

COUNTY GOVERNMENT OF NAIROBI CITY



NAIROBI CITY COUNTY ASSEMBLY
THIRD ASSEMBLY
(SECOND SESSION)

COMMUNICATION FROM THE CHAIR

1st November 2023

GUIDANCE ON THE MISCONDUCT BY HON. FUAD HUSSEIN MOHAMED

Hon. Members,

You will recall that at the Assembly Sitting held yesterday **Tuesday 31st October 2023**, the Majority Whip, **Hon. Moses Ogeto, MCA** rose under Standing Order No. 118 and invited the Chair to name Hon. Fuad Hussein Mohamed, MCA following his threat of violence towards the Hon. Speaker.

Hon. Members,

You will also recall that the Chair, pursuant to Standing Order 117 (2), accorded Hon. Fuad Hussein Mohamed, MCA an opportunity to respond and apologize. Indeed the Hon. Member in demonstration of admittance of the accusations leveled against him, proceeded to apologize to the Chair and the House and in his own words he stated as follows:

“Hon. Speaker, I apologize for my actions and I withdraw.”

Hon. Members,

It is prudent that I inform the House that the Chair has a myriad of options of sanctioning members as provided for under Standing Order 116, 117, 118 and 119. However, the Chair while sanctioning Hon. Members is not only guided by the strict pursuit of sanctions spelt out in the Standing Orders, but also being considerate of the remorseful demeanor of the Member in question.

In this regard, **Hon. Members**, as a symbol of unity and pursuit of cohesion in the County Assembly, I take the apology rendered by the said Member positively and restrain myself from administering adverse punishment in the application of the Standing Orders.

Hon. Members,

Nonetheless, may I bring to your attention that the Speaker is the custodian and defender of the Constitution and all other rules of procedures in the County Assembly. In the said Constitution, Statutes and Standing Orders, Members of County Assembly being considered as state officers, are subject to high measure of integrity standards. Specifically, Chapter Six of the Constitution which is deciphered by the Leadership and Integrity Act, 2012, County Assemblies Powers and Privileges Act, 2012, Public Officer Ethics Act, 2013 and the Standing Orders spells out what is expected of state officers with regards to their conduct both in public and private life.

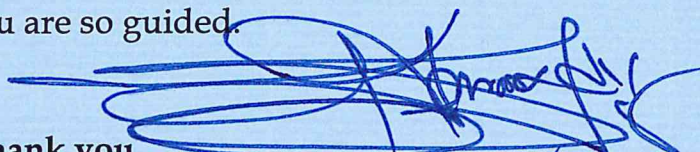
Hon. Members,

The said laws also confer certain privileges to Members of County Assembly whose violation attract defined sanctions. These integrity safeguards, **Hon. Members**, are put in place for state officers knowing that our duties are exercised in trust and the public on whose behalf we exercise power have great expectations.

Accordingly, **Hon. Members**, may I remind Members that during the inception of this Third Assembly, all Members bound themselves when you signed the code of conduct that is drawn from Leadership and Integrity Act, 2012 and you are required to observe and uphold the said code at all times. Any breach of the said code has dire consequences. I want to make it clear that going forward, actions of misconduct will not be tolerated and I will not hesitate to invoke the relevant sanctions should it be established that a Member knowingly conducted himself or herself in a manner contrary to the said code.

You are so guided.

I thank you.


1st/Nov/2023

The Hon. Kennedy Okeyo Ng'ondi, MCA
SPEAKER, NAIROBI CITY COUNTY ASSEMBLY

Wednesday, 1st November, 2023