

COUNTY GOVERNMENT OF NAIROBI CITY



SECOND ASSEMBLY

THE NAIROBI CITY COUNTY ASSEMBLY (FOURTH SESSION)

COMMUNICATION FROM THE CHAIR

No. 32 of 2020

DIRECTIONS ON THE SUSPENDED MOTION FOR REMOVAL OF THE GOVERNOR FROM OFFICE BY HON. PETER IMWATOK, MCA, MINORITY CHIEF WHIP

Honorable Members, I have the following Communication to convey -

Honorable Members, you will recall that on **Tuesday, 3rd March, 2020** during the afternoon sitting, the then Chair, Hon. Beatrice K Elachi had undertaken to give further direction on the Motion for removal of the Governor from Office whose notice had been issued by the **Hon. Peter Imwatok**. This followed the suspension of the Motion in compliance with Orders of Court which had directed that the Member and the Assembly needed to comply with the applicable provisions of the law and the Standing Orders while considering the said Motion.

Honorable Members, in this regard, I wish to clarify that a Motion for removal of the Governor from Office is a Special Motion within the meaning of Standing Order 49. Standing Order 49 (2) provides that and I quote:-

“a) A notice of a Special Motion shall be-

- i) disposed of by the Speaker **within seven days** of receipt of notice from a member under paragraph (1); and,*
- ii) given by the Member within three sitting days following the approval of the Speaker.*

*b) A Special Motion shall be disposed of by the Assembly **within three sitting days** upon the notice”.*

Hon. Members, Standing Order 49 (3) provides that if a proposer of a special Motion fails to observe the timelines prescribed under paragraph 2(a) (ii) or 2(b)

of the Standing Order, such notice of Motion or Motion **shall be deemed to have been withdrawn** and shall not be moved again in the same Session, **except with the consent of the Speaker.**

Accordingly, **Hon. Members**, now that the Hon. Peter Imwatok failed to meet the timelines prescribed in Standing Order 49 (2), I hereby clarify that the Motion by the Member, on removal of the Governor from Office, **stands withdrawn** in accordance with Standing Order 49 (3).

It is so directed!

I thank you Honorable Members.

A handwritten signature in blue ink, appearing to read 'Benson Mutura', is centered on the page.

**THE HON. BENSON MUTURA, MCA
SPEAKER OF THE NAIROBI CITY COUNTY ASSEMBLY
Thursday 26th November, 2020**