

## COUNTY ASSEMBLY OF WAJIR



### THIRD ASSEMBLY (FOURTH SESSION)

#### COMMUNICATION FROM THE CHAIR (No. 3 of 2025)

**Hon Members,** I have the following communication to deliver which undoubtedly will be of importance in the execution of the mandate of representation, legislation, and oversight:

1. Judgement on the Judicial Review No. E005 of 2025 at Garissa High Court dated 28th April 2025
2. The Reconstitution of the Committee on Selection
3. Hon Member Attendance, Committee Performance and Oversight Mandate

**Hon Members,** you are well aware that the reconstitution of the Standing Committee on Finance, Budget and Appropriation in the month of March 2025 pursuant to the provisions of Standing Order 204 (4) of County Assembly of Wajir Standing Orders culminated to a petition filed by two dissenting Hon Members at the Wajir Magistrate Court and subsequently at the Garissa High Court, Judicial Review No. E005 of 2025. Justice J N Onyiego delivered his judgment on 29th April 2025 directing that the Hon Speaker and the Clerk recall the newly reconstituted Finance, Budget and Appropriations Committee and the Committee on Selection to undertake the reconstitution of the said Committee as stipulated in the Assembly Standing Order No. 170(2).

While we acknowledge the directives of the court, it is my considered opinion that the current Committee on Selection is not properly constituted. This follows the approval of the new Standing Orders by the House on 26<sup>th</sup> November 2024 which capped the membership of the Committee from 13 to 11 members.

As a law-making institution, it is of paramount importance that the composition of the Committee on Selection is in compliance with Standing Order No. 170(1). Consequently, I direct the Leader of Majority and Leader of Minority to urgently constitute the Committee on Selection as per the revised Standing Order 170(1)



which guides that the Committee on Selection shall be nominated by County Assembly Parties and approved by the County Assembly.

The Leader of Majority and Leader of Minority should undertake this task with effect from Tuesday 6th May 2025 and submit the names of the proposed members and copies of minutes to the Office of the Clerk on Monday 12th May 2025 by 9.00am. Once constituted and approved by the House, the Committee on Selection is then expected to nominate members to serve in the County Finance, Budget and Appropriations Committee as directed by the Court and in accordance with Standing Order 170(2).

Given the mandate of the County Finance, Budget and Appropriations Committee, particularly in the Budget making process, I implore on the Party Leaders to facilitate the reconstitution of the Committee on Selection within the timeline given to enable the Committee to reconstruct the Finance, Budget and Appropriations Committee within a period of three days with effect from Tuesday 13th May 2025.

**Hon Members**, allow me to further address a matter of great urgency and concern — the declining attendance in both plenary and committee sittings, which has consistently denied this Assembly the requisite quorum to conduct its constitutional and statutory business.

It is disheartening that the Assembly has, on multiple occasions, failed to transact business due to the absence of members. This trend has equally affected our committees, whose operations have grown increasingly dormant. Let us be reminded that the effectiveness of any legislative body lies not only in the chambers but also in the vibrancy of its committees.

**Hon. Members**, our core mandates include legislation, representation, and oversight. These functions cannot be discharged in absenteeism. Article 185(3) of the Constitution of Kenya, 2010 provides that:

***“A county assembly shall exercise oversight over the county executive committee and any other county executive organs.”***

This oversight is realized predominantly through committee work. Committees are not optional conveniences — they are legal instruments of governance, provided for under the County Governments Act, 2012 and the Standing Orders of this Assembly.

Further, Article 201 of the Constitution enshrines the principles of public finance, among them:



***“There shall be openness and accountability, including public participation in financial matters.”***

***“Public money shall be used in a prudent and responsible way.”***

**Hon. Members**, these principles are not theoretical ideals. They demand constant vigilance, inquiry, and reporting — all of which begin in our committees and culminate in plenary debates. Failure to attend and participate, amounts to the dereliction of duty and betrayal of public trust.

I wish to underscore that value for money in all county expenditures — including those of the Assembly — is our collective responsibility. When committees fail to sit and plenary lacks quorum, the Assembly not only fails in its duty but also risks reputational and audit queries on the prudent use of resources.


I therefore call upon each Member to reflect deeply on their oath of office and recommit to the mandate bestowed upon them by the people of Wajir. Let us restore integrity to this institution through:

- ❖ Regular and timely attendance to plenary and committee sessions;
- ❖ Effective leadership by Committee Chairpersons and Vice-Chairpersons;  
and
- ❖ Timely submission of committee reports and follow-up on resolutions.

In the coming weeks, the Office of the Speaker will institute mechanisms for tracking and reporting member attendance and committee activity. This Assembly must lead by example in transparency, accountability, and service.

Let us not forget: the people of Wajir expect a working Assembly. Let us rise to that expectation.

I Thank You.

  
**THE HON. CS ABDILLE YUSSUF MOHAMED,**  
**SPEAKER - COUNTY ASSEMBLY OF WAJIR**

**MAY 6, 2025**