to the House on the matter.

to a State Officer as a public trust, which is to be exercised in a manner that demonstrates respect to the people and brings honour to the nation and dignity to the office.

Mr. Speaker, Sir, as the Committee refers this matter to the Director of Public Prosecutions as provided under section 31 of the National Assembly (Powers and Privileges) Act, I seek to bring this matter to the attention of the Senate and table the hansard proceedings of the Committee meeting.

Further, I would like to draw the attention of the Committee of the Senate mandated to deal with matters of powers and privileges to look at the Parliamentary Powers and Privileges Bill now before the Senate, with a view to taking into account the prevailing inadequacies of the existing law to deal with matters such as the one facing the County Public Accounts and Investments Committee.

I thank you.



Sen. Peter Anyang' Ny'ong'o

Chairman, County Public Accounts and  
Investments Committee.

22/11/16