



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (SECOND SESSION)

THE SENATE

SUPPLEMENTARY ORDER PAPER

SPECIAL SITTING

MONDAY, JUNE 26, 2023 AT 2:30 PM

PRAYER

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
6. Notices of Motion (as listed in the Appendix)
7. Questions and Statements
8. **MOTION - THE PROPOSED REMOVAL FROM OFFICE, BY IMPEACHMENT, OF HONOURABLE WILLIAM ODUOL, THE DEPUTY GOVERNOR OF SIAYA COUNTY.**

(The Chairperson, Special Committee on the Proposed Removal from Office, by Impeachment, of the Deputy Governor of Siaya County)

THAT, WHEREAS, pursuant to Article 181 of the Constitution and Section 33 of the County Governments Act, on 8th June, 2023, the County Assembly of Siaya approved a Motion to remove from office, by impeachment of Honourable William Oduol, the Deputy Governor of Siaya County;

AND WHEREAS by a letter, Ref: CASADM/33/04, dated Friday, 9th June, 2023 and received in the Office of the Speaker of the Senate on Saturday, 10th June, 2023, the Speaker of the County Assembly of Siaya conveyed the resolution of the County Assembly, removing from office by impeachment of Honourable William Oduol, the Deputy Governor of Siaya County and further forwarded to the Speaker of the Senate, documents in evidence of the proceedings of the Assembly;

...../Motion

AND WHEREAS, pursuant to Section 33(3)(b) of the County Governments Act, and Standing Order 80(1)(b) the Senate, by resolution on Thursday, 15th June, 2023 appointed a special committee comprising eleven of its Members to investigate the matter on the proposed removal from office by impeachment of Honourable William Oduol, the Deputy Governor of Siaya County and to report to the Senate within ten (10) days of its appointment, on whether it finds the particulars of the allegations to have been substantiated;

FURTHER WHEREAS, pursuant to Section 33 (4) of the County Governments Act and Standing Order 80 (2), the Special Committee has investigated the matter and tabled its Report today, Monday, 26th June, 2023;

AND WHEREAS, pursuant to Section 33(4) and (6)(b) of the County Governments Act and Standing Order 80(4)(b), the Special Committee has found that the particulars of:-

- i.) Charge 1: Gross Violation of the Constitution and other Laws in respect of interference with the procurement process through acts of bid-rigging; and
- ii.) Charge 2: Abuse of Office and Gross Misconduct in respect of Allegation 4 – Misleading the public by giving false information.

have been substantiated;

NOW THEREFORE, pursuant to Section 33(6)(b) of the County Governments Act and Standing Order 80(4)(b), the Senate, after according the Honourable William Oduol, the Deputy Governor of Siaya County, an opportunity to be heard, resolves to impeach Honourable William Oduol, the Deputy Governor of Siaya County on the following charges-

- i.) Charge 1: Gross Violation of the Constitution and other Laws in respect of interference with the procurement process through acts of bid-rigging; and
- ii.) Charge 2: Abuse of Office and Gross Misconduct in respect of Allegation 4 – Misleading the public by giving false information.

--XXX--

NOTICE

THAT, pursuant to Standing Order 259(1) the sitting will be a hybrid sitting consisting of Senators who are physically present in the Senate Chamber and Senators participating virtually from a remote location through **Zoom** online meeting platform, as per the provisions of Part XXXII of the Senate Standing Orders.

...../Appendix

APPENDIXNOTICE OF MOTION - THE PROPOSED REMOVAL FROM OFFICE, BY IMPEACHMENT, OF HONOURABLE WILLIAM ODUOL, THE DEPUTY GOVERNOR OF SIAYA COUNTY.

(The Chairperson, Special Committee on the Proposed Removal from Office, by Impeachment, of the Deputy Governor of Siaya County)

THAT, WHEREAS, pursuant to Article 181 of the Constitution and Section 33 of the County Governments Act, on 8th June, 2023, the County Assembly of Siaya approved a Motion to remove from office, by impeachment of Honourable William Oduol, the Deputy Governor of Siaya County;

AND WHEREAS by a letter, Ref: CASADM/33/04, dated Friday, 9th June, 2023 and received in the Office of the Speaker of the Senate on Saturday, 10th June, 2023, the Speaker of the County Assembly of Siaya conveyed the resolution of the County Assembly, removing from office by impeachment of Honourable William Oduol, the Deputy Governor of Siaya County and further forwarded to the Speaker of the Senate, documents in evidence of the proceedings of the Assembly;

AND WHEREAS, pursuant to Section 33(3)(b) of the County Governments Act, and Standing Order 80(1)(b) the Senate, by resolution on Thursday, 15th June, 2023 appointed a special committee comprising eleven of its Members to investigate the matter on the proposed removal from office by impeachment of Honourable William Oduol, the Deputy Governor of Siaya County and to report to the Senate within ten (10) days of its appointment, on whether it finds the particulars of the allegations to have been substantiated;

FURTHER WHEREAS, pursuant to Section 33 (4) of the County Governments Act and Standing Order 80 (2), the Special Committee has investigated the matter and tabled its Report today, Monday, 26th June, 2023;

AND WHEREAS, pursuant to Section 33(4) and (6)(b) of the County Governments Act and Standing Order 80(4)(b), the Special Committee has found that the particulars of:-

- i.) Charge 1: Gross Violation of the Constitution and other Laws in respect of interference with the procurement process through acts of bid-rigging; and
- ii.) Charge 2: Abuse of Office and Gross Misconduct in respect of Allegation 4 – Misleading the public by giving false information.

have been substantiated;

NOW THEREFORE, pursuant to Section 33(6)(b) of the County Governments Act and Standing Order 80(4)(b), the Senate, after according the Honourable William Oduol, the Deputy Governor of Siaya County, an opportunity to be heard, resolves to impeach Honourable William Oduol, the Deputy Governor of Siaya County on the following charges-

- i.) Charge 1: Gross Violation of the Constitution and other Laws in respect of interference with the procurement process through acts of bid-rigging; and
- ii.) Charge 2: Abuse of Office and Gross Misconduct in respect of Allegation 4 – Misleading the public by giving false information.

--XXX--