

ANNEX VI

PAPERS LAID			
DATE	TABLED BY	COMMITTEE	CLERK AT THE TABLE

REPUBLIC OF KENYA



THE SENATE

PAPERS LAID	
DATE	26/6/2023
TABLED BY	Chairperson
COMMITTEE	Special Committee
CLERK AT THE TABLE	Ms Angela Muthira

SPECIAL COMMITTEE ON THE PROPOSED REMOVAL FROM OFFICE OF THE DEPUTY COUNTY GOVERNOR OF SIAYA COUNTY

INVITATION TO APPEAR

TO: Hon. William Oduol, the Deputy County Governor, Siaya County

WHEREAS, pursuant to Article 181 of the Constitution and section 33 of the County Governments Act, 2012, on Thursday, 8th June, 2023, the County Assembly of Siaya approved a Motion for the removal from office of the Deputy County Governor of Siaya County;

AND FURTHER, WHEREAS, by a letter dated Friday, 9th June, 2023 (*Ref: CASADM/33/04*), and received in the Office of the Speaker of the Senate on Saturday, 10th June, 2023, the Speaker of the County Assembly of Siaya informed the Speaker of the Senate of the approval of the Motion by the County Assembly of Siaya 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, 2012, and standing order 80(1)(b)(i) of the Senate Standing Orders, the Senate, at a Special Sitting held on Thursday, 15th June, 2023 by Resolution, appointed a Special Committee comprising eleven of its Members to investigate the matter and to report to the Senate within ten days on whether it finds the particulars of the allegations to have been substantiated;

IV INDEX

AND WHEREAS, pursuant to section 33(5) of the County Governments Act, 2012 and standing order 80(3) of the Senate Standing Orders you have the right to appear and be represented before the Special Committee during its investigations;

NOW THEREFORE, the Special Committee invites you to appear and be represented before the Committee during its investigations. The first meeting of the Committee shall be held on **Wednesday, 21st June, 2023 at 10:00 a.m. at the Senate Chamber, Parliament Buildings, Nairobi**. If you choose to appear before the Committee, the Committee requires that you file, with the **Office of the Clerk of the Senate, 1st Floor, Main Parliament Building, Parliament Road, Nairobi**, by **5:00 p.m. Monday, 19th June, 2023, soft copies and TWENTY (20) hard copies** of your answer to the Particulars of the Allegations, which are annexed hereto, setting out -

- (a) your response to the Particulars of the Allegations;
- (b) how you propose to appear before the Special Committee; whether in person, by Advocate, or in person and by Advocate;
- (c) the names and addresses of the persons to be called as witnesses, if any, and witness statements containing a summary of the evidence to be presented by such witnesses before the Committee; and
- (d) any other evidence to be relied on.

TAKE NOTE that the Rules of Procedure for the Hearing and Determination of the Proposed Removal from Office by Impeachment of a Deputy County Governor are contained in the Third Schedule to the Senate Standing Orders and shall apply to the proceedings of the Senate and are hereby annexed for your information. Also attached is the letter dated 9th June, 2023, (Ref: CASADM/33/04) from the Speaker of the County

Assembly of Siaya and the attached documents. The tentative Hearing Programme is also attached for your reference;

TAKE FURTHER NOTE that should you choose not to attend before the Special Committee on the date and time specified in this Invitation, the Committee, and thereafter the Senate, shall proceed with this matter in accordance with the Constitution and the law, without further reference to you.

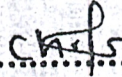
GIVEN under my hand, for and on behalf of the Special Committee, this 16th day of June 2023.



J. M. NYEGENYE, C.B.S.,
CLERK OF THE SENATE.

Please acknowledge receipt of this Invitation to Appear as follows:

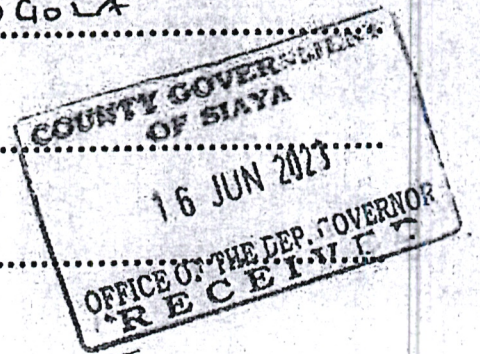
NAME: CHRISTINE OGOLO

SIGNATURE: 

DATE OF SERVICE: 16/6/2023

TIME OF SERVICE: 6.30 PM.

PLACE OF SERVICE: OFFICE OF THE DEPUTY GOVERNOR



REPUBLIC OF KENYA

IN THE MATTER OF OATHS AND STATUTORY DECLARATIONS

ACT CAP 15 LAWS OF KENYA

THIRTEENTH PARLIAMENT

THE SENATE

AFFIDAVIT OF SERVICE

I, **TAGAYA OGOSSO** of P.O.BOX 41842-00100 NAIROBI, in the Republic of Kenya do make oath and state as follows—


1. **THAT** I am a licensed court process server.
2. **THAT** I am a male adult of sound mind working as a Legal Clerk for the Parliamentary Service Commission and attached to the Senate hence competent to swear this affidavit.
3. **THAT** on 16th June, 2023 at around 8:00am, I received from the Office of the Clerk of the Senate, in duplicate, Invitations to Appear before a Special Committee on the Proposed Removal from Office of the Deputy County Governor of Siaya to be issued to the Hon. William Oduol, Deputy Governor of Siaya County and to the Hon. George Okode, Speaker of the County Assembly of Siaya.
4. **THAT** on the same day at 10.39am advance copies of the Invitations to Appear were forwarded through the Office of the Clerk of the Senate via the email clerk.senate@parliament.go.ke to the Deputy Governor via dgovernor@siaya.go.ke and copied to woduol@gmail.com and woduol@hotmail.com and to the Speaker of the County Assembly at 10.42 am via speaker@siayaassembly.or.ke and copied to clerk@siayaassembly.go.ke and okodegeorge@yahoo.com.
5. **THAT** on the same day I proceeded to the Office of the Speaker of County Assembly of Siaya, along Siaya Road within Siaya Township.
6. **THAT** I arrived at the said Office at around 6:15pm, introduced myself and the purpose of my visit.
7. **THAT** I presented the Invitation to Appear documents in duplicate to Mr. Eric Ogenga, Ag. Clerk of the County Assembly of Siaya who perused them and acknowledged service by signing and stamping a duplicate copy thereof.

8. **THAT** I further proceeded to the Office of the Deputy County Governor domiciled at the 1st Floor of the Office of the County Governor, along Siaya Road, within Siaya Township.
9. **THAT** I arrived at the said Office at around 6:30pm, introduced myself and the purpose of my visit.
10. **THAT** I presented the Invitation to Appear documents in duplicate to Ms. Christine Ogola, the Secretary to the Deputy County Governor who perused them and acknowledged service by signing and stamping a duplicate copy thereof.
11. **THAT** I now return to the Senate, copies of the Invitations duly signed as proof of service.
12. **THAT** I swear this affidavit to confirm that Hon. William Oduol, Deputy County Governor, Siaya County and Hon. George Okode, Speaker of the County Assembly of Siaya were duly served.
13. **THAT** what is deponed to hereinabove is true to the best of my knowledge, information and belief.

Sworn at **Nairobi** by the said

TAGAYA OGOSSO

this 19th day of **June** 2023


 DEPONENT

BEFORE ME



DRAWN BY:

Jeremy Chabari,
 Advocate,
 Parliament Buildings, Parliament Road,
 P.O.BOX 41842 – 00100,
NAIROBI.

REPUBLIC OF KENYA



THE SENATE

**SPECIAL COMMITTEE ON THE PROPOSED REMOVAL FROM OFFICE, BY
IMPEACHMENT, OF HON. WILLIAM ODUOL; THE DEPUTY COUNTY
GOVERNOR OF SIAYA COUNTY**

INVITATION TO APPEAR

TO: Hon. George Okode, MCA, Speaker, County Assembly of Siaya

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 informed the Speaker of the Senate that at a sitting of the County Assembly of Siaya held on Thursday, 8th June, 2023, the County Assembly of Siaya had approved a Motion for the removal from office, by impeachment, of Hon. William Oduol, the Deputy County 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, 2012, and standing order 80(1)(b)(i) of the Senate Standing Orders, the Senate, at a sitting held on Thursday, 15th June, 2023, by Resolution, appointed a Special Committee comprising eleven of its Members to investigate the matter and to report to the Senate within ten days on whether it finds the particulars of the allegations to have been substantiated;

AND WHEREAS, pursuant to rule 4(b), Part 2 of the Third Schedule of the Senate Standing Orders which provides for the Rules of Procedure for the Hearing and Determination of the Proposed Removal from Office by Impeachment of a Governor, the

County Assembly has the right to appear before the Committee to represent the Assembly during the investigation;

NOW THEREFORE, the Special Committee invites the County Assembly of Siaya to appear before the Committee during its investigations. The first meeting of the Committee shall be held on **Wednesday 21st June, 2023, at 10:00 a.m. at the Senate Chamber, Parliament Buildings, Nairobi**. If the County Assembly chooses to appear before the Committee, the Committee requires that the County Assembly files, with the **Office of the Clerk of the Senate, 1st Floor, Main Parliament Building, Parliament Road, Nairobi**, by **5:00 p.m. on Monday, 19th June, 2023, soft copies and TWENTY (20) hard copies** of documentation -

- (a) designating the Members of the County Assembly, being not more than three Members, if any, who shall attend and represent the Assembly in the proceedings before the Special Committee;
- (b) indicating the mode of appearance before the Special Committee: whether in person, by Advocate, or in person and by Advocate;
- (c) indicating the names and addresses of the persons to be called as witnesses, if any, and witness statements containing a summary of the evidence to be presented by such witnesses before the Committee; and
- (d) specifying any other evidence to be relied on.

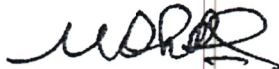
TAKE NOTE that the documentation submitted is required to be numbered consecutively and be bound in book form, in volumes with proper titles appearing on the covers;

TAKE NOTE that the Rules of Procedure for the Hearing and Determination of the Proposed Removal from Office by Impeachment of a Deputy County Governor are contained in the Third Schedule to the Senate Standing Orders and shall apply to the

proceedings of the Senate and are hereby annexed for your information. The tentative Hearing Programme is also attached for your reference;

TAKE FURTHER NOTE that should you choose not to attend before the Special Committee on the date and time specified in this Invitation, the Committee, and thereafter the Senate, shall proceed with this matter in accordance with the Constitution and the law, without further reference to you.

GIVEN under my hand, for and on behalf of the Special Committee, this 16th day of June, 2023.



J. M. NYEGENYE, C.B.S.,
CLERK OF THE SENATE.

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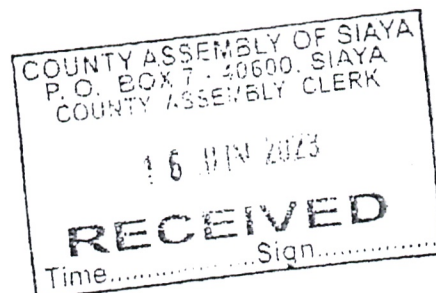
NAME: ERIC OGENGA

SIGNATURE: 

DATE OF SERVICE: 16/06/2023

TIME OF SERVICE: 6:15 PM

PLACE OF SERVICE: COUNTY ASSEMBLY-SIAYA



REPUBLIC OF KENYA
IN THE MATTER OF OATHS AND STATUTORY DECLARATIONS
ACT CAP 15 LAWS OF KENYA
THIRTEENTH PARLIAMENT
THE SENATE

AFFIDAVIT OF SERVICE

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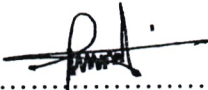
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Sworn at **Nairobi** by the said

TAGAYA OGOSSO

this 19th day of **June** 2023

} 

 DEPONENT

BEFORE ME



DRAWN BY:

Jeremy Chabari,
 Advocate,
 Parliament Buildings, Parliament Road,
 P.O.BOX 41842 – 00100,
NAIROBI.