



# THE KENYA GAZETTE

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GAZETTE NOTICE No. 7280

## THE CONSTITUTION OF KENYA

APPOINTMENT OF MEMBERS OF A TRIBUNAL TO INVESTIGATE THE CONDUCT OF JUDGES OF APPEAL RICHARD OTIENO KWACH, AMRITLAL B. SHAH, A. A. LAKHA, MOIJO M. OLE KEIWUA, EFFIE OWUOR AND P. N. WAKI

WHEREAS the question has arisen that the conduct of the Judges of Appeal, Richard Otieno Kwach, Amritlal B. Shah, A. A. Lakha, Moiyo M. ole Keiwua, Effie Owuor and P. N. Waki, ought to be investigated.

Now therefore, in exercise of the powers conferred by sections 62 (5) and (6) and 64 (3) of the Constitution of Kenya, I, Mwai Kibaki, President and Commander-in-Chief of the Armed Forces of the Republic of Kenya, appoint—

Justice (Rtd.) Akilano Molande Akiwumi,  
Justice (Rtd.) Abdul Majid Cockar,  
Justice Benjamin Patrick Kubo,  
Philip Nzamba Kitonga,  
William Shirley Deverell,

to be members of a tribunal to investigate the conduct of Judges of Appeal, Richard Otieno Kwach, Amritlal B. Shah, A. A. Lakha, Moiyo M. ole Keiwua, Effie Owuor and P. N. Waki.

Justice (Rtd.) Akilano Molande Akiwumi, shall be the Chairman of the tribunal and its mandate shall be:

- (a) To investigate the conduct of Judges of Appeal, Richard Otieno Kwach, Amritlal B. Shah, A. A. Lakha, Moiyo M. ole Keiwua, Effie Owuor and P. N. Waki, including, but not limited to, the allegations that the said Judges of Appeal have been involved in corruption, unethical practices and absence of integrity in the performance of the functions of their office.
- (b) To make a report and its recommendations thereon to me expeditiously. In the meantime, the said Judges of Appeal stand suspended from exercising the functions of their office with immediate effect.

The tribunal shall have all the powers necessary for the proper execution of its mandate, including the power to—

- (a) determine the times and venue of its meetings; and
- (b) to regulate its own procedure.

Dated the 15th October, 2003.

MWAI KIBAKI,  
*President.*

GAZETTE NOTICE No. 7281

## THE CONSTITUTION OF KENYA

APPOINTMENT OF COUNSEL AND SECRETARY TO THE TRIBUNAL TO INVESTIGATE THE CONDUCT OF THE JUDGES OF APPEAL RICHARD OTIENO KWACH, AMRITLAL B. SHAH, A. A. LAKHA, MOIJO M. OLE KEIWUA, EFFIE OWUOR AND P. N. WAKI

IN EXERCISE of the powers conferred by sections 62 (5) and (6) and 64 (3) of the Constitution of Kenya, I, Mwai Kibaki, President and Commander-in-Chief of the Armed Forces of the Republic of Kenya, appoint—

MBUTHI GATHENJI

as counsel to assist the tribunal\* appointed to investigate the conduct of Judges of Appeal, Richard Otieno Kwach, Amritlal B. Shah, A. A. Lakha, Moiyo M. ole Keiwua, Effie Owuor and P. N. Waki; and

MARGARET NZIOKA

as secretary to the said tribunal.

Dated the 15th October, 2003.

MWAI KIBAKI,  
*President.*

\*G.N. 7280/2003.

GAZETTE NOTICE No. 7282

## THE CONSTITUTION OF KENYA

APPOINTMENT OF MEMBERS OF A TRIBUNAL TO INVESTIGATE THE CONDUCT OF PUISNE JUDGES DANIEL K. S. AGANYANYA, TOM MBALUTO, A. MBOGHOli MSAGHA, GEDION MBITO, I. C. C. WAMBILYIANGAH, ROSELYN NAMBUYE, R. C. N. KULOBA, D. M. RIMITA, SARAH C. ONDEYO, A. I. HAYANGA, A. G. A. ETYANG, J. V. ODERO JUMA, J. K. MITEY, J. KASANGA MULWA, G. E. OMONDI TUNYA, R. M. MUTITU AND L. P. OUNA

WHEREAS the question has arisen that the conduct of the Puisne Judges, Daniel K. S. Aganyanya, Tom Mbaluto, A. Mboghli Msagha, Gedion Mbiti, I. C. C. Wambilyiangah, Roselyn Nambuye, R. C. N. Kuloba, D. M. Rimita, Sarah C. Ondeyo, A. I. Hayanga, A. G. A. Etyang, J. V. Odero Juma, J. K. Mitey, J. Kasanga Mulwa, G. E. Omondi Tunya, R. M. Mutitu and L. P. Ouna, ought to be investigated.

Now therefore, in exercise of the powers conferred by sections 62 (5) and (6) of the Constitution of Kenya, I, Mwai Kibaki, President and Commander-in-Chief of the Armed Forces of the Republic of Kenya, appoint—

Lee G. Muthoga,  
Justice John Mweru,  
Justice Leonard Njagi,  
Daniel Musinga,  
Isaack Lenaola.

to be members of a tribunal to investigate the conduct of Puisne Judges, Daniel K. S. Aganyanya, Tom Mbaluto, A. Mbogholi Msagha, Gedion Mbiti, I. C. C. Wambilyiangah, Roselyn Nambuye, R. C. N. Kuloba, D. M. Rimita, Sarah C. Ondeyo, A. I. Hayanga, A. G. A. Etyang, J. V. Odera Juma, J. K. Mitey, J. Kasanga Mulwa, G. E. Omondi Tunya, R. M. Mutitu and L. P. Ouna.

Lee G. Muthoga, shall be the Chairman of the tribunal and its mandate shall be—

(a) To investigate the conduct of Puisne Judges, Daniel K. S. Aganyanya, Tom Mbaluto, A. Mbogholi Msagha, Gedion Mbiti, I. C. C. Wambilyiangah, Roselyn Nambuye, R. C. N. Kuloba, D. M. Rimita, Sarah C. Ondeyo, A. I. Hayanga, A. G. A. Etyang, J. V. Odera Juma, J. K. Mitey, J. Kasanga Mulwa, G. E. Omondi Tunya, R. M. Mutitu and L. P. Ouna, including, but not limited to, the allegations that the said Puisne Judges have been involved in corruption, unethical practices and absence of integrity in the performance of the functions of their office.

(b) To make a report and its recommendations thereon to me expeditiously. In the meantime, the said Puisne Judges stand suspended from exercising the functions of their office with immediate effect.

The tribunal shall have all the powers necessary for the proper execution of its mandate, including the power to—

(a) determine the times and venue of its meetings; and

(b) to regulate its own procedure.

Dated the 15th October, 2003.

MWAI KIBAKI,  
*President.*

#### GAZETTE NOTICE NO. 7283

#### THE CONSTITUTION OF KENYA

APPOINTMENT OF COUNSEL AND SECRETARY TO THE TRIBUNAL TO INVESTIGATE THE CONDUCT OF THE PUISNE JUDGES DANIEL K. S. AGANYANYA, TOM MBALUTO, A. MBOGHOLI MSAGHA, GEDION MBITO, I. C. C. WAMBILYIANGAH, ROSELYN NAMBUYE, R. C. N. KULOBA, D. M. RIMITA, SARAH C. ONDEYO, A. I. HAYANGA, A. G. A. ETYANG, J. V. ODERO JUMA, J. K. MITEY, J. KASANGA MULWA, G. E. OMONDI TUNYA, R. M. MUTITU AND L. P. OUNA

IN EXERCISE of the powers conferred by sections 62 (5) and (6) of the Constitution of Kenya, I, Mwai Kibaki, President and Commander-in-Chief of the Armed Forces of the Republic of Kenya, appoint—

PHILIP KIPCHIRCHIR MURGOR

as counsel to assist the tribunal\* appointed to investigate the conduct of the Puisne Judges, Daniel K. S. Aganyanya, Tom Mbaluto, A. Mbogholi Msagha, Gedion Mbiti, I. C. C. Wambilyiangah, Roselyn Nambuye, R. C. N. Kuloba, D. M. Rimita, Sarah C. Ondeyo, A. I. Hayanga, A. G. A. Etyang, J. V. Odera Juma, J. K. Mitey, J. Kasanga Mulwa, G. E. Omondi Tunya, R. M. Mutitu and L. P. Ouna; and

MUCHAI LUMATETE

as secretary to the said tribunal.

Dated the 15th October, 2003.

MWAI KIBAKI,  
*President.*

G.N. 7282/2003.