

## **SPECIAL ISSUE**



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GAZETTE NOTICE NO. 8828

### **THE CONSTITUTION OF KENYA**

APPOINTMENT OF MEMBERS OF A TRIBUNAL TO INVESTIGATE THE  
CONDUCT OF JUDGES OF APPEAL MOIJO M. OLE KEIWUA AND  
P. N. WAKI

WHEREAS the question has arisen that the conduct of the  
Judges of Appeal Moiyo M. ole Keiwua 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 Benjamin Patrick Kubo,  
Joe Okwach,  
Philip Nzamba Kitonga,  
William Shirley Deverell,

to be members of a tribunal to investigate the conduct of Judges of  
Appeal Moiyo M. ole Keiwua 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, Moiyo M. ole  
Keiwua 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.

Gazette Notice No. 7280 of 2003, is revoked.

Dated the 10th December, 2003.

MWAI KIBAKI,  
President.

GAZETTE NOTICE NO. 8829

### **THE CONSTITUTION OF KENYA**

APPOINTMENT OF MEMBERS OF A TRIBUNAL TO INVESTIGATE THE  
CONDUCT OF PUISNE JUDGES DANIEL K. S. AGANYANYA, TOM  
MBALUTO, A. MBOGHOHI MSAGHA, ROSELYN NAMBUYE, J. V.  
ODERO JUMA, AND J. KASANGA MULWA

WHEREAS the question has arisen that the conduct of the  
Puisne Judges Daniel K. S. Aganyanya, Tom Mbaluto, A. Mbogholi  
Msagha, Roselyne Nambuye, J. V. Odero Juma and J. Kasanga  
Mulwa, 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—

Justice (Rtd.) Abdul Majid Cockar,  
Justice John Mwera,  
Justice Leonard Njagi,  
Justice Daniel Musinga,  
Justice Isaack Lenaola,

to be members of a tribunal to investigate the conduct of Puisne  
Judges Daniel K. S. Aganyanya, Tom Mbaluto, A. Mbogholi  
Msagha, Roselyne Nambuye, J. V. Odero Juma and J. Kasanga  
Mulwa

Justice (Rtd.) Abdul Majid Cockar 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, Roselyne  
Nambuye, J. V. Odero Juma and J. Kasanga Mulwa, 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.

Gazette Notice No. 7282 of 2003, is revoked.

Dated the 10th December, 2003.

MWAI KIBAKI,  
President.