



COUNCIL OF GOVERNORS

17th March, 2022

**PRESS RELEASE ON THE PREPARATIONS FOR
THE TRANSITION AND ASSUMPTION TO OFFICE OF GOVERNORS
AHEAD OF THE GENERAL ELECTIONS**

Fellow Kenyans,

Members of the Press,

As the country prepares for the General Elections scheduled for 9th August 2022, the Council of Governors is cognizant of the changes that will be experienced in the Counties noting that **twenty** (20) Governors will have concluded their two term tenure of 10 years.

This year's General Election will mark the end of the 2nd Generation of County Governments. It is therefore of utmost importance that the transition is well managed as we await to usher in the next Administration.

We anticipate that the transition will be smooth noting that we now have in place The Assumption of the Office of Governor Act, 2019 prior to which there was no prevailing legal framework guiding the assumption of office for the Governor or the Deputy.

Pursuant to this legislation and to facilitate a seamless transition, the Council of Governors convened a three-day sensitization meeting with County Secretaries and County Attorneys on **14th to 16th March, 2022** on the preparation for the transition and assumption of Office. During the meeting, and in fulfilment of our mandate, Counties shared experiences in previous transitions which occurred before and after the enactment of the legislation with a view of sharing best practices.

Key resolutions arising from the meeting are as follows:

i. Assumption of the Office of Governor Act, 2019

There is need to ensure full compliance of the Act. Some of the salient provisions of the Act are as follows:

- **Establishment of the Assumption of the Office of Governor committee** - Each county is required to establish an *ad - hoc* Committee chaired by the County Secretary to oversee and guide the transition from one government to the other. The law has also provided for the functions of the committee, key among them being; publishing by notice in the Kenya Gazette and County gazette, the date, time and place for the conduct of the swearing in ceremony.
- **Swearing in of the County Governor –elect** – Swearing in shall be held on the **first Thursday after the 10th day** following the declaration of the final results, in a public ceremony before a high court judge.
- **Handing over of County symbols** – The law requires the outgoing Governor to hand over the following county symbols to the Governor-elect: the county flag, the county coat of arms, the constitution and the county public seal. The Governor –elect will then assume office upon receiving the aforementioned instruments of power.
- **Provision of relevant information** - County public officers are required to provide the necessary information for assumption of office by the Governor – elect within the set timeline. Failure to do so will attract a fine of up to Ksh.300,000.
- **Public access to information** - Pursuant to section 19 of the Act and Article 35 of the Constitution of Kenya, the committee shall publish all important information and disclose any needed information to the citizens of Kenya unless prohibited in certain circumstances listed under section 20 of the Act.

- ii. **Operationalization of the County Attorneys Act** – All Counties to ensure full implementation of the Office of the County Attorney Act, 2019 to ensure smooth transition and to avoid loopholes for potential litigation that may arise with the new administration;
- iii. **Advisories to Counties** – The Council of Governors will issue necessary advisories to guide Counties in the transition process; and
- iv. **Induction of the County Leadership** – The Council will facilitate an intensive induction for the County leadership, once they are sworn-in, in order to guide them on their duties, government policies and procedures, among other pertinent issues. This will facilitate smooth transition of power and enable the newly elected leaders to effectively undertake their duties and ensure uninterrupted service delivery to all Kenyans.

Conclusion

Smooth leadership transitions are a cornerstone of the democratic process. The Council of Governors remains committed to promoting good governance and ensuring a successful and peaceful transition come August 2022. The Council calls upon all policy makers and stakeholders to collaborate and cooperate in this noble cause.

The Council of Governors commits to support all County Governments during and after the transition period.

Signed:



H. E Hon. Kiraitu Murungi
Chairperson- Legal, Constitutional Affairs &
Intergovernmental Relations Committee