



PARLIAMENT OF KENYA

NATIONAL ASSEMBLY

ELEVENTH PARLIAMENT - FIRST SESSION

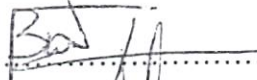


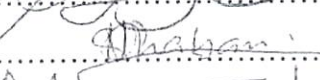
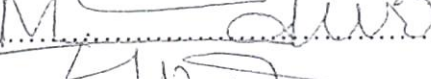
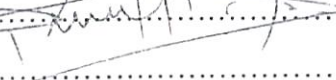
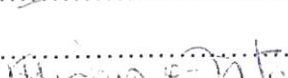
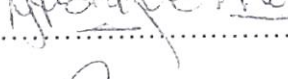
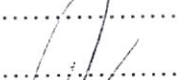
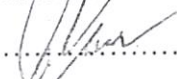
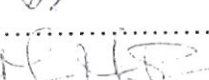

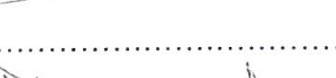

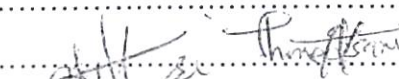


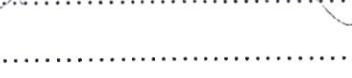
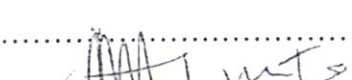
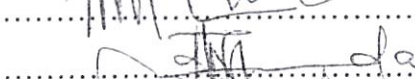




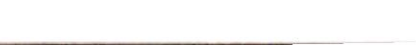
**FIRST REPORT**  
OF THE  
COMMITTEE ON APPOINTMENTS  
ON

THE VETTING OF THE CABINET  
SECRETARIES NOMINEES

14<sup>TH</sup> MAY, 2013

13.5.2013

The recommendations contained in this report were arrived at unanimously by Members as attested by the affixed signatures:

NAME	SIGNATURE
1. Hon. Justin B. Muturi, MP	
2. Hon. (Dr) Joyce Laboso, MP	
3. Hon. Aden Duale, MP	
4. Hon. Francis Nyenze, MP	
5. Hon. Naomi Shaban, MP	
6. Hon. Jakoyo Midiwo, MP	
7. Hon. Jackson Kiptanui, MP	
8. Hon. Issac Ali Shaban, MP	
9. Hon. Roselinda Soipan, MP	
10. Hon. Katoo Ole Metito, MP	
11. Hon. Jamleck Kamau, MP	
12. Hon. Amina Abdallah, MP	
13. Hon. Gideon Konchellah, MP	
14. Hon. Cecily Mbarire, MP	
15. Hon. Moses Cheboi, MP	
16. Hon. Nelson Gaichuhie, MP	
17. Hon. Boniface Gatobu, MP	
18. Hon. David Wafula, MP	
19. Hon. Esther Murugi, MP	
20. Hon. Ibrahim Sane, MP	
21. Hon. Mishi Juma Khamis, MP	
22. Hon. Manson Nyamweya, MP	
23. Hon. Maj.Gen. (Rtd) Joseph Nkaissey, MP	
24. Hon. Abass Ahmed Ibrahim, MP	
25. Hon. Chrisantus Wamalwa Wakhungu, MP	
26. Hon. Maj. (Rtd) Marcus Muluvi Mutua, MP	
27. Hon. Stephen Mutinda Mule, MP	
28. Hon. Ken Obura, MP	





## **1.0 PREFACE**

On behalf of the Members of the Committee on Appointments and pursuant to the provisions of Standing Order No. 191, it is my pleasure and duty to present to the House, the Committee's Report on the vetting of the Cabinet Secretaries nominees.

### **Committee Membership**

The Committee on Appointments was constituted by the House on Tuesday 23<sup>rd</sup> April, 2013 comprising of the following Members:-

1. Hon. Justin Muturi, MP – Speaker of the National Assembly
2. Hon. (Dr.) Joyce Laboso, MP – Deputy Speaker
3. Hon. Aden Duale, MP – Leader of the Majority Party/Chairperson
4. Hon. Francis Nyenze, MP- Leader of the Minority Party
5. Hon. Naomi Shaban, MP - Deputy Leader of the Majority Party
6. Hon. Jakoyo Midiwo, MP - Deputy Leader of the Minority Party
7. Hon. Jackon Kiptanui, MP
8. Hon. Isaac Ali Shaban, MP
9. Hon. Reselinda Soipan, MP
10. Hon. Katoo Ole Metitio, MP
11. Hon. Jamleck Kamau, MP
12. Hon Amina Abdalla, MP
13. Hon. Gideon Konchella, MP
14. Hon. Cecily Mbarire, MP
15. Hon. Moses Cheboi, MP
16. Hon. Nelson Gaichuhie, MP
17. Hon. Boniface Gatobu, MP
18. Hon. David Wafula, MP
19. Hon. Esther Murugi, MP
20. Hon. Ibrahim Sane, MP
21. Hon. Ken Obura, MP

22. Hon. Mishi Juma Khamis, MP
23. Hon. Manson Nyamweya, MP
24. Hon. Maj. Gen. (Rtd) Joseph Nkaisery, MP
25. Hon. Abass Ahmed Ibrahim, MP
26. Hon. Chris Wamalwa Wakhungu, MP
27. Hon. Maj. (Rtd) Marcus Muluvi Mutua, MP
28. Hon. Stephen Mutinda Mule, MP

### **Committee mandate**

The Committee on Appointments is one of the Select Committees established under Standing Order No. 204 (4) which provides that, *the Committee on Appointments shall consider, for approval by the House, appointments under Article (152(2) of the Constitution (Cabinet Secretaries) .*

### **Nomination of the Cabinet Secretaries**

Pursuant to Article 152(2) of the Constitution, H.E. the President, through the Secretary to the Cabinet and Head of Public Service forwarded to the Clerk of the National Assembly, the names of the following sixteen (16) nominees vide a letter dated 30<sup>th</sup> April, 2013 for vetting by the Committee on Appointments and consideration for approval by the National Assembly for appointment as Cabinet Secretaries:-

	<b>Nominee</b>	<b>Ministry</b>
1.	Ms. Anne Waiguru	Devolution & Planning
2.	Amb. Raychelle Omamo	Defence
3.	Amb. Amina Mohammed	Foreign Affairs
4.	Prof. Jacob Kaimenyi	Education, Science & Technology
5.	Mr. Henry K. Rotich	The National Treasury
6.	Mr. James Wainaina Machaira	Health



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7.	Eng. M. S. Kamau	Transport & Infrastructure
8.	Prof. Judi Wangalwa Wakhungu	Environment, Water & Mineral Resources
9.	Hon. Charity Ngilu	Land, Housing & Urban Development
10.	Dr. Fred Okengo Matiangi	Information, Communication and Technology
11.	Dr. Hassan Wario Arero	Sports, Culture and Arts
12.	Mr. Davis Chirchir	Energy & Petroleum
13.	Mr. Felix Kiptarus Koskei	Agriculture, Livestock and Fisheries
14.	Mr. Adan Abdulla Mohammed	Industrialization & Enterprise Development
15.	Mrs. Phyllis Jepkosgei Kipkingor-Kandie	East African Affairs, Commerce & Tourism
16.	Hon. Najib Balala	Mining

On Tuesday 30<sup>th</sup> April, 2013, the Honourable Speaker in a communication to the House, informed the House that the Clerk of the National had received the names of the said sixteen (16) nominees and directed that the names and Curriculum Vitae of the said nominees be referred to the Committee on Appointments for vetting and reporting to the House within 14 days (by 14<sup>th</sup> May, 2013).

### **Committee meetings**

The Committee held thirteen Sittings during which the said sixteen (16) nominees appeared before the Committee on Appointments and were vetted in accordance with the Public Appointments (Parliamentary Approval) Act No. 33 of 2011 for appointment as Cabinet Secretaries.

On behalf of the Committee on Appointment, I have the honour and pleasure to present the Committee's Report on the nominees for appointment as Cabinet Secretaries. May I take this opportunity to thank all Members of the Committee for their input and valuable contributions during the deliberations and vetting of the Cabinet Secretaries.

**Thank you.**



Signed .....  .....

Hon. Justin B. Muturi, MP  
Speaker of the National Assembly/Chairperson  
Committee on Appointments

Date ..... 14<sup>th</sup> May, 2013. ....

## **2.0 BACKGROUND**

### **2.1 ESTABLISHMENT OF THE COMMITTEE ON APPOINTMENTS**

The Committee on Appointments is one of the Select Committees established under Standing Order No. 204(4) with the mandate to consider for approval by the House, appointments of Cabinet Secretaries under Article 152(2) of the Constitution. The said Article requires H.E. the President to nominate and with the approval of the National Assembly, appoint Cabinet Secretaries. Section 7(10) of the Public Appointments (Parliamentary Approval) Act 2011, *provides that, where the nomination of a candidate is rejected by Parliament, the appointing authority may submit to the relevant House the name of another candidate, and the procedure for approval specified in this Act shall apply accordingly.*

### **2.2 APPOINTMENT PROCESS OF THE CABINET SECRETARIES NOMINEES**

- (i) Pursuant to Article 152(2) of the Constitution, H.E. the President, through the Secretary to the Cabinet and Head of Public Service forwarded to the Clerk of the National Assembly, the names of the sixteen (16) nominees vide a letter dated 30<sup>th</sup> April, 2013 for vetting by the Committee on Appointments and consideration for approval by the National Assembly for appointment as Cabinet Secretaries.
- (ii) On 30<sup>th</sup> April, 2013, the Honourable Speaker in a communication to the House, informed the House that the Clerk of the National had received the names of the said sixteen (16) nominees and directed that the names and Curriculum Vitae of the said nominees be referred to the Committee on Appointments for vetting and reporting to the House within 14 days .
- (iii) The public was expected to participate in the vetting process through submission of memoranda (affidavit) on the suitability or otherwise of the nominees. On Wednesday 1<sup>st</sup> May, 2013, the Clerk of the National Assembly placed an advertisement in the

print media inviting the public to submit memoranda by 7<sup>th</sup> May, 2013 on the suitability or otherwise of the said sixteen (16) nominees pursuant to Section 6(9) of the Public Appointments (Parliamentary Approval) Act 2011. As a result, several memoranda were received from the public with some commending the nominees while others raised objection on the nomination of the following seven (7) nominees:-

- 1) Prof. Jacob Kaimenyi
- 2) Eng. M. S. M. Kamau
- 3) Dr. Fred Okengo Matiangi
- 4) Mr. Davis Chirchir
- 5) Hon. Charity Ngilu
- 6) Hon. Najib Balala
- 7) Mrs. Phyllis Jepkosgei Kippingor-Kandie

(iv) The Committee resolved that the following institutions should provide a status report on the sixteen (16) nominees. The Clerk of the National Assembly wrote to the said institutions to submit the information by 6<sup>th</sup> May, 2013 (*Annex 1*):-

- Ethics and Anti-Corruption Commission
- Kenya Revenue Authority (KRA)
- Higher Education Loans Board (HELB)

In response, HELB confirmed vide a letter dated 6<sup>th</sup> May 2013 that, nine (9) out of the sixteen (16) nominees who had benefited from the Loans Scheme, had cleared their loans. KRA also responded on 8<sup>th</sup> May 2013, confirming that all the sixteen (16) nominees were tax compliant. However, Ethics and Anti-Corruption Commission responded on 7<sup>th</sup> May 2013, stating that the Commission could not avail the information sought within the set deadline (*Annex 2*).



### **3.0 VETTING OF THE CABINET SECRETARIES NOMINEES**

In conducting the vetting process, the Committee on Appointments examined the nominees against the following criteria, amongst others, in accordance with the Public Appointments (Parliamentary Approval) Act No. 33 of 2011.

- (i) Academic qualifications
- (ii) Employment record
- (iii) Professional affiliations
- (iv) Potential conflict of interest
- (v) Knowledge of the relevant subject
- (vi) Overall suitability for the position
- (vii) Tax compliance
- (viii) Integrity

During its Sittings held from Thursday 9<sup>th</sup> to Saturday 11<sup>th</sup> May, 2013, at Kenya International Conference Centre (KICC), the Committee orally interviewed the sixteen (16) nominees for appointment as Cabinet Secretaries. The Minutes and Hansard record of the vetting proceedings are attached (*Annex 2 & 4*).

#### **3.1 MS. ANNE WAIGURU - CABINET SECRETARY NOMINEE FOR THE MINISTRY OF DEVOLUTION AND PLANNING -**

Ms Anne Waiguru appeared before the Committee on Thursday 9<sup>th</sup> May, 2013 and was informed by the Chairperson that despite inviting memoranda from the public, on her suitability or otherwise for appointment to public office, none was received. She stated to the Committee that:-

- (i) Devolution is not a choice but is a constitutional requirement and as a Cabinet Secretary for Devolution and Planning, her role would be to facilitate the County governments by ensuring that systems are put in place to avoid devolving corruption while the Legislative Assembly would also play its oversight role.

- (ii) The Transition Authority is mandated by law to ensure that they facilitate the devolvement of the functions to the Counties by ensuring that counties are adequately capacitated. Her role as a Cabinet Secretary would be to facilitate the institutions to ensure that they devolve their operations in accordance with the Constitution.
- (iii) The priorities and implementation of programmes of the Ministry will require public participation and laws have been enacted to provide a framework to facilitate interaction between the Central Government and County governments. In addition, the Ministry will be supporting the Summit to ensure that issues raised by the County Governors are followed-up and disputes are resolved to ensure the County governments are successful. The Council of Governors and its Technical Committee would also include a representative from the Ministry.
- (iv) Her role as a Cabinet Secretary will be facilitative and providing a platform for dialogue with other arms of the Central Government and other institutions like the Commission on Revenue allocation which does resource allocation, to ensure that the challenges faced at County level are addressed with the overall focus of ensuring that devolution is a success.
- (v) Vision 2030 First Medium Term Plan (MTP) has come to an end and the Ministry is in the process of developing the Second Medium Term Plan. As a Cabinet Secretary, her role would be to ensure that issues of devolution are integrated and mainstreamed so that there is linkage between planning and cascading integrated planning to the devolved County governments.
- (vi) The County governments have the responsibility to prepare their budgets but within the National Plan based on integrated planning process to ensure that the whole country is moving in one direction in terms of economic growth priorities and development.

- (vii) Planning department of the Ministry will be responsible for the overall plans for economic, social and political development of the country. Her role would be to ensure that issues of the marginalized and vulnerable are factored in those plans. The issues of the youth and women will be mainstreamed and factored in the Medium Term Plan with a view to empowering them through allocations of projects and tenders.
- (viii) The Constitution and law provides a framework for the private sector participation both at the Central Government and County level in the budget making process through consultation with regard to making the sectoral budgets. The Ministry will also provide a forum for inter-county relations and the private sector participation.
- (ix) She expects the Ministry within five years to mainstream the aspects of devolution in all planning aspects of the country where functions in terms of devolution are upheld at the national level and the same is facilitated at the county level.

3.2 **AMB. RAYCHELLE OMAMO - CABINET SECRETARY NOMINEE FOR THE MINISTRY OF DEFENCE**

Amb. Raychelle Omamo appeared before the Committee on Thursday 9<sup>th</sup> May, 2013 and was informed by the Chairperson that despite inviting memoranda from the public, on her suitability or otherwise for appointment to public office, none was received. She stated to the Committee that:-

- (i) Kenya's disengagement from Somali will depend on a collective decision of the AMISOM since the Kenya Defence Forces are under AMISOM but it will also depend on issues regarding assessment of the success of the mission and how far the country's strategic objectives have been satisfied.
- (ii) Securing our seas is a matter that involves not only Kenya, but many other military neighbouring forces that are trying to secure



the Somali Basin and Gulf of Eden in controlling piracy. Those efforts have borne fruit since the high point of piracy in 2008 and recent statistics show that piracy has come down by almost 80 per cent. All these require co-operation, diplomacy and military intervention at different levels.

- (iii) Cross border cattle rustling can be dealt with within the context of the East African Community defence protocol. Disengaging and sending refugees back to Somalia instantaneously is not easy because the international humanitarian law must be taken into account. Therefore, there is need to continue assisting Somalia to stabilize itself to enable the citizens to return home so that they can feel safe and secure to participate in nation building.
- (iv) There is need to increase disaster response and disaster management generally within the country, especially now that devolution is taking place and one of the functions of the Kenya Defence Forces is to provide civilian aid in moments of disaster and crises of that nature. The Defence is seized of the ongoing co-operation in the East African Community to improve disaster preparedness and crisis management within the defence forces in the region.
- (v) The border dispute regarding Migingo Island would be resolved by ascertaining facts on the correct boundary in line with international law and the boundary within our own laws. As a Cabinet Secretary, she would consider whether to escalate aggression or dialogue on this matter as disputes of this kind can be resolved within the East African Cooperation or within the African Union (AU) failure to which, it be resolved through international mediation and the International Court of Justice (ICJ). However, the Republic of Uganda being a friendly nation, we can engage in a fruitful dialogue.

- (vi) There is need to have a very strong and proactive Defence Policy to review policies periodically taking into account shifts in strategy and our own assessment of what we believe are our national security threats. Within the context of the Defence Council, policy formulation is a critical role for the Council which will be chaired by the Cabinet Secretary.
- (vii) The Ministry has both military and civilian component and the job of the Cabinet Secretary of Defence would be to facilitate a harmonious engagement between these two components. Being a disciplined force with chain of command, she would deal with the Generals professionally and ensure fruitful discussions with them on their duties.
- (viii) The Defence Forces are subject to the Public Procurement and Disposal Act and hence procurement must be transparent and competitive as possible. In the Constitution, there are limitations on access to information with regard to the Defence Forces but that should not prevent compliance with the Public Procurement and Disposal Act.

### 3.3 **AMB. AMINA MOHAMMED- CABINET SECRETARY NOMINEE FOR THE MINISTRY OF FOREIGN AFFAIRS**

Amb. Amina Mohammed appeared before the Committee on Thursday 9<sup>th</sup> May, 2013 and was informed by the Chairperson that despite inviting memoranda from the public, on her suitability or otherwise for appointment to public office, none was received. She stated to the Committee that:-

- (i) The Ministry of Foreign Affairs has developed a Foreign Policy Paper which is ready for implementation and will be submitted to the Cabinet as soon as the Cabinet is in place. The Policy is necessary because the world has changed and become more complex and there is need for a framework as a reference point because the Foreign policy is actually a reflection of a country's

domestic policy. The Ministry has also developed a Diaspora Policy Paper that is ready for adoption.

- (ii) The trade officers have been reporting to the Permanent Secretary, Ministry of Trade as the first reporting officer and to the Ambassador as the second reporting officer in the Missions or Embassies. Her opinion is that there are stations where the recruitment of nationals of those countries served our interests much better, was more cost effective and more efficient than having trade Officers posted.
- (iii) The appointment of Ambassadors and posting of diplomats should be on merit even for political appointments. Reason being that, a diplomat or an Ambassador being sent to a region where the country has major economic interests, should have an understanding of those interests in order to be effective. Therefore, there is need for balance between political appointments and professional diplomats.
- (iv) There is need to have a prescribed time-frame for diplomats posted abroad and this should be included in the foreign policy document to enable the officers to know when they are expected back to the Headquarters after expiry of the service term.
- (v) There are 50 Embassies and High Commissions, and two consulates which is adequate. However, opening of Missions should be determined and based on the country's economic interests and not just on political interests, As a Cabinet Secretary, she would recommend the closure of the Mission in Dublin despite having been part of the team that set it up in 2006 because Ireland was doing very well then economically and there were a lot of benefits that were expected for the country. However, this has not been realized.

- (vi) There is need to suspend the migration of domestic workers to Saudi Arabia until a framework to ensure their safety is in place due to the concerns regarding their mistreatment. The Ministry is also working on a dispute settlement mechanism to make sure that disputes are resolved quickly and adequately with full compensation as is the practice in other countries.

3.4 **PROF. JACOB KAIMENYI - CABINET SECRETARY NOMINEE FOR THE MINISTRY OF EDUCATION, SCIENCE & TECHNOLOGY**

1. Prof. Jacob Kaimenyi appeared before the Committee on Thursday 9 May, 2013 and was informed by the Chairperson that in line with the provisions of the Public Appointments (Parliamentary Approval) Act, 2011, the Committee invited submissions from the public on the suitability or otherwise of nominees for positions of Cabinet Secretary. On 7th May 2013, an affidavit was received from Anthony Kenneth Mutiria Mwangi contesting his suitability to hold public office on the following grounds;-
  - (i) Prof. Kaimenyi chaired a Preliminary Inquiry Committee (PIC) meeting of the Medical Practitioners and Dentists Board looking into complaints by the above mentioned on the death of his wife under unclear circumstances at Kiria.-ini Mission Hospital in Mathioya District
  - (ii) Prof. Kaimenyi while chairing the meeting considering the complaint, allegedly violated the human rights of the complainant by denying him his fundamental right of freedom to be heard and protection that he sought from the Medical board;
  - (iii) Prof. Kaimenyi declared that the doctor and the institution were not guilty of professional negligence.
  - (iv) Prof. Kaimenyi is insensitive, arrogant, conservative, corrupt and unjust.

2. Prof. Jacob Kaimenyi in reply to allegations in the affidavit informed the Committee that:-

- (i) The decision declaring that there was no professional negligence on the part of Dr. Kiiri and the Medical Institution (Kaira-ini Mission Hospital) with regard to the maternal death of Charity Mugune, wife to Mr. Anthony Kenneth Mwangi (complainant) was unanimously made by the Preliminary Inquiry Committee (PIC) and not him as an individual;
- (ii) He was elected Chair of the Preliminary Inquiry Committee (PIC), due to the absence of the Chairman of the Medical Practitioners and Dentists Board;
- (iii) The Petition is on his conduct and participation in the PIC during its seating of 9<sup>th</sup> December 2011;
- (iv) Deliberations of PIC are handled by all members present and the findings and recommendations of the meeting are transmitted to the full Board where they are deliberated upon;
- (v) The Petitioner appeared for the PIC meeting on 9<sup>th</sup> December 2011;
- (vi) PIC undertook the inquiry into the matter brought by Mr. Anthony Mutiria Mwangi and made unanimous recommendations;
- (vii) As the Chairman he had no powers to interfere with the decisions of the Committee;
- (viii) The Medical Practitioners and Dentists Board considered the report of PIC on 27<sup>th</sup> January 2012 and adopted them;
- (ix) The recommendations of the Board were communicated to the petitioners by the Registrar of the Board;
- (x) He undertook his duties as Chairman of PIC without favour or prejudice.

3. Prof. Kaimenyi stated to the Committee that:-

- (i) Provision of free and compulsory education is now a constitutional matter and therefore the government has no choice but to provide the same. Inequality is still critical and part of the flagship projects, is to build boarding schools to address the issue of migration specially in arid and semi-arid areas so that the parents can move but the children can be left behind to study. Therefore, unless and until the issue of infrastructure is addressed in some areas, there will be still problems of inequality.
- (ii) There is inequity in terms of exposure in national examinations and that is why we should be very sensitive in the way teachers are distributed in the entire nation so that there are no disparities.
- (iii) Some universities operate in unsuitable environment, some in premises where other businesses are run. This is because Quality Assurance Agents are not strict. It should be stated that a university must have certain amount of space and the ratio of students to computers be specified and rules should be adhered to.
- (iv) Students at the University of Nairobi are not expelled for participating in strikes since that is their constitutional right. However, they can be expelled for examination irregularities such as cheating. Caning in schools is a very controversial matter because children have died after being caned by rogue teachers and it must be dealt with cautiously.
- (v) We need to make our children interested in the Jua Kali sector so that their can appreciate that there are more opportunities beyond white collar job to encourage the culture of creativity and innovativeness in our institutions.

- (vi) Getting industry support to take the research further has been a problem and there is need to work together to encourage our industries to take up these ideas and convert them into big industries as happens all over the world.
- (vii) The issue of the drug menace is a problem world over and we must work with National Campaign Against Drug Abuse Authority (NACADA) and see what we must do to contain the menace. The so called tuck shops or *kiosks* in our institutions are the ones selling drugs and there is need to make sure that we have a system within our institution to monitor their operations.
- (viii) The issue of affirmative action in our universities is long overdue and evolving the educational sector must be in tandem with best practices to ensure competitive global education, science and technology which can only happen if we implement our policies.
- (ix) According to the Education Act, the only aspects of education that have been devolved are pre-primary while the main primary and secondary are functions of the Central Government. County Education Officers will be in charge of liaising and working closely with the Central Government to ensure that quality training is provided.
- (x) He does not anticipate that the country will lose billions of money if the laptops Programme is implemented and one way of addressing that is to ensure that the procurement process is done in accordance with the law. The Government is committed to making sure that 50% of the schools which are next to the national grid are connected with electricity



while 40% will come from other forms of energy or solar energy, so that they can utilize computer laboratories.

3.5 **MR. HENRY K. ROTICH - CABINET SECRETARY NOMINEE FOR THE NATIONAL TREASURY**

Mr. Henry K. Rotich appeared before the Committee on Thursday 9<sup>th</sup> May, 2013 and was informed by the Chairperson that despite inviting memoranda from the public, on his suitability or otherwise for appointment to public office, none was received. He stated to the Committee that:-

- (i) Interest rates is a very big issue in Kenya and for the economy to grow they should be brought down as low interest rates is critical for the private sector to drive the growth envisioned in the Vision 2030. The rates have not been as low as to stimulate investment and it would be appropriate to provide a sort of market solution to this problem.
- (ii) The key thing is to address the root cause of high interest rates in Kenya as this could be a structural problem since the cost of doing business has been high. The cost of funding is still high as our rates of savings are very low at the rate of 10 to 12 per cent of Gross Domestic Product (GDP), which really means that there is a big mismatch with the investments needed to grow the economy to higher levels.
- (iii) The cost structure of the banks is still quite high and there is need to engage them to bring down their cost of funding so that the cost of interest rates can come down. As a cabinet Secretary, he intends to engage banks to do more, including sharing infrastructure to bring down their costs so that they can also lower rates in tandem with the Central Bank.
- (iv) As a Cabinet Secretary he would look at the issue of the youth and women funds more critically in order to address issues of accessibility at the local level. The delivery mechanism is still not



very robust and the SACCO framework is being considered as a delivery model because they have been successful on the ground.

- (v) Both Treasury and the Commission on Revenue Allocation (CRA) have different estimates on devolved funds and discussions are ongoing to harmonize the same and going forward, the National Treasury will be more proactive in engaging these new independent Commissions, which are also playing a role in public financial management to avoid having many differences in the estimates before presentation to the National Assembly for approval.
- (vi) The Constitution provides the National Treasury to table a memorandum showing deviations in estimates between the recommendation from the CRA and the National Treasury.
- (vii) Reforms on tax policies and legislation are ongoing and the Value Added Tax (VAT) Bill is pending before the National Assembly as part of the reforms to improve revenue collection. The Income Tax, the Excise Tax and other customs duties are being reviewed as part of the reforms to improve revenue collection with a view to having one unified simple procedure code.
- (viii) Kenya Revenue Authority (KRA) is underfunded in terms of administration and the amount given to raise the revenue. Currently the law provides for funding up to 2% but KRA has been receiving between 1.5% and 1.6%. As Cabinet Secretary, he would keep it at 2% to enable the KRA to undertake and deliver on their mandate. KRA is automating its services to avoid the long queue.
- (ix) The equalization Fund is in place at 0.5% to address the issue of the skewed resources and inequalities in the past. This will be growing with time as the revenue grows and it is estimated that in the current budget, about Kshs 3.4 billion will go to the Equalization Fund so as to address the inequalities.



PARLIAMENT OF KENYA

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NATIONAL ASSEMBLY

ELEVENTH PARLIAMENT - FIRST SESSION

**FIRST REPORT**  
OF THE  
COMMITTEE ON APPOINTMENTS  
ON

THE VETTING OF THE CABINET  
SECRETARIES NOMINEES

14<sup>TH</sup> MAY, 2013

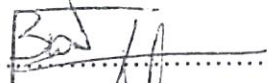

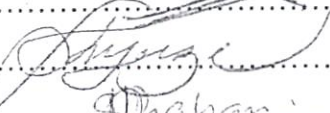
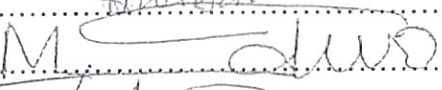
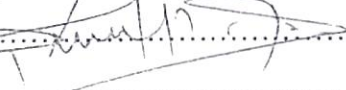

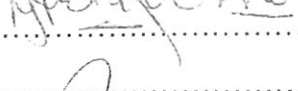

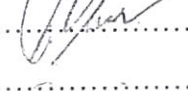
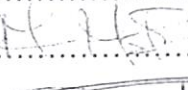
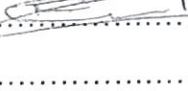



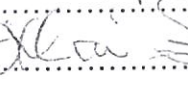
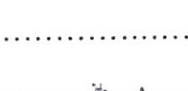


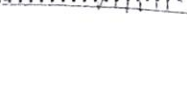


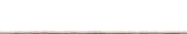
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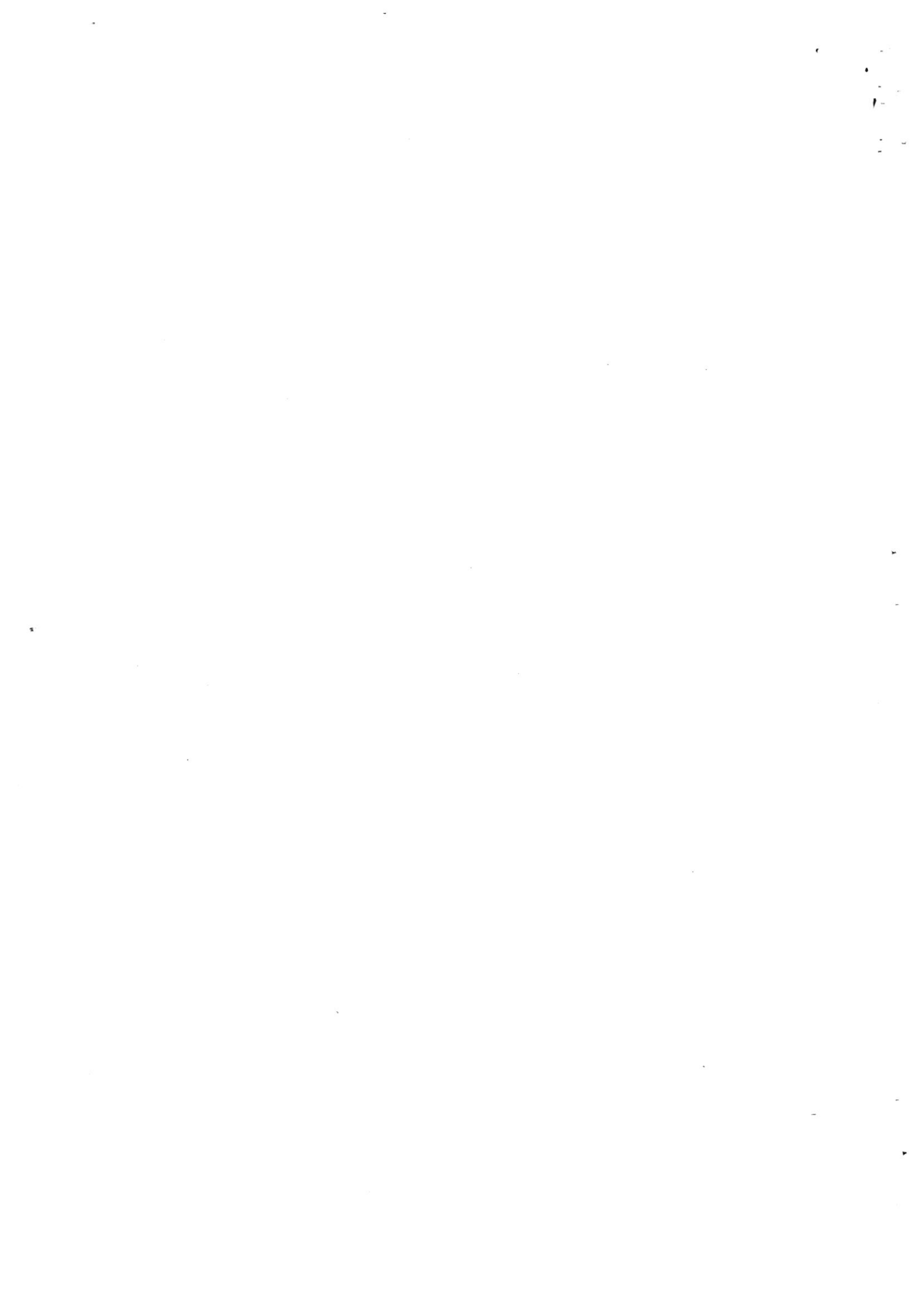
The recommendations contained in this report were arrived at unanimously by Members as attested by the affixed signatures:

NAME

SIGNATURE

1. Hon. Justin B. Muturi, MP
2. Hon. (Dr) Joyce Laboso, MP
3. Hon. Aden Duale, MP
4. Hon. Francis Nyenze, MP
5. Hon. Naomi Shaban, MP
6. Hon. Jakoyo Midiwo, MP
7. Hon. Jackson Kiptanui, MP
8. Hon. Issac Ali Shaban, MP
9. Hon. Roselinda Soipan, MP
10. Hon. Katoo Ole Metito, MP
11. Hon. Jamleck Kamau, MP
12. Hon. Amina Abdallah, MP
13. Hon. Gideon Konchellah, MP
14. Hon. Cecily Mbarire, MP
15. Hon. Moses Cheboi, MP
16. Hon. Nelson Gaichuhie, MP
17. Hon. Boniface Gatobu, MP
18. Hon. David Wafula, MP
19. Hon. Esther Murugi, MP
20. Hon. Ibrahim Sane, MP
21. Hon. Mishi Juma Khamis, MP
22. Hon. Manson Nyamweya, MP
23. Hon. Maj.Gen. (Rtd) Joseph Nkaissery, MP
24. Hon. Abass Ahmed Ibrahim, MP
25. Hon. Chrisantus Wamalwa Wakhungu, MP
26. Hon. Maj. (Rtd) Marcus Muluvi Mutua, MP
27. Hon. Stephen Mutinda Mule, MP
28. Hon. Ken Obura, MP

## **1.0 PREFACE**

On behalf of the Members of the Committee on Appointments and pursuant to the provisions of Standing Order No. 191, it is my pleasure and duty to present to the House, the Committee's Report on the vetting of the Cabinet Secretaries nominees.

### **Committee Membership**

The Committee on Appointments was constituted by the House on Tuesday 23<sup>rd</sup> April, 2013 comprising of the following Members:-

1. Hon. Justin Muturi, MP – Speaker of the National Assembly
2. Hon. (Dr.) Joyce Laboso, MP – Deputy Speaker
3. Hon. Aden Duale, MP – Leader of the Majority Party/Chairperson
4. Hon. Francis Nyenze, MP- Leader of the Minority Party
5. Hon. Naomi Shaban, MP - Deputy Leader of the Majority Party
6. Hon. Jakoyo Midiwo, MP - Deputy Leader of the Minority Party
7. Hon. Jackon Kiptanui, MP
8. Hon. Isaac Ali Shaban, MP
9. Hon. Reselinda Soipan, MP
10. Hon. Katoo Ole Metitio, MP
11. Hon. Jamleck Kamau, MP
12. Hon Amina Abdalla, MP
13. Hon. Gideon Konchella, MP
14. Hon. Cecily Mbarire, MP
15. Hon. Moses Cheboi, MP
16. Hon. Nelson Gaichuhie, MP
17. Hon. Boniface Gatobu, MP
18. Hon. David Wafula, MP
19. Hon. Esther Murugi, MP
20. Hon. Ibrahim Sane, MP
21. Hon. Ken Obura, MP

22. Hon. Mishi Juma Khamis, MP
23. Hon. Manson Nyamweya, MP
24. Hon. Maj. Gen. (Rtd) Joseph Nkaissey, MP
25. Hon. Abass Ahmed Ibrahim, MP
26. Hon. Chris Wamalwa Wakhungu, MP
27. Hon. Maj. (Rtd) Marcus Muluvi Mutua, MP
28. Hon. Stephen Mutinda Mule, MP

### **Committee mandate**

The Committee on Appointments is one of the Select Committees established under Standing Order No. 204 (4) which provides that, *the Committee on Appointments shall consider, for approval by the House, appointments under Article (152(2) of the Constitution (Cabinet Secretaries) .*

### **Nomination of the Cabinet Secretaries**

Pursuant to Article 152(2) of the Constitution, H.E. the President, through the Secretary to the Cabinet and Head of Public Service forwarded to the Clerk of the National Assembly, the names of the following sixteen (16) nominees vide a letter dated 30<sup>th</sup> April, 2013 for vetting by the Committee on Appointments and consideration for approval by the National Assembly for appointment as Cabinet Secretaries:-

	<b>Nominee</b>	<b>Ministry</b>
1.	Ms. Anne Waiguru	Devolution & Planning
2.	Amb. Raychelle Omamo	Defence
3.	Amb. Amina Mohammed	Foreign Affairs
4.	Prof. Jacob Kaimenyi	Education, Science & Technology
5.	Mr. Henry K. Rotich	The National Treasury
6.	Mr. James Wainaina Machaira	Health

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### APPENDICES

- (i) **Appendix (1) -Correspondence**  
(KRA, HELB, Ethics & Anti-Corruption Commission)
- (ii) **Appendix (2)**  
Minutes
- (iii) **Appendix (3) – Curriculum Vitae**





7.	Eng. M. S. Kamau	Transport & Infrastructure
8.	Prof. Judi Wangalwa Wakhungu	Environment, Water & Mineral Resources
9.	Hon. Charity Ngilu	Land, Housing & Urban Development
10.	Dr. Fred Okengo Matiangi	Information, Communication and Technology
11.	Dr. Hassan Wario Arero	Sports, Culture and Arts
12.	Mr. Davis Chirchir	Energy & Petroleum
13.	Mr. Felix Kiptarus Koskei	Agriculture, Livestock and Fisheries
14.	Mr. Adan Abdulla Mohammed	Industrialization & Enterprise Development
15.	Mrs. Phyllis Jepkosgei Kipkingor-Kandie	East African Affairs, Commerce & Tourism
16.	Hon. Najib Balala	Mining

On Tuesday 30<sup>th</sup> April, 2013, the Honourable Speaker in a communication to the House, informed the House that the Clerk of the National had received the names of the said sixteen (16) nominees and directed that the names and Curriculum Vitae of the said nominees be referred to the Committee on Appointments for vetting and reporting to the House within 14 days (by 14<sup>th</sup> May, 2013).

### **Committee meetings**

The Committee held thirteen Sittings during which the said sixteen (16) nominees appeared before the Committee on Appointments and were vetted in accordance with the Public Appointments (Parliamentary Approval) Act No. 33 of 2011 for appointment as Cabinet Secretaries.

On behalf of the Committee on Appointment, I have the honour and pleasure to present the Committee's Report on the nominees for appointment as Cabinet Secretaries. May I take this opportunity to thank all Members of the Committee for their input and valuable contributions during the deliberations and vetting of the Cabinet Secretaries.

**Thank you.**

Signed .....  .....

Hon. Justin B. Muturi, MP  
Speaker of the National Assembly/Chairperson  
Committee on Appointments

Date ..... 14<sup>th</sup> May, 2013. ....

## **2.0 BACKGROUND**

### **2.1 ESTABLISHMENT OF THE COMMITTEE ON APPOINTMENTS**

The Committee on Appointments is one of the Select Committees established under Standing Order No. 204(4) with the mandate to consider for approval by the House, appointments of Cabinet Secretaries under Article 152(2) of the Constitution. The said Article requires H.E. the President to nominate and with the approval of the National Assembly, appoint Cabinet Secretaries. Section 7(10) of the Public Appointments (Parliamentary Approval) Act 2011, *provides that, where the nomination of a candidate is rejected by Parliament, the appointing authority may submit to the relevant House the name of another candidate, and the procedure for approval specified in this Act shall apply accordingly.*

### **2.2 APPOINTMENT PROCESS OF THE CABINET SECRETARIES NOMINEES**

- (i) Pursuant to Article 152(2) of the Constitution, H.E. the President, through the Secretary to the Cabinet and Head of Public Service forwarded to the Clerk of the National Assembly, the names of the sixteen (16) nominees vide a letter dated 30<sup>th</sup> April, 2013 for vetting by the Committee on Appointments and consideration for approval by the National Assembly for appointment as Cabinet Secretaries.
- (ii) On 30<sup>th</sup> April, 2013, the Honourable Speaker in a communication to the House, informed the House that the Clerk of the National had received the names of the said sixteen (16) nominees and directed that the names and Curriculum Vitae of the said nominees be referred to the Committee on Appointments for vetting and reporting to the House within 14 days .
- (iii) The public was expected to participate in the vetting process through submission of memoranda (affidavit) on the suitability or otherwise of the nominees. On Wednesday 1<sup>st</sup> May, 2013, the Clerk of the National Assembly placed an advertisement in the

print media inviting the public to submit memoranda by 7<sup>th</sup> May, 2013 on the suitability or otherwise of the said sixteen (16) nominees pursuant to Section 6(9) of the Public Appointments (Parliamentary Approval) Act 2011. As a result, several memoranda were received from the public with some commending the nominees while others raised objection on the nomination of the following seven (7) nominees:-

- 1) Prof. Jacob Kaimenyi
- 2) Eng. M. S. M. Kamau
- 3) Dr. Fred Okengo Matiangi
- 4) Mr. Davis Chirchir
- 5) Hon. Charity Ngilu
- 6) Hon. Najib Balala
- 7) Mrs. Phyllis Jepkosgei Kippingor-Kandie

(iv) The Committee resolved that the following institutions should provide a status report on the sixteen (16) nominees. The Clerk of the National Assembly wrote to the said institutions to submit the information by 6<sup>th</sup> May, 2013 (*Annex 1*):-

- Ethics and Anti-Corruption Commission
- Kenya Revenue Authority (KRA)
- Higher Education Loans Board (HELB)

In response, HELB confirmed vide a letter dated 6<sup>th</sup> May 2013 that, nine (9) out of the sixteen (16) nominees who had benefited from the Loans Scheme, had cleared their loans. KRA also responded on 8<sup>th</sup> May 2013, confirming that all the sixteen (16) nominees were tax compliant. However, Ethics and Anti-Corruption Commission responded on 7<sup>th</sup> May 2013, stating that the Commission could not avail the information sought within the set deadline (*Annex 2*).

### **3.0 VETTING OF THE CABINET SECRETARIES NOMINEES**

In conducting the vetting process, the Committee on Appointments examined the nominees against the following criteria, amongst others, in accordance with the Public Appointments (Parliamentary Approval) Act No. 33 of 2011.

- (i) Academic qualifications
- (ii) Employment record
- (iii) Professional affiliations
- (iv) Potential conflict of interest
- (v) Knowledge of the relevant subject
- (vi) Overall suitability for the position
- (vii) Tax compliance
- (viii) Integrity

During its Sittings held from Thursday 9<sup>th</sup> to Saturday 11<sup>th</sup> May, 2013, at Kenya International Conference Centre (KICC), the Committee orally interviewed the sixteen (16) nominees for appointment as Cabinet Secretaries. The Minutes and Hansard record of the vetting proceedings are attached (*Annex 2 & 4*).

#### **3.1 MS. ANNE WAIGURU - CABINET SECRETARY NOMINEE FOR THE MINISTRY OF DEVOLUTION AND PLANNING -**

Ms Anne Waiguru appeared before the Committee on Thursday 9<sup>th</sup> May, 2013 and was informed by the Chairperson that despite inviting memoranda from the public, on her suitability or otherwise for appointment to public office, none was received. She stated to the Committee that:-

- (i) Devolution is not a choice but is a constitutional requirement and as a Cabinet Secretary for Devolution and Planning, her role would be to facilitate the County governments by ensuring that systems are put in place to avoid devolving corruption while the Legislative Assembly would also play its oversight role.

- (ii) The Transition Authority is mandated by law to ensure that they facilitate the devolvement of the functions to the Counties by ensuring that counties are adequately capacitated. Her role as a Cabinet Secretary would be to facilitate the institutions to ensure that they devolve their operations in accordance with the Constitution.
- (iii) The priorities and implementation of programmes of the Ministry will require public participation and laws have been enacted to provide a framework to facilitate interaction between the Central Government and County governments. In addition, the Ministry will be supporting the Summit to ensure that issues raised by the County Governors are followed-up and disputes are resolved to ensure the County governments are successful. The Council of Governors and its Technical Committee would also include a representative from the Ministry.
- (iv) Her role as a Cabinet Secretary will be facilitative and providing a platform for dialogue with other arms of the Central Government and other institutions like the Commission on Revenue allocation which does resource allocation, to ensure that the challenges faced at County level are addressed with the overall focus of ensuring that devolution is a success.
- (v) Vision 2030 First Medium Term Plan (MTP) has come to an end and the Ministry is in the process of developing the Second Medium Term Plan. As a Cabinet Secretary, her role would be to ensure that issues of devolution are integrated and mainstreamed so that there is linkage between planning and cascading integrated planning to the devolved County governments.
- (vi) The County governments have the responsibility to prepare their budgets but within the National Plan based on integrated planning process to ensure that the whole country is moving in one direction in terms of economic growth priorities and development.

- (vii) Planning department of the Ministry will be responsible for the overall plans for economic, social and political development of the country. Her role would be to ensure that issues of the marginalized and vulnerable are factored in those plans. The issues of the youth and women will be mainstreamed and factored in the Medium Term Plan with a view to empowering them through allocations of projects and tenders.
- (viii) The Constitution and law provides a framework for the private sector participation both at the Central Government and County level in the budget making process through consultation with regard to making the sectoral budgets. The Ministry will also provide a forum for inter-county relations and the private sector participation.
- (ix) She expects the Ministry within five years to mainstream the aspects of devolution in all planning aspects of the country where functions in terms of devolution are upheld at the national level and the same is facilitated at the county level.

3.2 **AMB. RAYCHELLE OMAMO - CABINET SECRETARY NOMINEE FOR THE MINISTRY OF DEFENCE**

Amb. Raychelle Omamo appeared before the Committee on Thursday 9<sup>th</sup> May, 2013 and was informed by the Chairperson that despite inviting memoranda from the public, on her suitability or otherwise for appointment to public office, none was received. She stated to the Committee that:-

- (i) Kenya's disengagement from Somali will depend on a collective decision of the AMISOM since the Kenya Defence Forces are under AMISOM but it will also depend on issues regarding assessment of the success of the mission and how far the country's strategic objectives have been satisfied.
- (ii) Securing our seas is a matter that involves not only Kenya, but many other military neighbouring forces that are trying to secure

the Somali Basin and Gulf of Eden in controlling piracy. Those efforts have borne fruit since the high point of piracy in 2008 and recent statistics show that piracy has come down by almost 80 per cent. All these require co-operation, diplomacy and military intervention at different levels.

- (iii) Cross border cattle rustling can be dealt with within the context of the East African Community defence protocol. Disengaging and sending refugees back to Somalia instantaneously is not easy because the international humanitarian law must be taken into account. Therefore, there is need to continue assisting Somalia to stabilize itself to enable the citizens to return home so that they can feel safe and secure to participate in nation building.
- (iv) There is need to increase disaster response and disaster management generally within the country, especially now that devolution is taking place and one of the functions of the Kenya Defence Forces is to provide civilian aid in moments of disaster and crises of that nature. The Defence is seized of the ongoing co-operation in the East African Community to improve disaster preparedness and crisis management within the defence forces in the region.
- (v) The border dispute regarding Migingo Island would be resolved by ascertaining facts on the correct boundary in line with international law and the boundary within our own laws. As a Cabinet Secretary, she would consider whether to escalate aggression or dialogue on this matter as disputes of this kind can be resolved within the East African Cooperation or within the African Union (AU) failure to which, it be resolved through international mediation and the International Court of Justice (ICJ). However, the Republic of Uganda being a friendly nation, we can engage in a fruitful dialogue.



- (vi) There is need to have a very strong and proactive Defence Policy to review policies periodically taking into account shifts in strategy and our own assessment of what we believe are our national security threats. Within the context of the Defence Council, policy formulation is a critical role for the Council which will be chaired by the Cabinet Secretary.
- (vii) The Ministry has both military and civilian component and the job of the Cabinet Secretary of Defence would be to facilitate a harmonious engagement between these two components. Being a disciplined force with chain of command, she would deal with the Generals professionally and ensure fruitful discussions with them on their duties.
- (viii) The Defence Forces are subject to the Public Procurement and Disposal Act and hence procurement must be transparent and competitive as possible. In the Constitution, there are limitations on access to information with regard to the Defence Forces but that should not prevent compliance with the Public Procurement and Disposal Act.

3.3 **AMB. AMINA MOHAMMED- CABINET SECRETARY NOMINEE FOR THE MINISTRY OF FOREIGN AFFAIRS**

Amb. Amina Mohammed appeared before the Committee on Thursday 9<sup>th</sup> May, 2013 and was informed by the Chairperson that despite inviting memoranda from the public, on her suitability or otherwise for appointment to public office, none was received. She stated to the Committee that:-

- (i) The Ministry of Foreign Affairs has developed a Foreign Policy Paper which is ready for implementation and will be submitted to the Cabinet as soon as the Cabinet is in place. The Policy is necessary because the world has changed and become more complex and there is need for a framework as a reference point because the Foreign policy is actually a reflection of a country's

domestic policy. The Ministry has also developed a Diaspora Policy Paper that is ready for adoption.

- (ii) The trade officers have been reporting to the Permanent Secretary, Ministry of Trade as the first reporting officer and to the Ambassador as the second reporting officer in the Missions or Embassies. Her opinion is that there are stations where the recruitment of nationals of those countries served our interests much better, was more cost effective and more efficient than having trade Officers posted.
- (iii) The appointment of Ambassadors and posting of diplomats should be on merit even for political appointments. Reason being that, a diplomat or an Ambassador being sent to a region where the country has major economic interests, should have an understanding of those interests in order to be effective. Therefore, there is need for balance between political appointments and professional diplomats.
- (iv) There is need to have a prescribed time-frame for diplomats posted abroad and this should be included in the foreign policy document to enable the officers to know when they are expected back to the Headquarters after expiry of the service term.
- (v) There are 50 Embassies and High Commissions, and two consulates which is adequate. However, opening of Missions should be determined and based on the country's economic interests and not just on political interests, As a Cabinet Secretary, she would recommend the closure of the Mission in Dublin despite having been part of the team that set it up in 2006 because Ireland was doing very well then economically and there were a lot of benefits that were expected for the country. However, this has not been realized.

- (vi) There is need to suspend the migration of domestic workers to Saudi Arabia until a framework to ensure their safety is in place due to the concerns regarding their mistreatment. The Ministry is also working on a dispute settlement mechanism to make sure that disputes are resolved quickly and adequately with full compensation as is the practice in other countries.

3.4 **PROF. JACOB KAIMENYI - CABINET SECRETARY NOMINEE FOR THE MINISTRY OF EDUCATION, SCIENCE & TECHNOLOGY**

1. Prof. Jacob Kaimenyi appeared before the Committee on Thursday 9 May, 2013 and was informed by the Chairperson that in line with the provisions of the Public Appointments (Parliamentary Approval) Act, 2011, the Committee invited submissions from the public on the suitability or otherwise of nominees for positions of Cabinet Secretary. On 7th May 2013, an affidavit was received from Anthony Kenneth Mutiria Mwangi contesting his suitability to hold public office on the following grounds;-
  - (i) Prof. Kaimenyi chaired a Preliminary Inquiry Committee (PIC) meeting of the Medical Practitioners and Dentists Board looking into complaints by the above mentioned on the death of his wife under unclear circumstances at Kiria.-ini Mission Hospital in Mathioya District
  - (ii) Prof. Kaimenyi while chairing the meeting considering the complaint, allegedly violated the human rights of the complainant by denying him his fundamental right of freedom to be heard and protection that he sought from the Medical board;
  - (iii) Prof. Kaimenyi declared that the doctor and the institution were not guilty of professional negligence.
  - (iv) Prof. Kaimenyi is insensitive, arrogant, conservative, corrupt and unjust.

2. Prof. Jacob Kaimenyi in reply to allegations in the affidavit informed the Committee that:-

- (i) The decision declaring that there was no professional negligence on the part of Dr. Kiiri and the Medical Institution (Kaira-ini Mission Hospital) with regard to the maternal death of Charity Mugune, wife to Mr. Anthony Kenneth Mwangi (complainant) was unanimously made by the Preliminary Inquiry Committee (PIC) and not him as an individual;
- (ii) He was elected Chair of the Preliminary Inquiry Committee (PIC), due to the absence of the Chairman of the Medical Practitioners and Dentists Board;
- (iii) The Petition is on his conduct and participation in the PIC during its seating of 9<sup>th</sup> December 2011;
- (iv) Deliberations of PIC are handled by all members present and the findings and recommendations of the meeting are transmitted to the full Board where they are deliberated upon;
- (v) The Petitioner appeared for the PIC meeting on 9<sup>th</sup> December 2011;
- (vi) PIC undertook the inquiry into the matter brought by Mr. Anthony Mutiria Mwangi and made unanimous recommendations;
- (vii) As the Chairman he had no powers to interfere with the decisions of the Committee;
- (viii) The Medical Practitioners and Dentists Board considered the report of PIC on 27<sup>th</sup> January 2012 and adopted them;
- (ix) The recommendations of the Board were communicated to the petitioners by the Registrar of the Board;
- (x) He undertook his duties as Chairman of PIC without favour or prejudice.

3. Prof. Kaimenyi stated to the Committee that:-

- (i) Provision of free and compulsory education is now a constitutional matter and therefore the government has no choice but to provide the same. Inequality is still critical and part of the flagship projects, is to build boarding schools to address the issue of migration specially in arid and semi-arid areas so that the parents can move but the children can be left behind to study. Therefore, unless and until the issue of infrastructure is addressed in some areas, there will be still problems of inequality.
- (ii) There is inequity in terms of exposure in national examinations and that is why we should be very sensitive in the way teachers are distributed in the entire nation so that there are no disparities.
- (iii) Some universities operate in unsuitable environment, some in premises where other businesses are run. This is because Quality Assurance Agents are not strict. It should be stated that a university must have certain amount of space and the ratio of students to computers be specified and rules should be adhered to.
- (iv) Students at the University of Nairobi are not expelled for participating in strikes since that is their constitutional right. However, they can be expelled for examination irregularities such as cheating. Caning in schools is a very controversial matter because children have died after being caned by rogue teachers and it must be dealt with cautiously.
- (v) We need to make our children interested in the Jua Kali sector so that their can appreciate that there are more opportunities beyond white collar job to encourage the culture of creativity and innovativeness in our institutions.

- (vi) Getting industry support to take the research further has been a problem and there is need to work together to encourage our industries to take up these ideas and convert them into big industries as happens all over the world.
- (vii) The issue of the drug menace is a problem world over and we must work with National Campaign Against Drug Abuse Authority (NACADA) and see what we must do to contain the menace. The so called tuck shops or *kiosks* in our institutions are the ones selling drugs and there is need to make sure that we have a system within our institution to monitor their operations.
- (viii) The issue of affirmative action in our universities is long overdue and evolving the educational sector must be in tandem with best practices to ensure competitive global education, science and technology which can only happen if we implement our policies.
- (ix) According to the Education Act, the only aspects of education that have been devolved are pre-primary while the main primary and secondary are functions of the Central Government. County Education Officers will be in charge of liaising and working closely with the Central Government to ensure that quality training is provided.
- (x) He does not anticipate that the country will lose billions of money if the laptops Programme is implemented and one way of addressing that is to ensure that the procurement process is done in accordance with the law. The Government is committed to making sure that 50% of the schools which are next to the national grid are connected with electricity

while 40% will come from other forms of energy or solar energy, so that they can utilize computer laboratories.

3.5 **MR. HENRY K. ROTICH - CABINET SECRETARY NOMINEE FOR THE NATIONAL TREASURY**

Mr. Henry K. Rotich appeared before the Committee on Thursday 9<sup>th</sup> May, 2013 and was informed by the Chairperson that despite inviting memoranda from the public, on his suitability or otherwise for appointment to public office, none was received. He stated to the Committee that:-

- (i) Interest rates is a very big issue in Kenya and for the economy to grow they should be brought down as low interest rates is critical for the private sector to drive the growth envisioned in the Vision 2030. The rates have not been as low as to stimulate investment and it would be appropriate to provide a sort of market solution to this problem.
- (ii) The key thing is to address the root cause of high interest rates in Kenya as this could be a structural problem since the cost of doing business has been high. The cost of funding is still high as our rates of savings are very low at the rate of 10 to 12 per cent of Gross Domestic Product (GDP), which really means that there is a big mismatch with the investments needed to grow the economy to higher levels.
- (iii) The cost structure of the banks is still quite high and there is need to engage them to bring down their cost of funding so that the cost of interest rates can come down. As a cabinet Secretary, he intends to engage banks to do more, including sharing infrastructure to bring down their costs so that they can also lower rates in tandem with the Central Bank.
- (iv) As a Cabinet Secretary he would look at the issue of the youth and women funds more critically in order to address issues of accessibility at the local level. The delivery mechanism is still not

very robust and the SACCO framework is being considered as a delivery model because they have been successful on the ground.

- (v) Both Treasury and the Commission on Revenue Allocation (CRA) have different estimates on devolved funds and discussions are ongoing to harmonize the same and going forward, the National Treasury will be more proactive in engaging these new independent Commissions, which are also playing a role in public financial management to avoid having many differences in the estimates before presentation to the National Assembly for approval.
- (vi) The Constitution provides the National Treasury to table a memorandum showing deviations in estimates between the recommendation from the CRA and the National Treasury.
- (vii) Reforms on tax policies and legislation are ongoing and the Value Added Tax (VAT) Bill is pending before the National Assembly as part of the reforms to improve revenue collection. The Income Tax, the Excise Tax and other customs duties are being reviewed as part of the reforms to improve revenue collection with a view to having one unified simple procedure code.
- (viii) Kenya Revenue Authority (KRA) is underfunded in terms of administration and the amount given to raise the revenue. Currently the law provides for funding up to 2% but KRA has been receiving between 1.5% and 1.6%. As Cabinet Secretary, he would keep it at 2% to enable the KRA to undertake and deliver on their mandate. KRA is automating its services to avoid the long queue.
- (ix) The equalization Fund is in place at 0.5% to address the issue of the skewed resources and inequalities in the past. This will be growing with time as the revenue grows and it is estimated that in the current budget, about Kshs 3.4 billion will go to the Equalization Fund so as to address the inequalities.



- (x) The issue of the wage bill really needs to be looked at *vis a vis* the resources that we have for the country. Currently, we are spending about 12 % of the Gross Domestic Product (GDP) on wages which is equivalent to about 53 % of revenues implying that we are spending more than half of our revenues now on wages.
- (xi) Therefore there is need to address the issue with a view to bringing the wage bill gradually to levels that are comparable to benchmark standards like in sub-Saharan Africa which on average, are spending about 6.5%. As a Cabinet Secretary, he would work on a wage policy with very clear objectives and principles that are already in the Constitution on the parameters that the Salaries and Remuneration Commission are looking at in terms setting the wage bills to be properly captured in the wage bill policy.
- (xii) Procurement has been a big challenge leading to underutilization of funding and the law is being overhauled with the aim of simplifying it but also not losing focus on transparency aspect that had been achieved in that law. The law is also being reviewed to allocate 30% to the youth and women to provide goods and services to the government.

3.6 **MR. JAMES WAINAINA MACHARIA - CABINET SECRETARY**  
**NOMINEE FOR THE MINISTRY OF HEALTH**

Mr. James Macharia appeared before the Committee on Friday 10<sup>th</sup> May, 2013 and was informed by the Chairperson that despite inviting memoranda from the public, on his suitability or otherwise for appointment to public office, none was received. He stated to the Committee that:-

- (i) He has been passionate about health matters for over 20 years and has got the skills, the experience and the attitude to be able to be an effective Cabinet Secretary for the Ministry of Health. The World Health Organization (WHO) provides six pillars as guidelines for an effective healthcare system which must be

managed collectively. From his background, he has overcome challenges in terms of working in different environments and managing very complex institutions and therefore he able to coordinate and ensure that resources are managed and utilized effectively.

- (ii) There is a lot of poverty and lack of adequate healthcare facilities and to have a cost-effective policy-making process, there is need to ensure that devolution in health sector is effective. The cost of having mothers to deliver in hospitals is very expensive for instance:- constituencies - Kshs 2,500; district hospitals -Kshs 5,000; Kenyatta National Hospital - Kshs20,000. Therefore, there is need to ensure that the policies devised are geared towards universal coverage which should go hand in hand with devolution to ensure the service is available and accessible to the people.
- (ii) There is need to overhaul the Ministry of Health because of certain inefficiencies which are inherent in the current structure like for example the Ministry is still processing salaries manually. Lack of systems encourages leakages and corruption in the process. In addition to good policies, structures and systems, there is need to have people with integrity.
- (iii) Training of doctors in Kenya is very expensive yet the country is unable to keep the doctors in service and losing them to other countries hence there is need to ensure that health sector provides appropriate packages for our doctors to keep such brains.. In addition, there is need to have a comprehensive policy framework which will integrate both private, public and faith based hospitals, to make sure that there is harmony.
- (iv) There is need to have a policy to sustain drugs to HIV/AIDS patients which is currently being supported by donors by ensuring that the drugs are affordable including having schemes

to have such drugs from countries like India which are much cheaper and affordable to ensure that are received by those patients who require them.

3.7 **ENG. MICHAEL KAMAU - CABINET SECRETARY NOMINEE FOR THE MINISTRY OF TRANSPORT AND INFRASTRUCTURE**

- (i) Eng. Michael Kamau appeared before the Committee on Friday 10<sup>th</sup> May, 2013 and was informed by the Chairperson that in line with the provisions of the Public Appointments (Parliamentary Approval) Act, 2011, the Committee invited submissions from the public on the suitability or otherwise of nominees for positions of Cabinet Secretary. On 7th May 2013, an affidavit was received from Mr. Ferdinand Chirure Nyongesa which stated that Eng. Michael Kamau was unsuitable to hold public office on the following grounds:-
1. Refusal by the Engineers Registration Board to register graduates from 47 engineering programmes from universities and tertiary institutions – Eng. Kamau is a senior member of the Engineers Registration Board.
  2. Eng. Kamau is incapable of promoting public confidence in the integrity of the office as required under Article 73 of the Constitution since as a Member of the Board, he did not exercise impartiality since the decision of the Board and by extension Eng. Kamau's were not objective.
  3. The refusal by the Board which Eng. Kamau was a member, to register graduate engineers, infringes on the constitutional rights of the graduates to equality and freedom from discrimination as guaranteed by the Constitution.
- (ii) Eng. Kamau informed the Committee that he had submitted an affidavit in response to the allegations which stated that: -

- (a) He was appointed to the Board on 12<sup>th</sup> November 2007, and the matter commenced on 10<sup>th</sup> May 2007, which was six months before he was appointed;
  - (b) The Court of Appeal vide a ruling delivered on 8<sup>th</sup> March 2013, set aside an earlier judgment of the High Court. The matter is therefore pending determination by the Court of Appeal;
  - (c) The Board acted pursuant to the provisions of the Engineers Registration Act CAP 530 Laws of Kenya and the decision was collective and cannot be attributed to an individual;
  - (d) The Board acted in public interest to preserve, maintain and enhance professionalism in the Engineering profession;
  - (e) The Board endeavored to engage stakeholders mainly the Universities to deliberate on the Engineering programs offered and general compliance with the Engineers Act.
- (iii) Eng. Kamau further informed the Committee that during the period when he was Permanent Secretary, Ministry of Roads, he initiated a number of reforms in the Roads sector which improved work ethics and enhanced professionalism, some of which include the following: -
- He presided over the re-structuring of the management of the Roads sector which culminated in the creation of the Kenya National highways Authority (KENHA), the Kenya Urban Roads Authority (KURA) and the Kenya Rural Roads Authority (KERRA). He also initiated performance based road contracting.
  - He supported Kenyan companies to penetrate road contracting and as a result, there has been a phenomenal increase in the number of local contractors at the moment.
  - He registered many women contractors and increased

development partner funding. In respect of corruption and the existence of “cowboy” contractors, he stated that at the time, there was no regulatory framework to manage the construction industry. However, he facilitated the creation of the National Construction Authority which is charged with the responsibility of licensing and regulating the industry.

- (v) He further stated that as a Cabinet Secretary, he would do the following: -
- Implement laws relating to haulage and to improve efficiency and ease congestion at the port of Mombasa;
  - Seek to increase road connectivity within the country and put priority in curbing road carnage which is higher than the international average;
  - Work with other agencies of government to overcome challenges in road construction relating to acquisition of land and land grabbing;
  - Implement a system of road construction which reflects a system of Design, Build and Operate in order to ensure provision of quality and reliable services.
  - Encourage public private participation in roads and transport sector.

3.8 **PROF. JUDI WANGALWA WAKHUNGU - CABINET SECRETARY  
NOMINEE FOR THE MINISTRY OF ENVIRONMENT, WATER AND  
NATURAL RESOURCES**

Prof. Judi Wakhungu appeared before the Committee on Friday 10<sup>th</sup> May, 2013 and was informed by the Chairperson that despite inviting memoranda from the public, on her suitability or otherwise for appointment to public office, none was received. She stated to the Committee that:-

- (i) She has served as a designated Expert in Energy at the United Nations Commission on Science and Technology for development (Gender Working Group) from 1994 to 1995. She has also worked as a Research Director, Global Energy Policy & Planning Program/Gender Science & Development of the International Federation of Institutes for Advanced Study (IFIAS) & Third World Organization of Women Scientists (TWOWS) from 1994 to 1996.
- (ii) She has been an Instructor, Science – Technology & Society, Penn State from 1990 to 1993 and has also served as a Tutorial Fellow at the Department of Geology, University of Nairobi. At National Oil Corporation of Kenya (NOCK) she worked as a geologist from 1985 to 1986 prior to which she worked at the Ministry of Energy & Regional Development from 1983 to 1985.
- (iii) She stated that she is suitably qualified for the position for which she had been nominated for, since she possessed both academic and professional qualifications in the environment sector and that she was grounded in the matters covered by her portfolio by virtue of being a practitioner in the field.
- (iv) Stated further that as a Cabinet Secretary she would do the following:-
- Ensure that the existing environmental policy was implemented as it was sufficient to address the challenges in the sector;
  - Encourage commercial tree farming in order to increase forest cover to the recommended level of 10 per cent.
  - Introduce stricter penalties on poaching through the law in order to stamp out the practice.
  - Implement water harvesting technologies included in the national water policy.

- prioritize on the management of effluent in a holistic manner and address matters relating to plastics and garbage dumpsites;
- Address human wildlife conflict by creating corridors for migration to avoid wildlife encroachment on human settlement and enhance compensation to those who suffer harm or loss of property occasioned by wildlife;
- Implement programmes aimed at employing water harvesting technologies in water deficient areas and enhance sharing of revenue from management of natural resources;

3.9 **HON. CHARITY NGILU -CABINET SECRETARY NOMINEE FOR THE MINISTRY OF LAND, HOUSING AND URBAN DEVELOPMENT**

1. Hon. Charity Ngilu appeared before the Committee on Friday 10<sup>th</sup> May, 2013 and was informed by the Chairperson that in line with the provisions of the Public Appointments (Parliamentary Approval) Act, 2011, the Committee invited submissions from the public on the suitability or otherwise of nominees for positions of Cabinet Secretary. On 7<sup>th</sup> May 2013, an affidavit was received from Mr. James Kithome, which stated *inter-alia* that:
  - (i) Hon. Ngilu was involved in malpractices in the Ministry of Water and Irrigation contrary to Chapter six of the Constitution.
  - (ii) Hon. Ngilu was involved in Corruption, nepotism, favouritism and conflict of interest in the award of contracts to companies and NGO's that she had close links to during her tenure at the Ministry of Water and Irrigation, contrary to the Public Officers Ethics Act and the Anti Corruption and Economic Crimes Act, as well as Chapter six of the Constitution.
  - (iii) Involvement in Procurement fraud – Companies closely linked to Hon Ngilu namely *Kat Michaels, Taru General, G.L.*

*Williams, Timetrax Limited, Kenmas Contractors, Hardware General Stores, Ntheca Enterprises, Surf Ways, Broad Vision, Secon and Kitui Central Development Association* were cited in the Auditor General's reports as having been involved in procurement fraud.

- (iv) During her tenure at the Ministry of Water, millions of public funds were lost in fictitious and fraudulent transactions at the National Water Conservation and Pipeline Corporation (NWCPC) and Tana Athi Water Services Board.
  - (v) Hon. Ngilu had been recommended for prosecution for abuse of office for alleged fraud by the Ethics and Anti-Corruption Commission after she commissioned an incomplete borehole in Kangundo.
  - (vi) Failure to act on corruption – Hon. Ngilu as then Minister for Water and Irrigation failed to dismiss the managing Director of NWCPC, Eng. Petronila A. Ogut even after the Board of NWCPC had recommended her dismissal but instead Hon. Ngilu dissolved the Board.
  - (vii) Hon. Ngilu during her tenure as Minister for Water and Irrigation appointed Ms. Peris Tobiko, sister to Director of Public Prosecutions, with the aim of pacifying the Director of Public Prosecutions.
2. Hon. Ngilu informed the Committee that she had responded to the allegations in a sworn affidavit which stated that:-
- (i) She never awarded any contract to any company directly or indirectly associated to herself.
  - (ii) She was exonerated by Parliament of allegations of wrong doing including on allegations of nepotism and corruption as raised by Hon. Mwangi Kiunjuri, then Assistant Minister for Water and Irrigation.



- (iii) Allegation that she commissioned an incomplete borehole was baseless as the commissioning process involved drawing water from the borehole in the presence of the local people and media and further that she was subsequently cleared by the Committee on Equal Opportunities on the matter.
  - (iv) The appointment of Ms. Peris Tobiko was on merit and was not meant to pacify the Director of Public Prosecutions as alleged by Mr. Kithome.
  - (v) As a result of the investigations, the Ethics and Anti-Corruption Commission never recommended her for prosecution but had recommended the prosecution of three other individuals;
3. She further stated to the Committee that she had served successfully as a Cabinet Minister in the highly technical Ministry of Health (2003-2007) and during her tenure at the Ministry of Water and Irrigation, she initiated many reforms in the Water Sector which culminated in the creation of Water Services Boards which took services closer to the people. She also ensured that there was increased funding from the Treasury to finance Ministry projects and successfully initiated the following projects which immensely enhanced the standard of living of citizens: -
- Construction of dams and water pans; and
  - Digging of boreholes in arid and semi arid areas;
4. She also stated to the Committee that in the process of initiating reforms in the Ministry, she encountered resistance by cartels that were entrenched in the system. She noted in particular that the National Water and Pipeline Corporation was riddled with high level corruption and the situation was so acute that a Managing Director was killed and offices of the Corporation were

burnt down. Therefore, the allegations against her were motivated by malice and vengeance since she worked to ensure that public interest in the procurement of goods and services was safeguarded in the Ministry.

5. She also stated that she adhered strictly to the provisions of the Constitution in respect of allocation of resources and did not favour any region as alleged because she has a strong political will to implement the Constitution and as a Minister she will take a leading role in this endeavor.
6. She confirmed to the Committee that she had resigned her position as the Party Leader for the National Rainbow Coalition (NARC).
7. As a Cabinet Secretary, she stated that she would deal with the numerous land issues as a matter of priority as she was committed to eradicating slums by exploring the possibility of using less expensive building materials as this would enable the government to meet its objective of providing 500,000 housing units to all Kenyans.

4.10 **DR. FRED OKENGO MATIANGI - CABINET SECRETARY NOMINEE FOR THE MINISTRY OF INFORMATION, COMMUNICATION AND TECHNOLOGY**

1. Dr. Fred Matiangi appeared before the Committee on Friday 10<sup>th</sup> May, 2013 and was informed by the Chairperson that in line with the provisions of the Public Appointments (Parliamentary Approval) Act, 2011, the Committee invited submissions from the public on the suitability or otherwise of nominees for positions of Cabinet Secretary. On 7<sup>th</sup> May 2013, an affidavit was received from Mr. Duncan Mogaka Michira contesting his suitability for appointment to public office on the following grounds: -
  - (i) That he entered into a sale agreement with the deponent for sale of land L.R. NO 12661/26 Karen/Hardy for Kshs. 17

Million which was subject to a charge to Fidelity Bank Limited.

- (ii) Subject to the charge, the Bank was to be paid Kshs. 12.5 Million and the balance of Kshs. 4.5 Million was to be paid to the deponent.
  - (iii) Mr. Fred Okengo Matiangi circumvented the process and paid the Bank Kshs. 12.5 million and forfeited to pay the deponent as agreed.
  - (iv) Mr. Matiangi is untrustworthy, dishonest and a malicious person based on the above and therefore not a person of high integrity.
  - (v) Mr. Matiangi cannot be trusted with public office if he can't live up to his private undertakings.
2. Dr. Matiangi responded to the allegations and stated to the Committee that: -
- (i) He never entered into a sale agreement for sale of land in general or of land reference 12661/26 Karen/Hardy with Mr. Duncan Mogaka Michira.
  - (ii) The land in question was subject to statutory power of sale by Fidelity Commercial Bank Limited. The Agreement for the sale of the land was entered by Lynnette Okengo, Nancy Ruguru, Francis Mungai and Fred Matiangi on one part and the Bank on the other, at the purchase price of Kshs. 12.5 Million.
  - (iii) The Sale transaction was concluded between the purchaser and the Bank and charge registered on 25<sup>th</sup> February 2008.
  - (iv) Mr. Michira had written a blackmail letter to him seeking Kshs. 4.5 million with accrued interest at the rate of 18%.
3. He stated to the Committee that his experience in programme implementation is relevant and will add value to his docket. Given that the level of digital interest in the country is low and needs to

be enhanced as a Cabinet Secretary, he would review and develop the national ICT policy paper and streamline the mandates of departments under the Ministry in order to enhance service delivery.

4. He further stated to the Committee that he would move with speed to first address the following:-
  - (i) Cyber security which is increasingly becoming an international threat and will seek to collaborate with other countries to combat the same.
  - (ii) Explore statutory measures to support the Konza Technopolis Development Authority which seeks to enhance the ICT Sector. He stated that he will support CCK and other agencies to implement regulations within the sector.
  - (iii) Use of technology to enhance governance, efficiency and openness in order to curb corruption in government.
  - (iv) Calling rates with a view to ensuring that rates are fair.

4.11 **DR. HASSAN WARIO ARERO - CABINET SECRETARY NOMINEE FOR THE MINISTRY OF SPORTS, CULTURE AND THE ARTS**

1. Dr. Hassan Wario appeared before the Committee on Saturday 11<sup>th</sup> May, 2013 and was informed by the Chairperson that despite inviting memoranda from the public, on his suitability or otherwise for appointment to public office, none was received.
2. Dr. Wario stated to the Committee that:-
  - (i) He holds a PhD in Social Anthropology from the University of East Anglia, Norwich (UK) (1999 - 2002), a Masters of Arts Degree in Advanced Arts of Africa from the University of East Anglia, Norwich (UK) (1997 - 1998) and a Bachelor of Arts Degree in anthropology from the University of Nairobi.

- (ii) He also holds a Diploma in Principles of Modern Management and a further Diploma in Business Management/ Administration from the College of Professional Management, Jersey, Great Britain and a Certificate in Computer Fundamentals: Data Processing at the Associated Computer Services (1995), Certificate in Japanese Language Basic from the University of Nairobi (1991).
- (iii) He has worked at the National Museums of Kenya in various capacities rising through the ranks from a Database Administrator (1995-1998), Head of Ethnography Department (Cultural Heritage) from 1998-2002 before becoming the Director, Museums, Sites and Monuments from 2010 to-date.,
- (iv) He was the Curator for African Collections at the British Museum: The Great Russell Street, London prior to which he was the Keeper of Anthropology at the Horniman Museum and Gardens, Forest Hill, London from July 2002 to October 2007.
- (v) He stated to the Committee that as a Cabinet Secretary, he would take the following measures to improve service delivery within his docket.
- Implementation of the Sports Act;
  - Streamline the Ministry;
  - Take stock of all social halls in the country to determine their status and where necessary upgrade the facilities to promote the arts;
  - Enforcement of regulations that exist in the sports sector in order to reduce corruption and mismanagement;
  - Address the management and accountability of Non Governmental Organizations in order to enhance transparency.

4.12 MR. DAVIS CHIRCHIR - CABINET SECRETARY NOMINEE FOR THE  
MINISTRY OF ENERGY AND PETROLEUM

1. Mr. Davis Chirchir appeared before the Committee on Saturday 11<sup>th</sup> May, 2013 and was informed by the Chairperson that in line with the Provisions of the Public Appointments (Parliamentary Approval) Act, 2011, the Committee invited submissions from the public on the suitability or otherwise of nominees for positions of Cabinet Secretary. On 7<sup>th</sup> May 2013, two (2) affidavits were received Mr. Jeremiah Kosgey and Mr. William Ombesse contesting his suitability for appointment to public office as detailed below: -

(i) **Complainant: Mr. Jeremiah Kosgey.**

In his sworn affidavit contesting the suitability of the nominee, Mr Kosgey gave the following reasons for objection that:-

1. He failed to pay dues and commission totaling Kshs. 1,897,021 due to Mr. Jeremiah Kosgey who was an employee of Bon Voyage Limited, a company owned by Mr. Chirchir. His contract was terminated in 2006 having worked in the company since 2001 but was not paid his dues.
2. Disregard to institutions (Ministry of Labour, NSSF, NHIF) and Labour Laws.

**In response to the affidavit Mr. Chirchir stated that:-**

- 1) He was one of the Directors of Bon Voyage Limited between the period 2001 to 2006 but was not directly responsible for human resource or personnel issues.
- 2) Mr. Jeremiah Koskey never worked for him as an individual but the company.
- 3) The services of Mr. Jeremiah Koskey were terminated due to gross misconduct and previous disciplinary issues.

- 4) The matter was settled through the Provincial Labour Office, Nairobi and Mr. Koskey was paid his terminal dues through a Cheque of Kshs. 186,901 after deducting PAYE, NSSF and NHIF charges.
- 5) Mr. Koskey attempted through a telephone call to extort money from him following the advertisement of the Cabinet Secretary Nominees.

(ii) **Complainant: Mr. William Ombesse**

In his sworn affidavit contesting the suitability of the nominee, Mr Ombesse gave the following reasons for objection that:-

- 1) Setting up of an under-funded pension scheme for KPTC and Telkom retirees during his Management Information services.
- 2) Irregular handling of interconnectivity rates and charges for Telkom Kenya due from Safaricom and Kencell.
- 3) Mr. Davis Chirchir does not meet the threshold of Chapter six of the Constitution on the above basis.

**In response to the affidavit Mr. Chirchir stated that:-**

As General Manager Change Management, he facilitated the divestiture in accordance with the law and international standards on divestiture, the process which required the highest levels of disclosure since investors were coming on Board.

2. Mr. Chirchir stated to the Committee that:-

- (i) He is a holder of Bachelor of Science Degree in Physics from the University of Nairobi (1985) and also attended Central Training School, Mbagathi, Nairobi where he studied a Post Graduate Diploma in Teletraffic Engineering (1986-1987).

- (ii) He also had a formal and professional training in management Finance and Accounting, Human Resource Management, Organizational Behavior, Information, Computing and Telecommunications (ICT) acquired locally in Kenya and abroad including Ghana, USA, UK, Canada, Singapore, India, Philippines, South Africa and Brazil.
- (iii) He also worked at the Kenya Post & Telecommunication Corporation (KP&TC) from 1993 to 1997 as the General Manager, Information Technology prior to which he was the Assistant General Manager, Information Technology and also Systems Analyst, Administrator & IT from 1988 to 1990. He also became the Assistant Telecoms Controller from 1986 to 1988.
- (iv) He further stated that: his background in physics provides him with the relevant technical skills to handle matters in the Ministry he has been nominated to, and added that he will ensure that the Ministry achieves its objectives of providing power to one million consumers.
- (v) As a Cabinet Secretary, he stated that he would:-
- Address the issue of independent power producers with a view to ensuring continued and uninterrupted power supply. This will be done in tandem with exploration of the possibility of adopting nuclear power which has its own challenges.
  - Endeavor to reduce the cost of power in order to bring down the cost of doing business in Kenya and added that his role in the Ministry would be to provide leadership and proper management in order to improve service delivery to the people given that the demand for electric power currently exceed the supply.



- provide a legislative framework through which the management of the petroleum sector can be undertaken .
- (vi) He informed the Committee that the information he provided on valuation of his House in Spring valley, Nairobi at Kshs 9 Million was not misleading as the valuation he provided was the one done as at the time of the purchase but the current valuation could be approximately Kshs 60Million.
- (vii) He also informed the Committee that he was the Secretary General of United Republican Party since August 2012 to April 2013. He also was a Commissioner of the Interim Independent Electoral Commission from May 2009 to November 2011. He served as the Managing Director/ CEO at Bon Voyage Ltd from 2003 to 2008.

4.13 **MR. FELIX KIPTARUS KOSKEI - CABINET SECRETARY NOMINEE FOR THE MINISTRY OF AGRICULTURE, LIVESTOCK AND FISHERIES**

Mr. Felix Kiptarus Koskei appeared before the Committee on Saturday 11<sup>th</sup> May, 2013 and was informed by the Chairperson that despite inviting memoranda from the public, on his suitability or otherwise for appointment to public office, none was received.

Mr. Koskei stated to the Committee that:-

- (i) He is a holder of an MBA (Strategic Management) Specializing in Strategy Implementation and a Bachelor of Science Degree, both from the University of Nairobi. In addition, he holds a Diploma of the Chartered Institute of Purchasing and Supply (CIPS) – (1999 to 2000).
- (ii) Has been the General Manager/Supply Chain and Support Services at the Kenya National Highways Authority from January 2013 to- date prior to which, he was the Head of Procurement from 2009. He also served as Procurement Specialist at the Kenya Anti-

Corruption Commission Advisory and Consultancy Division in 2005 and as Manager/Procurement at the Kenya Civil Aviation Authority from 2007 to 2009. In addition, he served as the Regional Supplies Officer of Telkon Kenya Ltd. between 1998 and 2003 to which, he served as Supplies Officer in the defunct Kenya Posts & Telecommunication Corporation between 1997 and 1998.

- (iii) His background training in zoology and botany would give him an edge in matters in the agricultural sector and his vision would be to make agriculture profitable in the country in order to afford agricultural farmers a decent standard of life.
- (iv) As a Cabinet Secretary he would ensure that there is value addition of agricultural produce in order to increase income accruing to farmers and would also explore the possibility of setting up a fertilizer factory in the country. However, he noted that the cost of production in Kenya is high in view of high electricity costs in the country which may make the fertilizer produced expensive.
- (v) He stated that he would seek to recover grabbed land belonging to State Corporations under his ministry and would also build abattoirs and leather industries in Counties in order to add value to products.

4.14 **MR. ADAN ABDULLA MOHAMMED - CABINET SECRETARY NOMINEE FOR THE MINISTRY OF INDUSTRIALIZATION AND ENTERPRISE DEVELOPMENT**

1. Mr. Adan Abdulla Mohammed appeared before the Committee on Saturday 11<sup>th</sup> May, 2013 and was informed by the Chairperson that despite inviting memoranda from the public, on his suitability or otherwise for appointment to public office, none was received.
2. Mr. Adan stated to the Committee that:-
  - (i) He holds an MBA from Harvard Business School from 1997-1998 and an alumni of University of Nairobi, where he

graduated with First Class Bachelor Degree in Commerce (Accounting and Finance) in 1989. He is also a trained Chartered Accountant (ACA) from United Kingdom and a Member of the Institute of Chartered Accountants in England and Wales (ICAEW).

- (ii) He is currently the Chief Administrative Officer for Barclays Africa with responsibility for 10 Barclays' subsidiaries in Africa, covering East, West and Southern Africa. In addition, he is responsible for Brand & Marketing, Corporate Communications and Citizenship across Barclays Africa businesses.
- (iii) Previously served in Barclay Bank in various capacities including being the Chief Executive Officer of Barclays Kenya for 10 years, Managing Director, Barclays East and West Africa since 2008. Prior to joining Barclays Bank, he worked for PricewaterhouseCoopers (London) in the Management Consultancy as well as Business Advisory Services functions.
- (iv) His international career has seen him serve in many countries in the world including:- United Kingdom, Nigeria, USA, and most recently West/Southern African countries for which he has responsibilities as part of his current role. He also served in many other capacities both in private and public sector in Kenya, including: Chairman of Kenya Bankers Association, Member of the National Economic and Social Council (NESC), Chairman of Jomo Kenyatta University of Agriculture and Technology (JKUAT), Capital Markets Tribunal amongst others. He received Presidential recognition of the Elder of Burning Spear (EBS) Award for his leading role in many private/public sector national issues.

- (v) Mr. Mohammed informed the Committee that after careful reflection on his nomination he came to the realization that he needs to work in the public sector in order to deploy his management skills in the management of public affairs which would have a profound positive impact in the lives of the people of Kenya. He undertook to change the way public affairs are undertaken in the Ministry in order to facilitate proper service delivery and would also involve the private sector for industrialization to succeed.

4.15 MRS PHYLLIS JEPKOSGEI KIPKINGOR-KANDIE: CABINET SECRETARY NOMINEE FOR THE MINISTRY OF EAST AFRICAN AFFAIRS, COMMERCE AND TOURISM

1. Mrs. Phyllis Jepkosgei appeared before the Committee on Saturday 11<sup>th</sup> May, 2013 and was informed by the Chairperson that in line with the Provisions of the Public Appointments (Parliamentary Approval) Act, 2011, the Committee invited submissions from the public on the suitability or otherwise of nominees for positions of Cabinet Secretary. On 7<sup>th</sup> May 2013, an affidavit was received from Mr. Jacton Kimutai J, Cheruiyot, Chairman, Baringo Central District Poverty Eradication Committee contesting her suitability for appointment to public office on the following grounds.
  - (i) The nominee was the Director of Kenya Micro Enterprise Production Programme;
  - (ii) Kenya Micro Enterprise Promotion programme failed to remit Kshs 2,310,000/= in respect of Kapkelwa Women Group, Kabarnet Jua Kali and Kabartonjo Jua Kali association.
  - (iv) Mrs. Kandie cannot hold office due to provisions of Chapter Six of the Constitution.

2. Mrs. Kandie in reply to the affidavit, stated that she did not act in any manner contrary to the law and the matters raised by the deponent therein are false, malicious and a misrepresentation of facts and further stated that: -

- i. KMEPP was contracted by the Poverty Eradication Commission (PEC) as the financial intermediary for Baringo District in November 2000 for a period of 2 years expiring on 1<sup>st</sup> October, 2003;
- ii. Their mandate was to receive repayments from the community based groups who benefited from the loans and manage the revolving funds.
- iii. They performed their duties as per contract until expiry when they gave their final report to PEC.
- iv. All the payments that they received from the first groups were on lent to other members who were waiting in the queue;
- v. By the time the contract expired, there were outstanding loans from the groups who benefitted from the funds advanced to them amounting to Kshs 2,547,509;
- vi. It is not true that KMEPP owed a sum of Kshs 2,310,000 in respect of Kapkelewa Women Group, Kabarnet Jua Kali Association and Kabartonjo Jua Kali Association as alleged;
- vii. It is not true that monies had been repaid to KMEPP and not forwarded to DPEC as alleged;
- viii. At the time KMEPP's contract expired, they did not hold any monies in the account as all of it had been disbursed to other members awaiting their turn according to the contract;
- ix. She does not owe the said sum of Kshs 2,310,000 as alleged;

3. Mrs. Kandie stated to the Committee that:-

- (i) She holds a Masters degree in Business Administration (MBA) Finance from Middlesex Business School in London, United Kingdom. She also graduated with a Bachelor of Commerce (Economics) in 1989 from Saint Mary's University in Canada. She also holds a Certificate in Women in Leadership from Durham Business School, UK.
  - (ii) She currently seats at the Board as a Member of the Institute of Directors of Kenya, Kenya Revenue Authority and Horticultural Crop Development Authority, previously served on the Board of K-REP Bank and the Electricity Regulatory Commission of Kenya.
  - (iii) Has been the Director investments Advisory at Standard Investment Bank from 2012 to-date whereby she is the Team Leader of Financial advisory services Nairobi County. She is also a Co-Team Leader Financial Advisor to one of the largest pension funds, in Corporate Companies and high net worth Clients. She is also the Team Member on Capital raising for Kenya Airways (Kshs. 14B) DTB, Standard Chartered among other Right Issues and private placements. Mrs. Kandie is also a team Member of Government Privatizations and deals origination and board investment committees.
4. Mrs. Kandie stated to the Committee that, as a Cabinet Secretary she would: -
- Work towards regional integration which encompasses economic federation and political federation of Countries within the East African Community.
  - Rationalize licensing procedures in order to reduce the time it takes to register companies. This she added will go a long way in facilitating growth in the business sector.

- Reduce non tariff barriers to business;
- Consider the need to import non-core items into the Country in order to protect local industries;
- Address insecurity with a view to enhancing the number of tourists in the Country for economic growth;

4.16 **CABINET SECRETARY NOMINEE FOR THE MINISTRY OF MINING -**

**HON. NAJIB BALALA**

- (i) Hon. Najib Balala appeared before the Committee on Saturday 11<sup>th</sup> May, 2013 and was informed by the Chairperson that in line with the provisions of the Public Appointments (Parliamentary Approval) Act, 2011, the Committee invited submissions from the public on the suitability or otherwise of nominees for positions of Cabinet Secretary. On 7th May 2013, an affidavit was received from Mr. Henry Jimmy Koge contesting his suitability for appointment to public office as follows:

In his sworn affidavit contesting the suitability of the nominee, Mr Koge gave the following reasons for objection that:-

1. He lacks integrity in performance of public duties. Appointed a Board for a non-existent Kenya Utalii College, Coast Branch. The members continue to withdraw allowances.
2. Treats subordinates in a contemptuous and demeaning manner contrary to Public Officers Ethics Act.
3. Forced the transfer of officers who could not agree to his illegal decisions and orders.
4. Makes incompetent and wasteful financial decisions without regard to public interest.
5. Calling to cancel contracts already awarded and employing staff without following due process. Forced Utalii College to transfer Kshs. 43 Million to the defunct Catering Tourism and Tourism Development Levy Trustee.

- (ii) Mr. Balala responded to the petition as follows: -
1. He was appointed Minister for Tourism sometime towards the end of the month of April 2008.
  2. One of the institutions that fell under his docket was the Utalii College/Hotel.
  3. These institutions are important to the tourism industry in this country. The said institutions were, at the time he was appointed Minister for Tourism, in dire need of restriction and improvement in order to enable them continue to apply the important role they are conceived to play in the tourism industry in Kenya.
  4. Due to this dire need, he appointed a taskforce comprising of stakeholders from the industry in Kenya. Mr. Mohamed Hersi who is the General Manager of Sarova Hotels Coast Region and a former student of Utalii College chaired the taskforce. Upon completion of its work, the taskforce rendered a report.
  5. In respect to the allegation in the said affidavit that he tried to influence the award of a tender for Kshs. 93 Million for the renovation of Utalii Hotel, he states emphatically that the same is untrue as the concept, plan and budgeting for the renovation of the hotel was done prior to his appointment as Minister for Tourism. He could not have in any way interfered with the process. The contract had been awarded by the time he became the Minister for Tourism. All he did in respect of this tender was to ensure that the contract was performed, as it should have been. This was indeed done and Utalii Hotel is now refurbished.
  6. Mrs. Beatrice Makawiti replaced Mr. Thomas Dudah, whose contract had expired, as Principal in an acting capacity.
  7. The allegation that he replaced Mrs. Beatrice Makawiti as Acting Principal of Utalii College because she refused to cede to an alleged



direction from himself regarding the abovementioned contract for the renovation of Utalii Hotel is untrue.

8. The said Mrs. Beatrice Makawiti had, prior to her appointment as Acting Principal of Utalii College, risen through the ranks of Utalii College/Hotel and was Deputy principal of the said institution immediately prior to her appointment as Acting Principal.
9. He was of the considered view that as part of the restructuring of the said institution, it was imperative that people with diverse experience be introduced to the management of the said institution. This was so as to introduce fresh ideas and thinking into the management of the said institution. In arriving at this decision, he consulted the Chairperson of the abovementioned taskforce, Mr. Mohamed Hersi.
10. It is for this reason that he appointed Dr. Obongi in place of Mrs. Beatrice Makawiti as Principal of Utalii College. Dr. Obongi had a rich background in management and was, in his estimation, well suited to infuse the said institution with the fresh thinking and direction that it so badly needed.
11. He transferred Mrs. Beatrice Makawiti to another parastatal within the realm of responsibility as Minister for Tourism - the Kenyatta International Conference Centre as Acting Chief Executive. When the position of Chief Executive Officer Kenyatta International Conference Centre was advertised, Mrs. Beatrice Makawiti applied for the position. She was one of the three people whose names were forwarded to him for appointment. He appointed her as Chief Executive of the Kenyatta International Conference Centre.
12. Mrs. Beatrice Makawiti has excelled as Chief Executive of the Kenyatta International Conference Centre which institution was recently ranked sixth in performance in government performance contracting.

13. In this affidavit, Henry Jimmy Koge implies that he removed Mrs. Beatrice Makawiti as Acting Principal of Utalii College because she refused to pander to my whims. He states that if this was indeed so, he would not have appointed Mrs. Beatrice Makawiti as Chief Executive of Kenyatta International Conference Centre which is a larger institution than Utalii College.
14. It is curious that the complaint about the alleged plight of Mrs. Beatrice Makawiti is being made not by her but by Henry Jimmy Koge.
15. His instruction to the Board of Utalii College to split the Hotel from the College was well intended and was not tainted by a desire by himself to derive any personal benefit. His instruction flowed from a recommendation of the said task force, which had in its report recommended that the Hotel and the College, so as to operate more efficiently, be split into separate entities.
16. After consultations with stakeholders and peer learning's it was concluded, that for that moment, the Hotel and the College should remain a single entity. Further, an inter ministerial committee formed to implement the recommendations of the task force recommended that the said institutions should not be split until the renovation of the Hotel was completed.
17. The Hotel was not able to run efficiently as it was so poorly equipped. It was draining the College of badly needed resources.
18. The implementation of the said taskforce's recommendations to split the Hotel and the College would have meant that those working for the twin institutions, including Henry Jimmy Koge, would have ended up with smaller dockets. This explains, in my reckoning, Henry Jimmy Koge's displeasure with the well-meaning recommendation by the said task force.

19. Government decided in the early 1990's to establish a second institution to provide training in the hospitality industry at the coast. This institution has come to be known, for good reason, as the Ronald Ngala, Kenya Utalii Academy.
20. Rea Vipingo Ltd. a large landowner in Kilifi County, donated 60 acres of land for the construction of the Ronald Ngala Kenya Utalii Academy. Rea Vipingo Ltd ceded this land and a title deed was issued. It came to light that there were some problems with the title deed. These were however resolved by lawyers representing Rea Vipingo Ltd, the Ministry of Tourism and Utalii College and a proper title was issued.
21. It had taken too long to implement the Government's decision to establish a second institution to provide training in the hospitality industry at the coast. When he was appointed Minister for Tourism, in April, 2008, he gave the implementation of the Government's said decision priority, as there was an unmet need for the training the proposed institution was to offer at the coast.
22. The Catering and Tourism Development Levy Trustees (CTDLT) is a statutory body established to levy the tourism industry and fund institutions such as Utalii College. The CTDLT mandate includes funding of tourism infrastructural development such as the new proposed Ronald Ngala Kenya Utalii Academy.
23. It is for this reason that a budget was earmarked as seed money under Utalii College. At a meeting between himself and the Chief Executive CTDLT, the Principal of Utalii College and Financial Controller in the Ministry of Tourism a decision was reached to transfer Kshs. 43 Million to the CTDLT. This money was the seed money to be used to get the Ronald Ngala Kenya Utalii Academy off the ground. The transfer of the said monies was in line with the CTDLT's mandate of funding infrastructural projects in the tourism sector.

24. The Ronald Ngala Kenya Utalii Academy required stewardship to get it off the ground. To this end, he appointed a Board of the institution to guide it along its way. The suggestion that the appointment of the Board was tainted with illegality is not true. The appointment and gazettelement of Board members of institutions such as Ronald Ngala Kenya Utalii Academy was done through the office of the Permanent Secretary Ministry of Tourism and as such was not illegal. The people appointed to the Board were people of integrity and former students of Utalii College.
25. The allegation that he inappropriately influenced the recruitment of certain members of staff at the Utalii College Mombasa branch is false and unsubstantiated. The staffs allegedly recruited at his behest were recruited through a competitive process of which he played no part.
26. It is the policy of the Ministry of Tourism to employ as many locals in places where it opens offices. This was done when Utalii College opened branches in Mombasa and Kisumu. This policy was adhered to when the Ministry of Tourism opened offices in Garissa.
27. He knows that the said staff are employed on one year contract and in respect of Mr. Sehel, His employer has renewed his contract even after Mr. Balala's departure from the Ministry of Tourism.
28. He has a distinguished record of public service spanning more than 15 years as Mayor of Mombasa, as Minister in various Ministries and as Chair of various private sector organisations. He has during this time conducted himself with probity. At no time has he used the various public offices he has been privileged to hold for any personal gain or inappropriately.

29. As a public servant in a position of leadership such as the one he held as Minister for Tourism, one will inevitably make decisions which even though are best for the greater good of our nation, will not sit well with certain people.

(iii) Hon. Balala stated to the Committee that as a Cabinet Secretary, he would: -

- Conduct a geophysical and geochemical survey in the Country in order to determine the Mineral resources available for mining;
- Develop a legal framework to facilitate the process of Mining and consider the effects of the processes on the environment;
- Deal with community interests in mining so as to facilitate economic growth in the respective areas.
- Work with the Ministry of Environment, Water and Mineral Resources in order to delineate mandates so as to avoid duplication

#### **4.0 COMMITTEE'S OBSERVATIONS**

##### **4.1 CABINET SECRETARY NOMINEE FOR THE MINISTRY OF DEVOLUTION AND PLANNING - ANNE WAIGURU:-**

The Committee having considered her curriculum vitae and heard her oral submission during the vetting exercise/interview, made the following observations:-

- (i) She is a holder Masters degree in Economic Policy from the University of Nairobi (2005) of and Bachelor of Science Degree (Agriculture H. Economics from Egerton University (1994). Has an academic background and experience in economic and public policy and has specialized experience in public finance, financial management systems, public service reform and capacity building and governance.
- (ii) She is currently the Director, Integrated Financial Management and Information System (IFMIS) and Head of Governance at the National Treasury since 2007. In the last two years, she has led her IFMIS team at the National Treasury to win three Awards for

exemplary performance in the Public Service. She was also nominated two years ago, as one of the Top 40 Under 40 women in the country, the only nominee at the time from the Public service.

- (iii) She served briefly as a Senior Public Sector Manager/Assistant Vice President, at Citigroup NA. Previously served as a Technical Advisor in the Cabinet Office, Office of the President. This position was initially seconded by the World Bank (DC).
- (iv) Has served as the Alternate to the Permanent Secretary/National Treasury in the Public Procurement oversight Authority Advisory Board and the Women Enterprise Fund Board.
- (v) Has published several writings including the following:-
  - A Review of Ethics in the Procurement of Professional Consultants by the World Bank – Case study for Kenya, Uganda and South Africa (2006), for World Bank DC Procurement Division
  - A Government Economic Performance Audit on Kenya's Economic Recovery Strategy, for the National Council of the NGOs (June 2004)
  - The baseline Governance Performance Audit of the Government, Feb 2004 for the Kenya Human Rights Commission.
  - Donor Aid and Corruption- published in Transparency International Kenya's Newsletter (2004).
  - A Review of Parastatal Reforms in Kenya, Policy brief by the Centre for Governance and Development, Sept. 2003.
- (vi) Has never been charged in a Court of Law, has no potential conflict of interest, and has fully complied with her tax obligation.
- (vii) Has never been dismissed from office for contravention of the provisions of Article 75 of the Constitution which deals with

conduct of state officers that are adversely mentioned in any investigatory report of Parliament or any Commission of Inquiry.

**(viii) The Committee found the nominee suitable for appointment as the Cabinet Secretary for the Ministry of Devolution and Planning.**

**4.2 CABINET SECRETARY NOMINEE FOR THE MINISTRY OF DEFENCE –  
AMB. RAYCHELLE OMAMO**

The Committee having considered her curriculum vitae and heard her oral submission during the vetting exercise/interview, made the following observations:-

- (i) She is a holder of Bachelors Degree in Law from the University of Kent, United Kingdom (1983). Currently pursuing MBA (Leadership) – University of Liverpool, United Kingdom and PhD in International Diplomacy and Strategy (France)
- (ii) She has practical wealth of professional experience in legal profession as a Senior Counsel and an Advocate of the High Court for 27 years standing and was the jurist of the Year 2002.
- (iii) She was the First Woman Chairperson of the Law Society of Kenya and First woman Ambassador of Kenya to France, Portugal, the Holy See, the Republic of Serbia and Permanent Delegate of the Republic of Kenya to UNESCO.
- (iv) She has made substantial contribution to the advancement of the rule of law in Kenya and to the development of legislation and policy, in the following positions: -
  - Member of the Task Force on the Establishment of the Truth and Reconciliation Commission for Kenya;
  - Member of the Task Force on the Review of Landlord and Tenant Legislation;
  - Assisting Counsel to the Ndungu Commission.

- (v) A member of the following Boards and Professional Associations:-
- Current Board of the newly constituted Council of Legal Education
  - Vice President and Council Member of the East Africa Law Society (2003)
  - Member of the Advocates Benevolent Fund Board(2001)
  - Council Member of the Associations of Professional Societies of East Africa (2001)
  - Council Member of the Pan African Lawyers Union (2002)
  - Council Member of the Law Society of Kenya (1996)
- (vi) Has never been charged in a Court of Law, has no potential conflict of interest, and has fully complied with her tax obligation.
- (vii) Has never been dismissed from office for contravention of the provisions of Article 75 of the Constitution which deals with conduct of state officers that are adversely mentioned in any investigatory report of Parliament or any Commission of Inquiry.
- (viii) The Committee found the nominee suitable for appointment as the Cabinet Secretary for the Ministry of Defence.**

4.3 **CABINET SECRETARY NOMINEE FOR MINISTRY OF FOREIGN AFFAIRS – AMB. AMINA MOHAMMED**

The Committee having considered her curriculum vitae and heard her oral submission during the vetting exercise/interview, made the following observations:-

- (i) She is a holder of Bachelors of Law (Kiev State University).
- (ii) She a diplomat by profession and has over twenty four years of experience in domestic and international activities having served in the following ministries:-
- Permanent Secretary, Ministry of Justice, National Cohesion and Constitutional Affairs where she oversaw the successful implementation of Agenda 4.



- Ministry of Foreign Affairs, Permanent Mission to the United Mission in New York for four years where she played a leading role on the Security Council.
  - Ambassador and Permanent Representative to the United Nations and other International Organizations like WTO, Geneva (Switzerland).
- (iii) Currently, Assistant Secretary General of the United Nations and Deputy Executive Director of the United Nations Environment Programme at Nairobi.
- (iv) Has never been charged in a Court of Law, has no potential conflict of interest, and has fully complied with her tax obligation.
- (v) Has never been dismissed from office for contravention of the provisions of Article 75 of the Constitution which deals with conduct of state officers that are adversely mentioned in any investigatory report of Parliament or any Commission of Inquiry.
- (vi) The Committee found the nominee suitable for appointment as the Cabinet Secretary for the Ministry of Foreign Affairs.**

4.4 **CABINET SECRETARY NOMINEE FOR MINISTRY OF EDUCATION, SCIENCE & TECHNOLOGY - PROF. JACOB KAIMENYI**

The Committee having considered his curriculum vitae and heard his oral submission during the vetting exercise/interview, made the following observations:-

- (i) He holds a PHD Degree in Dentistry from the University of Nairobi and was the first inaugurated full professor of PERIODONTOLOGY at the University of Nairobi.
- (ii) He is currently the Deputy Vice-Chancellor (Academic Affairs) at the University of Nairobi, Member of the Medical Practitioners and Dentists Board. Former Dean of Faculty of Science and Chairman, Dental School at the University of Nairobi. Trustee of Regina Pacis University College – a constituent College of the Catholic University

of Eastern Africa.

- (iii) He is a Honorary Fellow of the International College of Dentists. Previously has held several key positions such as President of the Commonwealth Dental Association and Head of the National Dental Unit at the Kenyatta National Hospital.
- (iv) Has never been charged in a Court of Law, has no potential conflict of interest, and has fully complied with his tax obligation.
- (v) Has never been dismissed from office for contravention of the provisions of Article 75 of the Constitution which deals with conduct of state officers that are adversely mentioned in any investigatory report of Parliament or any Commission of Inquiry.
- (vi) **The Committee found the nominee suitable for appointment as the Cabinet Secretary for the Ministry of Education, Science and Technology.**

4.5 CABINET SECRETARY NOMINEE FOR THE NATIONAL TREASURY - MR. HENRY K. ROTICH

The Committee having considered his curriculum vitae and heard his oral submission during the vetting exercise/interview, made the following observations:-

- (i) He is a holder of Masters Degree in Public Administration (MPA) (Economics & Public Policy) from Harvard University (USA). He also holds a Master's Degree in Economics from University of Nairobi and Bachelor's Degree in Economics (First Class Honours) from the same University.
- (ii) Has extensive professional experience in financial and economic matters and has been the Head of Macroeconomics at the Treasury, Ministry of Finance, since March, 2006 where he has been involved in formulating macroeconomic policies that ensure an affordable and sustainable path of public spending aimed at achieving the Government's development priorities. He has also

been involved in the preparation of key budget documents including the Budget Statements, as well as providing strategic coordination of structural reforms in the area of fiscal and financial sector.

- (iii) Prior to joining the Ministry of Finance, he worked at the Central Bank of Kenya since 1994 and was at one time attached to the International Monetary Fund (IMF) local office in Nairobi to work as an economist. He has also consulted as a short-term macroeconomic expert in the region –in Mozambique, Malawi and Rwanda with the IMF’s EastAFRITAC (in Tanzania) and Macroeconomic and Financial Management Institute (MEFMI) in Zimbabwe, in addition to supporting the designing of macroeconomic convergence criteria of the proposed East African Monetary Union.
- (iv) A member of the Harvard Alumni Network (2010) and Harvard Club Kenya (2011). Has done two publications and four research projects.
- (v) Has never been charged in a Court of Law, has no potential conflict of interest, and has fully complied with his tax obligation.
- (vi) Has never been dismissed from office for contravention of the provisions of Article 75 of the Constitution which deals with conduct of state officers that are adversely mentioned in any investigatory report of Parliament or any Commission of Inquiry.
- (vii) **The Committee found the nominee suitable for appointment as the Cabinet Secretary for the National Treasury.**

#### 4.6 CABINET SECRETARY NOMINEE FOR THE MINISTRY OF HEALTH - JAMES WAINAINA MACHARIA

The Committee having considered his curriculum vitae and heard his oral submission during the vetting exercise/interview, made the following observations:--

- (i) He is a holder of Bachelor of Commerce Degree from the University of Nairobi (1983) and MBA Degree (Strategic Management from Henley Management College, United Kingdom awarded by Brunel University.
- (ii) A certified Public Accountant, CPA (K) having merited a scholarship by Deloitte & Touche to trained as a Chartered Accountant in London.
- (iii) Has wealth of professional experience in the banking sector having joined Standard Chartered Bank in 1989, rising to become Financial Controller in 1994. Thereafter, he worked in Zambia as Managing Director, African Banking Corporation and later transferred to Tanzania in the same position.
- (iv) Has been Group Managing Director of NIC Bank from 2005 to-date, when the Bank grew more than tenfold and with five subsidiary companies including Tanzania and Uganda.
- (v) A member of the following Professional Associations and Boards:-
  - Institute of Certified Public Accountants (K) (1992).
  - Institute of Chartered Accountants in England & Wales (1988).
  - Kenya Banker Association – Vice Chairman, 2012 to-date.
  - Deposit Protection Fund – Director, 2011 to-date.
- (vi) Has received the following Honours and Awards:-
  - Best in School “O” level 1976 – Gaichanjiru High School.
  - Best in Class “A” level 1978 – Kagumo High School.
  - Award for “Outstanding Academic Performance by Director of Education (James Kamunge)- 1978.
- (vii) Has never been charged in a Court of Law, has no potential conflict of interest, and has fully complied with his tax obligation.
- (viii) Has never been dismissed from office for contravention of the provisions of Article 75 of the Constitution which deals with

conduct of state officers that are adversely mentioned in any investigatory report of Parliament or any Commission of Inquiry

- (ix) The Committee found the nominee suitable for appointment as the Cabinet Secretary for the Ministry of Health.**

4.7 CABINET SECRETARY NOMINEE FOR THE MINISTRY OF TRANSPORT AND INFRASTRUCTURE - ENG. MICHAEL KAMAU

The Committee having considered his curriculum vitae and heard his oral submission during the vetting exercise/interview, made the following observations:-:-

- (i) He holds a Bachelor of Science in Civil Engineering from the University of Nairobi, Master of Science in Engineering from the University of New Castle Upon Tyne, United Kingdom.
- (ii) Has received extensive training in the field of engineering and management both locally and internationally. Has been in the Civil Service since 1981 and was seconded to Moi University in Eldoret for seven years between 1990 – 1998.
- (iii) He has been a Permanent Secretary since October, 2007 and a key architect in the infrastructure upgrade in the last 10 years.
- (iv) He is registered as a Professional Consulting Engineer by Engineers Board of Kenya. He is a fellow of the Institution of Engineers of Kenya and also a fellow of the Kenya Institute of Management. He is an associate member of the Chartered Institute of Arbitrators.
- (v) Has never been charged in a Court of Law, has no potential conflict of interest, and has fully complied with his tax obligation.
- (vi) Has never been dismissed from office for contravention of the provisions of Article 75 of the Constitution which deals with conduct of state officers that are adversely mentioned in any investigatory report of Parliament or any Commission of Inquiry.

(vii) Having looked at the affidavit, the Committee did not find any merit on the substance of the affidavit and his reply was satisfactorily.

**(viii) The Committee found the nominee suitable for appointment as the Cabinet Secretary for the Ministry of Transport and Infrastructure.**

4.8 **CABINET SECRETARY NOMINEE FOR THE MINISTRY OF ENVIRONMENT, WATER AND NATURAL RESOURCES - PROF. JUDI WANGALWA KAKHUNGU**

The Committee having considered her curriculum vitae and heard her oral submission during the vetting exercise/interview, made the following observations:-

- (i) She is a holder of a PHD in Energy Resources Management and is currently the Executive Director of the African Centre for Technology Studies and also Energy Advisor to the Energy Sector Management Program of World Bank and Advisor at the Legatum Centre at MIT.
- (ii) She is a member of the Scientific Advisory Committee of UNESCO's Intergovernmental Management of Social Transformation Programme.
- (iii) Has never been charged in a Court of Law, has no potential conflict of interest, and has fully complied with her tax obligation.
- (vi) Has never been dismissed from office for contravention of the provisions of Article 75 of the Constitution which deals with conduct of state officers that are adversely mentioned in any investigatory report of Parliament or any Commission of Inquiry.
- (iv) The Committee found the nominee suitable for appointment as the Cabinet Secretary for the Ministry of Environment, Water and Natural Resources.**

4.9 CABINET SECRETARY NOMINEE FOR THE MINISTRY OF LAND, HOUSING AND URBAN DEVELOPMENT - HON. CHARITY NGILU

The Committee having considered her curriculum vitae and heard her oral submission during the vetting exercise/interview, made the following observations on her nomination as a Cabinet Secretary:-

- (i) She is a holder of a Bachelor of Arts Degree in Leadership and Management and served as a Member of Parliament for Kitui Central Constituency for 20 years during which she served as Minister of Water, Irrigation where under her leadership increased the number of people accessing safe clean water from 17 million to 24 million in 5 years. She also served as a Minister of Health, where under her leadership patients living with AIDS accessed drugs, reduced malaria infection, reduced infant and maternal mortality. Worked for the Central Bank of Kenya and Chase Manhattan for 10 years and also managed family businesses for 8 years.
- (ii) Has never been charged in a Court of Law, has no potential conflict of interest, and has fully complied with her tax obligation.
- (iii) Has never been dismissed from office for contravention of the provisions of Article 75 of the Constitution which deals with conduct of state officers that are adversely mentioned in any investigatory report of Parliament or any Commission of Inquiry.
- (iv) **The Committee found the nominee suitable for appointment as the Cabinet Secretary for Ministry of Land, Housing and Urban Development.**

4.10 CABINET SECRETARY NOMINEE FOR THE MINISTRY OF INFORMATION COMMUNICATION AND TECHNOLOGY - DR. FRED OKENGO MATIANGI

The Committee having considered his curriculum vitae and heard his oral submission during the vetting exercise/interview, made the following observations:-

- (i) Holder of PhD in Comparative Literature (1994-1998) and Master of Arts (English) 1991-1992 both from University of Nairobi and Bachelor of Education (1987-1989) from Kenyatta University.
- (ii) Formerly taught at Egerton University and the University of Nairobi and has held various research and Programme implementation positions with various local and international organizations. He consulted previously for among others, the World Bank, the Commonwealth Parliamentary Association, the Inter-Parliamentary Union and the United Nations Development Programme.
- (iii) He is a governance and programme implementation expert and the immediate former Country Director of State University of New York (SUNY) Kenya - the Parliamentary Support Programme. He is currently the Eastern Africa regional Representative for the Centre for International Development, Rockefeller College of Public Affairs and Policy (SUNY) .
- (iv) Has never been charged in a Court of Law, has no potential conflict of interest, and has fully complied with his tax obligation.
- (v) Has never been dismissed from office for contravention of the provisions of Article 75 of the Constitution which deals with conduct of state officers that are adversely mentioned in any investigatory report of Parliament or any Commission of Inquiry.



- (vi) **The Committee found the nominee suitable for appointment as the Cabinet Secretary for the Ministry of Information Communication and Technology.**

4.11

**CABINET SECRETARY NOMINEE FOR THE MINISTRY OF SPORTS, CULTURE AND THE ARTS - DR. HASSAN WARIO ARERO**

The Committee having considered his curriculum vitae and heard his oral submission during the vetting exercise/interview, made the following observations:-

- (i) He is a holder of Bachelor of Arts Degree in Anthropology from the University of Nairobi's Institute of African Studies in 1995. He also holds both Masters Degree (1997) and PhD Degree (2013) in Anthropology from University of East Anglia, Norfolk (England).
- (ii) He joined the National Museums of Kenya in 1995 and has extensive international work experience, having worked for the British Museums for eight years. He brings an impressive network within the heritage and related sectors worldwide.
- (iii) Has never been charged in a Court of Law, has no potential conflict of interest, and has fully complied with his tax obligation.
- (iv) Has never been dismissed from office for contravention of the provisions of Article 75 of the Constitution which deals with conduct of state officers that are adversely mentioned in any investigatory report of Parliament or any Commission of Inquiry.
- (v) **The Committee found the nominee suitable for appointment as the Cabinet Secretary for the Ministry of Sports, Culture and the Arts.**

**CABINET SECRETARY NOMINEE FOR THE MINISTRY OF ENERGY AND PETROLEUM- MR. DAVIS CHIRCHIR**

The Committee having considered his curriculum vitae and heard his oral submission during the interview, made the following observations on his nomination as a Cabinet Secretary:-

- (i) He is a holder of a Bachelor of Science Degree in Computer Science and Physics from the University of Nairobi and a Masters of Business Administration in International Management from Royal Holloway School of Management, University of London.
- (ii) Has a depth of experience in project development, management and execution and is skilled in strategic analysis and financial management.
- (iii) He previously served as a Commissioner at the Interim Independent Electoral Commission and also as the General Manager at Kenya Posts and Telecommunications Corporation where he coordinated the restructuring of KPTC to create Telkom Kenya, Communication Commission of Kenya, Postal Corporation of Kenya and staff Pension Fund. He also coordinated the privatization of Telkom Kenya and establishment of Safaricom.
- (iv) Has never been charged in a Court of Law, has no potential conflict of interest, and has fully complied with his tax obligation.
- (v) Has never been dismissed from office for contravention of the provisions of Article 75 of the Constitution which deals with conduct of state officers that are adversely mentioned in any investigatory report of Parliament or any Commission of Inquiry.

- (vi) The Committee found the nominee suitable for appointment as the Cabinet Secretary for the Ministry of Energy and Petroleum.

4.13

**CABINET SECRETARY NOMINEE FOR THE MINISTRY OF AGRICULTURE, LIVESTOCK AND FISHERIES - MR. FELIX KIPTARUS KOSKEI**

The Committee having considered his curriculum vitae and heard his oral submission during the vetting exercise/interview, made the following observations:-

- (i) He is a holder of Bachelor of Science Degree (1990) and Masters of Business Administration in Strategic Management (2003) from the University of Nairobi.
- (ii) He is trained in Road Asset Management Systems and Strategic Level Planning by University of Brunswick, Canada and also trained in Implementing successful and Effective Public Private Partnerships in University of Botswana.
- (iii) He joined Kenya Posts and Telecommunication Corporation in 1990 and later joined Kenya Civil Aviation Authority in 2007 as Procurement Manager where he served for 2 years. In 2009, he joined Kenya National Highways Authority and rose through the ranks to become General Manager, Supply Chain and Support Services.
- (iv) He has undertaken professional courses in Supply Chain Management offered by Chartered Institute of Purchasing and Supply having completed his graduate diploma.
- (v) Has never been charged in a Court of Law, has no potential conflict of interest, and has fully complied with his tax obligation.
- (vi) Has never been dismissed from office for contravention of the provisions of Article 75 of the Constitution which deals with

conduct of state officers that are adversely mentioned in any investigatory report of Parliament or any Commission of Inquiry.

- (vii) **The Committee found the nominee suitable for appointment as the Cabinet Secretary for the Ministry of Agriculture, Livestock and Fisheries.**

4.14

**CABINET SECRETARY NOMINEE FOR THE MINISTRY OF INDUSTRIALIZATION AND ENTERPRISE DEVELOPMENT- MR ADAN ABDULLA MOHAMMED**

The Committee having considered his curriculum vitae and heard his oral submission during the vetting exercise/interview, made the following observations:-

- (i) He is a holder of Bachelor of Commerce Degree (First Class) from the University of Nairobi and an MBA graduate of Harvard Business School, United States of America.
- (ii) Has worked for Barclays Bank for over 15 years in different parts of the world. He has been the Chief Executive Officer of Barclays Kenya for a period of 10 years that has seen the Bank grow from strength to strength. In recognition of his contribution, Barclays Group recently promoted him to the role of Chief Administrative Officer with responsibilities for 10 countries in Africa. Prior to Barclays, he worked for PricewaterhouseCoopers for a period of 7 years in London where he trained as a Chartered Accountant.
- (iii) Has never been charged in a Court of Law, has no potential conflict of interest, and has fully complied with his tax obligation.
- (iv) Has never been dismissed from office for contravention of the provisions of Article 75 of the Constitution which deals with conduct of state officers that are adversely mentioned in any

investigatory report of Parliament or any Commission of Inquiry.

- (v) **The Committee found the nominee suitable for appointment as the Cabinet Secretary for the Ministry of Industrialization and Enterprise Development**

4.15

**CABINET SECRETARY NOMINEE FOR THE MINISTRY OF EAST AFRICAN AFFAIRS, COMMERCE AND TOURISM - MRS. PHYLLIS JEPKOSGEI KIPINGOR-KANDIE**

The Committee having considered her curriculum vitae and heard her oral submission during the vetting exercise/interview, made the following observations-

- (i) She is a holder of Bachelor of Commerce Degree (Economics) from St. Mary's University (Canada) and MBA from Middlesex University, United Kingdom in 1991 and Durham University, UK for her MBA and further training.
- (ii) She is an investment banker and is currently engaged as a Director, Investment Advisory Services at Standard Investment Bank. She has also served as a Regulator within the Capital Markets, energy and agricultural sector.
- (iii) Previously, she was a Business Advisory Consultant for the Small & Medium Enterprises sector having consulted for the World Bank and European Union. She has also served in several Boards including the Kenya Revenue Authority.
- (iv) Has never been charged in a Court of Law, has no potential conflict of interest, and has fully complied with her tax obligation.
- (v) Has never been dismissed from office for contravention of the provisions of Article 75 of the Constitution which deals with conduct of state officers that are adversely mentioned in any

investigatory report of Parliament or any Commission of Inquiry.

- (vi) **The Committee was not satisfied with the capacity of the nominee to handle functions of the Ministry she was nominated for and therefore found the nominee not suitable for appointment as the Cabinet Secretary for the Ministry of East African Affairs, Commerce and Tourism.**

4.16

**CABINET SECRETARY NOMINEE FOR THE MINISTRY OF MINING – HON. NAJIB BALALA**

The Committee having considered his curriculum vitae and heard his oral submission during the vetting exercise/interview, made the following observations:-

- (i) He is a holder of a Certificate in Business Administration from Mombasa Polytechnic University and is pursuing an MBA program from Leads University.
- (ii) He has experience in Private Business and attended a leadership course at JF Kennedy School of Government, Harvard University and also a course in Urban Management at the University of Toronto.
- (iii) He served as Member of Parliament for Mvita for 10 years during which he served in four (4) Ministries. Was voted best Minister of Tourism in Africa by the African Investors and elected President of the United Nation World Tourism Organization (UNWTO). Previously worked for Central Bank of Kenya and Chase Bank.
- (iv) Has never been charged in a Court of Law, has no potential conflict of interest, and has fully complied with his tax obligation.
- (v) Has never been dismissed from office for contravention of the provisions of Article 75 of the Constitution which deals with

conduct of state officers that are adversely mentioned in any investigatory report of Parliament or any Commission of Inquiry.

- (vi) **The Committee found the nominee suitable for appointment as the Cabinet Secretary for the Ministry of Mining.**

## **5.0 COMMITTEE'S RECOMMENDATIONS**

**Pursuant to Article 152(2) of the Constitution and Standing Order No. 204 (4), the Committee recommends that:-**

1. This House approves the following fifteen (15) nominees for appointment by H.E. the President as Cabinet Secretaries in their respective Ministries:-
  - 1) Ms. Anne Waiguru
  - 2) Amb. Raychelle Omamo
  - 3) Amb. Amina Mohammed
  - 4) Prof. Jacob Ka'menyi
  - 5) Mr. Henry K. Rotich
  - 6) Mr. James Wainaina Macharia
  - 7) Eng. M. S. M. Kamau
  - 8) Prof. Judi Wangalwa Wakhungu
  - 9) Hon. Charity Ngilu
  - 10) Dr. Fred Okengo Matiangi
  - 11) Dr. Hassan Wario Arero
  - 12) Mr. Davis Chirchir
  - 13) Mr. Felix Kiptarus Koskei
  - 14) Mr. Adan Abdulla Mohammed
  - 15) Hon. Najib Balala
  
2. The Committee rejects the nomination of Mrs. Phyllis Jepkosgei Kipingor-Kandie as the Cabinet Secretary for East African Affairs, Commerce & Tourism and recommends that the appointing authority submits the name of another person for

consideration in accordance with the provisions Section 7(10) of  
the Public Appointments (Parliament Approval) Act 2011.

\_\_\_\_\_ 0 \_\_\_\_\_



**APPENDIX (1)**

**Correspondence  
(Annex 1-2)**

29

Telegram "Bunge"  
Telephone: +254 20 2221 291  
Fax: +254 20 2243 694  
E-mail: clerk@parliament.go.ke



KENYA NATIONAL ASSEMBLY  
**OFFICE OF THE CLERK**

Clerk's Chambers  
National Assembly  
Parliament Buildings  
P. O. Box 41842-00100  
Nairobi, Kenya

KNA. 2/4/(32)

7<sup>th</sup> May, 2013

**Mr. Francis Kimemia, CBS**  
Permanent Secretary, Secretary to the Cabinet and  
Head of Civil Service  
Harambee House, Harambee Avenue  
P.O. Box 30510  
NAIROBI

Dear *Francis*

RE: VETTING OF NOMINEES TO POSITIONS OF CABINET SECRETARY BY  
THE COMMITTEE ON APPOINTMENTS

The Committee on Appointments at its Second Sitting on Monday, 6<sup>th</sup> May 2013, resolved that it required a write-up on the composition of Government Ministries indicating departments falling under the respective portfolios.

This is to kindly request you to provide the requested information.

Yours *Sincerely*

**JUSTIN N. BUNDI**  
CLERK OF THE NATIONAL ASSEMBLY





of committees  
prepare files for the  
committee  
Jubard  
CMA  
8/5

Ref: CDT/MST/HO/54

8<sup>th</sup> May 2013

The National Assembly  
Parliament Buildings  
P. O. Box 41842-00100  
NAIROBI

**VETTING OF NOMINEES TO POSITIONS OF CABINET  
SECRETARY BY THE COMMITTEE ON APPOINTMENTS**

Your letter Ref: *KNA2/3/(45)* dated 3rd May 2013, refers:

Attached is a list of tax compliant nominees.

Alice. A. Owuor, OGW.  
**COMMISSIONER OF DOMESTIC TAXES,  
MEDIUM AND SMALL TAXPAYERS**

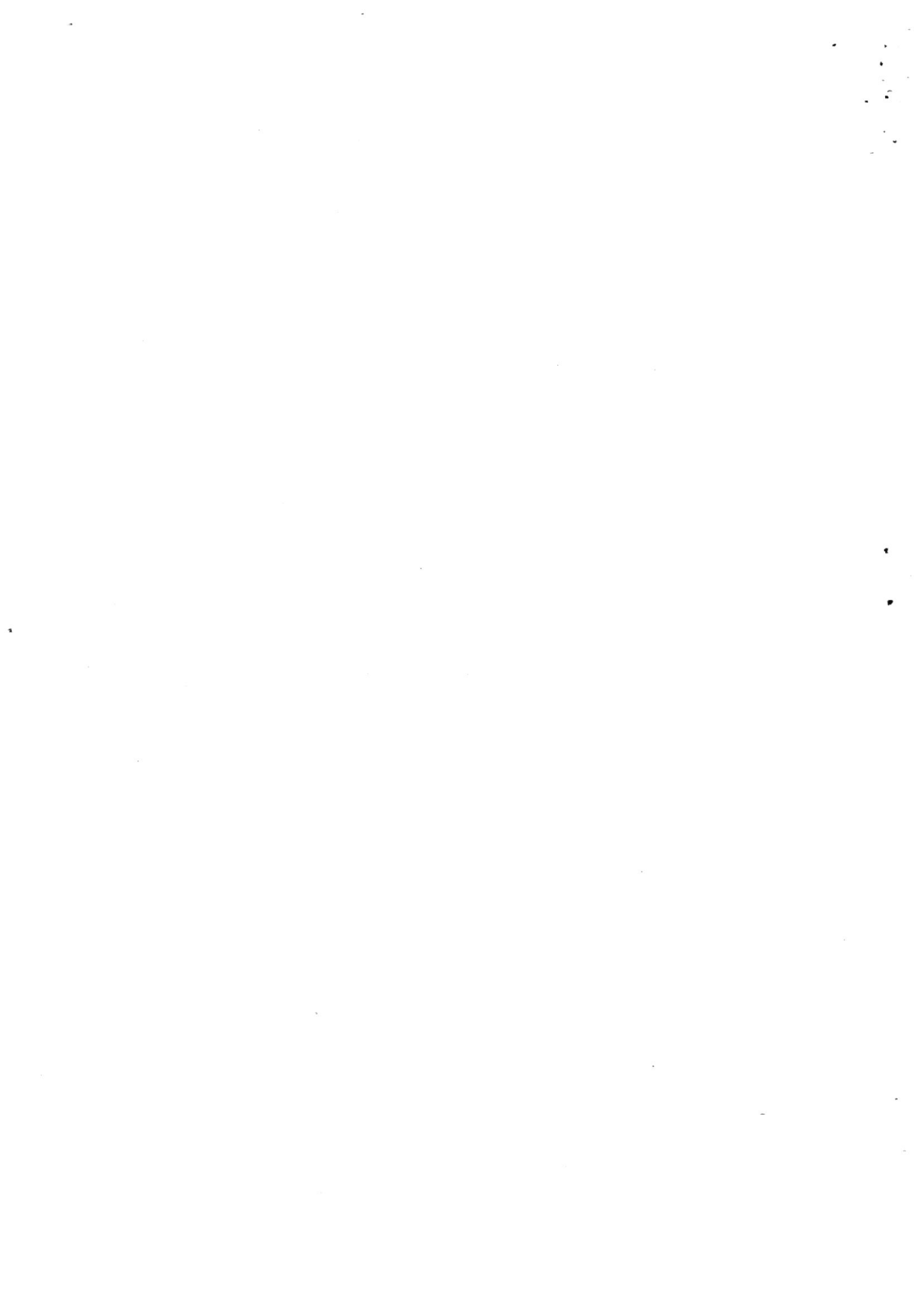


*Tulipe Ushuru Tujitegemee!*



**NOMINEES TO POSITION OF CABINET SECRETARY**

<b>NO.</b>	<b>NOMINEE</b>	<b>ID</b>	<b>PIN</b>	<b>STATUS</b>
1.	Ms. Anne Waiguru	10863747	A002478190F	Compliant
2.	Amb. Raychelle Omamo	3327816	A001105038B	Compliant
3.	Amb. Amina Mohammed		A002631423E	Compliant
4.	Prof. Jacob Kiamenyi	0995606	A000108709I	Compliant
5.	Mr. Henry K. Rotich	10031841	A001345168V	Compliant
6.	Mr. James Wainaina Macharia	236214	A003272254L	Compliant
7.	Eng. M. S. Kamau	4830176	A002166613E	Compliant
8.	Prof. Judi Wangalwa Wakhungu	3962007	A003623927U	Compliant
9.	Hon. Charity Ngilu	4441328	A002440055G	Compliant
10.	Dr. Fred Okengo Matiangi	9111724	A001751601D	Compliant
11.	Dr. Hassan Wario Arero	10956527	A005665918C	Compliant
12.	Mr. Davis Chirchir	0324076	A001099559F	Compliant
13.	Mr. Felix Kiptarus Koskei	6665340	A001383634M	Compliant
14.	Mr. Adan Abdulla Mohammed	2112090	A002662927V	Compliant
15.	Mrs. Phyllis J. Kipkingor Kandie	0334848	A002309241Z	Compliant
16.	Hon. Najib Balala	8470953	A001100146Q	Compliant



REPUBLIC OF KENYA

27

Telegraphic Address  
'Bunge', Nairobi  
Telephone 2221291/2848000  
Fax: 2243694  
E-mail: clerk@parliament.go.ke  
*When replying: Please quote*



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National Assembly  
Parliament Buildings  
P.O. Box 41842-00100  
NAIROBI, Kenya

KNA.2/3/(45)

3<sup>rd</sup> May, 2013

Mr. John Njirani, MBS  
Commissioner General, Kenya Revenue Authority  
Times Tower, 30<sup>th</sup> Floor,  
Haile Sellasie Avenue,  
P. O. Box 48240 -00100 GPO  
Nairobi.

Dear *Mr. Njirani*

RE: VETTING OF NOMINEES TO POSITIONS OF CABINET SECRETARY BY THE COMMITTEE ON APPOINTMENTS

The Committee on Appointments was established pursuant to the Provisions of Standing Order 204. It is mandated to consider, for approval by the House, appointments under Articles 152(2) of the Constitution (*Cabinet secretaries*).

The Committee will be conducting vetting of the nominees whose names are indicated on the attached list on Thursday, 9<sup>th</sup>, Friday, 10<sup>th</sup> and Saturday 11<sup>th</sup> May 2013.

This is to request you to provide a report on tax compliance by the nominees. Such information will assist the Committee undertake its mandate more effectively.

We will appreciate if the information is received by Monday, 6<sup>th</sup> May 2013.

Yours *Sincerely*

A handwritten signature in black ink, appearing to read 'Justin N. Bundi'.

JUSTIN N. BUNDI  
CLERK OF THE NATIONAL ASSEMBLY





D/Com HES



26

**ETHICS AND ANTI-CORRUPTION COMMISSION**

INTEGRITY CENTRE (Valley Rd./Milimani Rd. Junction) P.O. Box 61130-00200, NAIROBI, Kenya  
Tel.: +254-20-2717318/310722, Cellphone: +254-729-888881/2/3  
Fax: +254-20-2719757, Email: [eacc@integrity.go.ke](mailto:eacc@integrity.go.ke), Website: [www.eacc.go.ke](http://www.eacc.go.ke)

When replying please quote:

**EACC.6/42 VOL XIV /(74)**

**7<sup>th</sup> May 2013**

**Justin N. Bundi**  
Clerk of the National Assembly  
Clerk's Chamber  
National Assembly Parliament Building  
P.O. Box 41842-00100  
NAIROBI

Dear *Mr. Bundi,*

**RE: VETTING OF NOMINEES TO POSITIONS OF CABINET SECRETARY  
BY THE COMMITTEE ON APPOINTMENTS**

---

We write to thank you for your letter dated 3<sup>rd</sup> May 2013 contents whereof we noted.

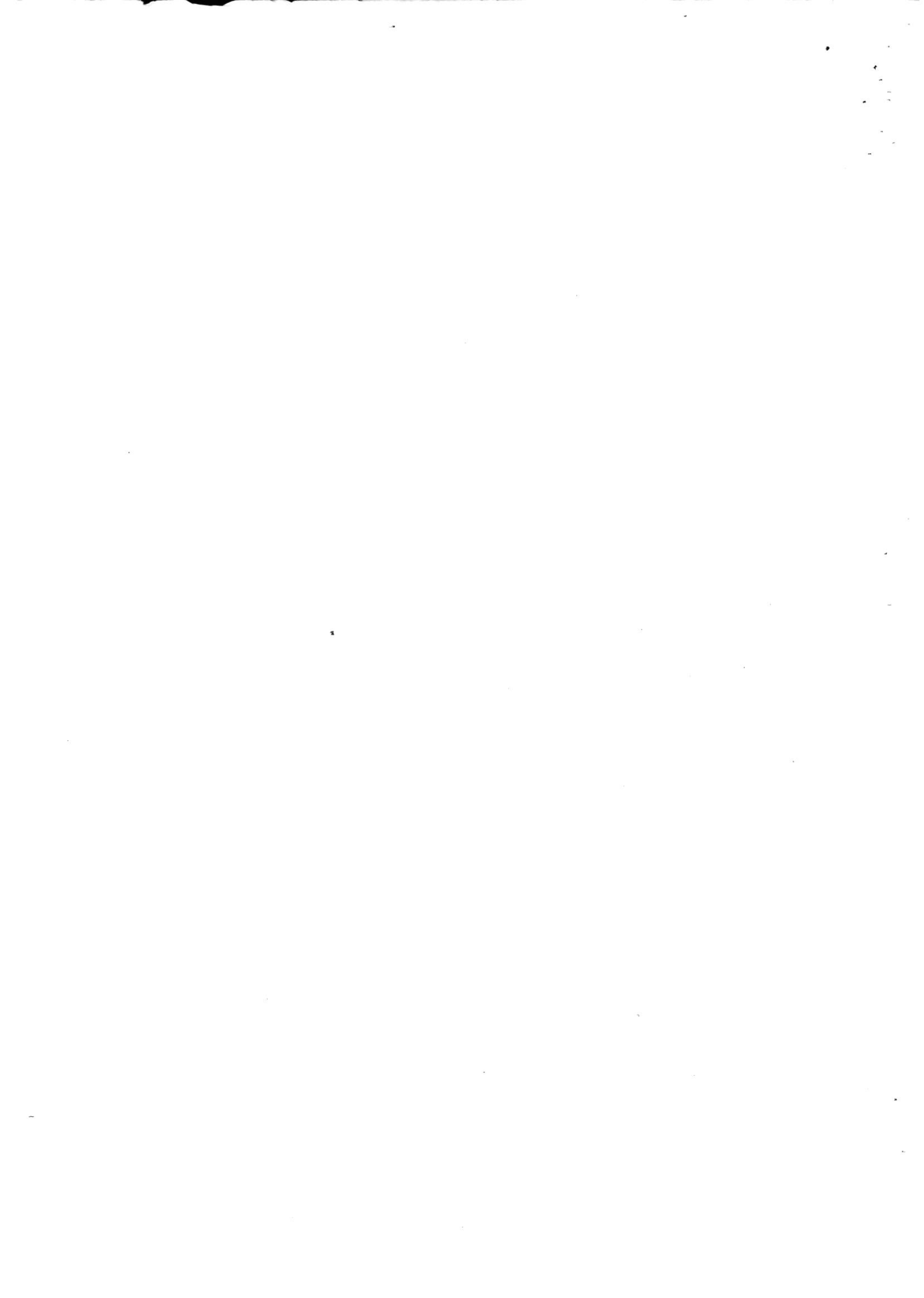
We regret to advise you that the Commission is not able to avail the information sought within the set deadline. We will however, fast track the process and revert within the shortest time possible.

Kindly bear with us for the time being.

Yours *sincerely,*

**HALAKHE D. WAQO, ACI Arb**  
**SECRETARY/ CHIEF EXECUTIVE OFFICER**





REPUBLIC OF KENYA

25

Telegraphic Address  
Bunge, Nairobi  
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P O Box 41842-00100  
NAIROBI

KNA.2/3/(44)

3<sup>rd</sup> May, 2013

Halakhe Dida Waqo  
Secretary/Chief Executive  
Ethics and Anti-Corruption Commission  
Integrity Centre  
Milimani/Valley Road Junction  
P.O. Box 61130 00200 Nairobi  
NAIROBI

Dear Mr. Waqo

RE: VETTING OF NOMINEES TO POSITIONS OF CABINET SECRETARY BY THE COMMITTEE ON APPOINTMENTS

The Committee on Appointments was established pursuant to the Provisions of Standing Order 204. It is mandated to consider, for approval by the House, appointments under Articles 152(2) of the Constitution (*Cabinet secretaries*).

The Committee will be conducting vetting of the nominees whose names are indicated on the attached list on Thursday, 9<sup>th</sup>, Friday, 10<sup>th</sup> and Saturday 11<sup>th</sup> May 2013,

This is to request you to provide any information touching on the integrity of the nominees that may be in possession of the Commission. Such information will assist the Committee undertake its mandate more effectively.

We will appreciate if the information is received by Monday, 6<sup>th</sup> May 2013.

Yours Sincerely

Handwritten signature of Justin N. Bundi.

JUSTIN N. BUNDI  
CLERK OF THE NATIONAL ASSEMBLY



D/committees

678



24

## HIGHER EDUCATION LOANS BOARD

Tel: 0711052000, 2278000, 0722205292, 0733205292,  
0704333035, 0704333036, 0737205292, 0754556899  
Fax: 2252330  
E-mail: ceo@helb.co.ke  
Website: www.helb.co.ke

Anniversary Towers  
18th Floor, University Way  
P.O. Box 69489-00400  
Nairobi, Kenya

HELB/RD/56593/POV/110

6<sup>th</sup> May, 2013

Justin N. Bundi  
Clerk of the National Assembly  
National Assembly of Kenya  
P.O Box 41842-00100  
NAIROBI



Dear

### VETTING OF NOMINEES FOR THE POSITIONS OF CABINET SECRETARY

We acknowledge receipt of your letter Ref. KNA.2/3(44) regarding the vetting of nominees to the positions of Cabinet Secretary by the Committee on Appointments pursuant to the Provisions of Standing order 204 and Articles 152(2) of the Constitution (Cabinet Secretaries).

Attached herewith please find a list of nominees who were beneficiaries of the HELB loans and whom we are pleased to confirm that they repaid their loans to completion. Please note that some of the applicants never benefited from the Loans Scheme. Please bring to the attention of all nominees that they are encouraged to seek their clearance and compliance certificates from HELB as part of their testimonials

Below find loan status of the nominees:

CABINET SECRETARY NOMINEES		
S/NO	NAME	ID NO
Those who have cleared their loans		
1	Mr. Davis Chirchir	324076
2	Dr. Hassan Wario Arero	10956527
3	Mr. Henry K. Rotich	10031841
4	Dr. Fred Okengo Matiangi	10956527
5	Mr. James Wainaina Macharia	236214
6	Prof. Jacob Kaimenyi	10956527
7	Mr. Felix Kiptarus Koskei	666530
8	Eng. Michael S. Kamau	4830176
9	Mr. Adan Abdulla Mohamed	2112090





	Those who never benefited
10	Mrs. Phyllis Jepkosgei Kandie
11	Ms. Anne Waiguru
12	Amb. Raychelle Omamo
13	Prof. Judi Wangalwa Wakhungu
14	Hon. Najib Balala
15	Hon. Charity Kaluki Ngilu
16	Amb. Amina Mohammed

We wish to thank you most sincerely for allowing us to provide you this information pursuant to Chapter 6 as this kind of collaboration goes a long way in assisting the Board finance needy Kenyans pursue higher education now and in the future.

Yours

*Sincerely*  


**CHARLES M. RINGERA**

**CHIEF EXECUTIVE OFFICER & BOARD SECRETARY**





REPUBLIC OF KENYA

23

Telegraphic Address  
'Bunge', Nairobi  
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Parliament Buildings  
P O Box 41842-00100  
NAIROBI Kenya

KNA.2/3/(44)

3<sup>rd</sup> May, 2013

Charles M Ringera  
Chief Executive  
Higher Education Loans Board  
Anniversary Towers, 18<sup>th</sup> Floor,  
University Way  
P.O. Box 69489-00100  
NAIROBI

Dear *Mr. Ringera*

RE: VETTING OF NOMINEES TO POSITIONS OF CABINET SECRETARY BY THE COMMITTEE ON APPOINTMENTS

The Committee on Appointments was established pursuant to the Provisions of Standing Order 204. It is mandated to consider, for approval by the House, appointments under Articles 152(2) of the Constitution (*Cabinet secretaries*).

The Committee will be conducting vetting of the nominees whose names are indicated on the attached list on Thursday, 9<sup>th</sup>, Friday, 10<sup>th</sup> and Saturday 11<sup>th</sup> May 2013,

This is to request you to provide a report on re-payments of any loans that may have been advanced by the Commission to the nominees.

We will appreciate if the information is received by Monday, 6<sup>th</sup> May 2013.

Yours *Sincerely*

Handwritten signature of Justin N. Bundi in black ink.

JUSTIN N. BUNDI  
CLERK OF THE NATIONAL ASSEMBLY



REPUBLIC OF KENYA

22

Telegraphic Address  
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P. O Box 41842-00100  
NAIROBI, Kenya

KNA.2/3/(43)

3<sup>rd</sup> May, 2013

Hon. Najib Balala  
NAIROBI

Dear *Balala*

RE: INVITATION FOR VETTING BY THE COMMITTEE ON APPOINTMENTS

Having been nominated by H.E. the President for the position of **Cabinet Secretary for Mining**, the Committee on Appointments of the National Assembly, pursuant to Article 152(2) of the Constitution and Section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011, invites you for vetting at Kenyatta International Conference Centre (KICC), Amphitheatre Hall, on **Saturday, 11<sup>th</sup> May, 2013 at 5.30 p.m.**

Kindly fill the attached Questionnaire as required by the Public Appointments (Parliamentary Approval) Act, 2011 and return it to the undersigned on or before **Tuesday, 7<sup>th</sup> May, 2013** together with the following documents: -

1. Certificate of Good Conduct;
2. Kenya Revenue Authority Tax compliance Certificate;
3. Certificate from the Higher Education Loans Board.

You are required to bring with you originals of your identity cards, academic and professional certificates and any other supporting documents and testimonials.

Yours *Sincerely*

Handwritten signature of Justin N. Bundi.

JUSTIN N. BUNDI  
CLERK OF THE NATIONAL ASSEMBLY



REPUBLIC OF KENYA

21

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CLERK'S CHAMBERS  
National Assembly  
Parliament Buildings  
P O Box 41842-00100  
NAIROBI, Kenya

KNA.2/3/(42)

3<sup>rd</sup> May, 2013

Mrs. Phyllis Jepkosgei Kipkingor-Kandie  
NAIROBI

Dear *Phyllis*

RE: INVITATION FOR VETTING BY THE COMMITTEE ON APPOINTMENTS

Having been nominated by H.E. the President for the position of **Cabinet Secretary for East African Affairs, Commerce and Tourism**, the Committee on Appointments of the National Assembly, pursuant to Article 152(2) of the Constitution and Section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011, invites you for vetting at Kenyatta International Conference Centre (KICC), Amphitheatre Hall, on **Saturday, 11<sup>th</sup> May, 2013 at 4.00 p.m.**

Kindly fill the attached Questionnaire as required by the Public Appointments (Parliamentary Approval) Act, 2011 and return it to the undersigned on or before **Tuesday, 7<sup>th</sup> May, 2013** together with the following documents: -

1. Certificate of Good Conduct;
2. Kenya Revenue Authority Tax compliance Certificate;
3. Certificate from the Higher Education Loans Board.

You are required to bring with you originals of your identity cards, academic and professional certificates and any other supporting documents and testimonials.

Yours *Sincerely*

*Justin N. Bundi*

JUSTIN N. BUNDI  
CLERK OF THE NATIONAL ASSEMBLY



REPUBLIC OF KENYA



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CLERK'S CHAMBERS  
National Assembly  
Parliament Buildings  
P O Box 41842-00100  
NAIROBI, Kenya

KNA.2/3/(41)

3<sup>rd</sup> May, 2013

Mr. Adan Abdulla Mohammed  
NAIROBI

Dear *Adan*

RE: INVITATION FOR VETTING BY THE COMMITTEE ON APPOINTMENTS

Having been nominated by H.E. the President for the position of Cabinet Secretary for Industrialization and Enterprise Development, the Committee on Appointments of the National Assembly, pursuant to Article 152(2) of the Constitution and Section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011, invites you for vetting at Kenyatta International Conference Centre (KICC), Amphitheatre Hall, on Saturday, 11<sup>th</sup> May, 2013 at 2.30 p.m.

Kindly fill the attached Questionnaire as required by the Public Appointments (Parliamentary Approval) Act, 2011 and return it to the undersigned on or before Tuesday, 7<sup>th</sup> May, 2013 together with the following documents: -

1. Certificate of Good Conduct;
2. Kenya Revenue Authority Tax compliance Certificate;
3. Certificate from the Higher Education Loans Board.

You are required to bring with you originals of your identity cards, academic and professional certificates and any other supporting documents and testimonials.

Yours

*Sincerely*  
*Justin N. Bundi*

JUSTIN N. BUNDI  
CLERK OF THE NATIONAL ASSEMBLY





REPUBLIC OF KENYA

19

Telegraphic Address  
Bunge, Nairobi  
Telephone 2221291/2848000  
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National Assembly  
Parliament Buildings  
P O Box 41842-00100  
NAIROBI, Kenya

KNA.2/3/(40)

3<sup>rd</sup> May, 2013

Mr. Felix Kiptarus Koskei  
NAIROBI

Dear *Felix*

RE: INVITATION FOR VETTING BY THE COMMITTEE ON APPOINTMENTS

Having been nominated by H.E. the President for the position of Cabinet Secretary for Agriculture, Livestock and Fisheries, the Committee on Appointments of the National Assembly, pursuant to Article 152(2) of the Constitution and Section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011, invites you for vetting at Kenyatta International Conference Centre (KICC), Amphitheatre Hall, on Saturday, 11<sup>th</sup> May, 2013 at 12.00 p.m.

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Yours *Sincerely,*

A handwritten signature in black ink, appearing to read 'Justin N. Bundi'.

JUSTIN N. BUNDI  
CLERK OF THE NATIONAL ASSEMBLY

REPUBLIC OF KENYA

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NAIROBI, Kenya

KNA.2/3/(39)

3<sup>rd</sup> May, 2013

Mr. Davis Chirchir  
NAIROBI

Dear *Davis*

RE: INVITATION FOR VETTING BY THE COMMITTEE ON APPOINTMENTS

Having been nominated by H.E. the President for the position of **Cabinet Secretary for Energy and Petroleum**, the Committee on Appointments of the National Assembly, pursuant to Article 152(2) of the Constitution and Section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011, invites you for vetting at Kenyatta International Conference Centre (KICC), Amphitheatre Hall, on **Saturday, 11<sup>th</sup> May, 2013 at 10.30 a.m.**

Kindly fill the attached Questionnaire as required by the Public Appointments (Parliamentary Approval) Act, 2011 and return it to the undersigned on or before **Tuesday, 7<sup>th</sup> May, 2013** together with the following documents:

1. Certificate of Good Conduct;
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Yours *Sincerely*

Handwritten signature of Justin N. Bundi in black ink.

JUSTIN N. BUNDI  
CLERK OF THE NATIONAL ASSEMBLY

REPUBLIC OF KENYA

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NAIROBI, Kenya

KNA.2/3/(38)

3<sup>rd</sup> May, 2013

Dr. Hassan Wario Arero  
NAIROBI

Dear *Dr. Hassan,*

RE: INVITATION FOR VETTING BY THE COMMITTEE ON APPOINTMENTS

Having been nominated by H.E. the President for the position of **Cabinet Secretary for Sports, Culture and the Arts**, the Committee on Appointments of the National Assembly, pursuant to Article 152(2) of the Constitution and Section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011, invites you for vetting at Kenyatta International Conference Centre (KICC), Amphitheatre Hall, on Saturday, 11<sup>th</sup> May, 2013 at 9.00 a.m.

Kindly fill the attached Questionnaire as required by the Public Appointments (Parliamentary Approval) Act, 2011 and return it to the undersigned on or before **Tuesday, 7<sup>th</sup> May, 2013** together with the following documents: -

1. Certificate of Good Conduct;
2. Kenya Revenue Authority Tax compliance Certificate;
3. Certificate from the Higher Education Loans Board.

You are required to bring with you originals of your identity cards, academic and professional certificates and any other supporting documents and testimonials.

Yours *Sincerely*  
*Justin N. Bundi*

JUSTIN N. BUNDI  
CLERK OF THE NATIONAL ASSEMBLY



Fred O. Matiangi, Ph.D.  
P.O. Box 15440-00509, Langata, Nairobi  
Tel: +254 733 600 882/+254 712 258 037  
Email: fredmatiangi@gmail.com or Fred.Matiangi@cid.suny.edu

7<sup>th</sup> May, 2013

Mr. Justin Bundi  
Clerk of the National Assembly  
Parliament Buildings  
P.O. Box 41842-00100  
NAIROBI, Kenya

Dear *Mr. Bundi,*

RE: INVITATION FOR VETTING BY THE COMMITTEE ON APPOINTMENTS

I am in receipt of your letter of 3<sup>rd</sup> May 2013 on the above captioned matter.

Pursuant to the requirements of the Public Appointments (Parliamentary Approval) Act 2011, I have filled out the Questionnaire you sent to me. Herewith attached is a copy of the same for your further transmission to the Committee. As advised, I have also enclosed herewith, for your kind reference and record, copies of:-

- 1. Certificate of Good Conduct
- 2. Kenya Revenue Authority Tax Compliance Certificate and
- 3. Certificate from the Higher Education Loans Board

Yours *Sincerely,*

*Fred O. Matiangi*

FRED O. MATIANGI  
NOMINEE FOR CABINET SECRETARY FOR ICT







REPUBLIC OF KENYA

15

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NAIROBI, Kenya

KNA.2/3/(37)

3<sup>rd</sup> May, 2013

Dr. Fred Okengo-Matiangi  
NAIROBI

Dear Dr. Matiangi

RE: INVITATION FOR VETTING BY THE COMMITTEE ON APPOINTMENTS

Having been nominated by H.E. the President for the position of Cabinet Secretary for Information, Communication and Technology (ICT), the Committee on Appointments of the National Assembly, pursuant to Article 152(2) of the Constitution and Section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011, invites you for vetting at Kenyatta International Conference Centre (KICC), Amphitheatre Hall, on Friday, 10<sup>th</sup> May, 2013 at 4.00 p.m.

Kindly fill the attached Questionnaire as required by the Public Appointments (Parliamentary Approval) Act, 2011 and return it to the undersigned on or before Tuesday, 7<sup>th</sup> May, 2013 together with the following documents:

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You are required to bring with you originals of your identity cards, academic and professional certificates and any other supporting documents and testimonials.

Yours Sincerely  
*Justin N. Bundi*

JUSTIN N. BUNDI  
CLERK OF THE NATIONAL ASSEMBLY





REPUBLIC OF KENYA



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National Assembly  
Parliament Buildings  
P O Box 41842-00100  
NAIROBI, Kenya

3<sup>rd</sup> May, 2013

KNA.2/3/(36)

Hon. Charity Ngilu  
NAIROBI

Dear Hon. Ngilu

RE: INVITATION FOR VETTING BY THE COMMITTEE ON APPOINTMENTS

Having been nominated by H.E. the President for the position of Cabinet Secretary for Land, Housing and Urban Development, the Committee on Appointments of the National Assembly, pursuant to Article 152(2) of the Constitution and Section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011, invites you for vetting at Kenyatta International Conference Centre (KICC), Amphitheatre Hall, on Friday, 10<sup>th</sup> May, 2013 at 2.30 p.m.

Kindly fill the attached Questionnaire as required by the Public Appointments (Parliamentary Approval) Act, 2011 and return it to the undersigned on or before Tuesday, 7<sup>th</sup> May, 2013 together with the following documents: -

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You are required to bring with you originals of your identity cards, academic and professional certificates and any other supporting documents and testimonials.

Yours

Sincerely

Handwritten signature of Justin N. Bundi.

JUSTIN N. BUNDI  
CLERK OF THE NATIONAL ASSEMBLY



REPUBLIC OF KENYA

13

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NAIROBI, Kenya

KNA.2/3/(35)

3<sup>rd</sup> May, 2013

Prof. Judi Wangalwa Wakhungu  
NAIROBI

Dear *Prof Wakhungu*

RE: INVITATION FOR VETTING BY THE COMMITTEE ON APPOINTMENTS

Having been nominated by H.E. the President for the position of Cabinet Secretary for Environment, Water and Mineral Resources, the Committee on Appointments of the National Assembly, pursuant to Article 152(2) of the Constitution and Section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011, invites you for vetting at Kenyatta International Conference Centre (KICC), Amphitheatre Hall, on Friday, 10<sup>th</sup> May, 2013 at 12.00 p.m.

Kindly fill the attached Questionnaire as required by the Public Appointments (Parliamentary Approval) Act, 2011 and return it to the undersigned on or before Tuesday, 7<sup>th</sup> May, 2013 together with the following documents: -

1. Certificate of Good Conduct;
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You are required to bring with you originals of your identity cards, academic and professional certificates and any other supporting documents and testimonials.

Yours *Sincerely*

Handwritten signature of Justin N. Bundi in black ink.

JUSTIN N. BUNDI  
CLERK OF THE NATIONAL ASSEMBLY





12

## MINISTRY OF ROADS

Telephone: (020) 2723101  
Fax: (020) 2719858  
Email: [ps@roads.go.ke](mailto:ps@roads.go.ke)  
Website: [www.roads.go.ke](http://www.roads.go.ke)

OFFICE OF THE PERMANENT SECRETARY  
WORKS BUILDING  
NGONG ROAD  
P.O. Box 30260-00100  
NAIROBI

When replying please quote

Ref. MOR/A.24.04 VOL.18 (16)

7<sup>th</sup> May 2013

Mr. Justin Bundi  
Clerk to the National Assembly  
Parliament Buildings  
P. O. Box 41842  
NAIROBI

Dear *Justin*

### VETTING BY THE COMMITTEE ON APPOINTMENT

Reference is made to letter No. KNA.2/3/(34) of 3<sup>rd</sup> May 2013 on the above subject.

Enclosed please find duly completed questionnaire together with certificate of good conduct, Kenya Revenue Authority Tax Compliance Certificate and Certificate from the Higher Education Loans Board as requested. Also enclosed are other relevant documents as requested.

Yours *Simanyi*

*M.S.M.*  
Eng. M. S. M. Kamau, CBS, HSC  
PERMANENT SECRETARY

Enc.

Copy to:  
Mr. Francis Kimemia, EGH  
Permanent Secretary/Secretary to the Cabinet &  
Head of Public Service  
Office of the President  
NAIROBI





REPUBLIC OF KENYA

11

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P O Box 41842-00100  
NAIROBI, Kenya

KNA.2/3/(34)

3<sup>rd</sup> May, 2013

Eng. M. S. Kamau  
NAIROBI

Dear *Eng. Kamau*

RE: INVITATION FOR VETTING BY THE COMMITTEE ON APPOINTMENTS

Having been nominated by H.E. the President for the position of Cabinet Secretary for Transport and Infrastructure, the Committee on Appointments of the National Assembly, pursuant to Article 152(2) of the Constitution and Section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011, invites you for vetting at Kenyatta International Conference Centre (KICC), Amphitheatre Hall, on Friday, 10<sup>th</sup> May, 2013 at 10.30 a.m.

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Yours *Sincerely*

A handwritten signature in black ink, appearing to read 'Justin N. Bundi'.

JUSTIN N. BUNDI -  
CLERK OF THE NATIONAL ASSEMBLY





REPUBLIC OF KENYA

10

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NAIROBI, Kenya

KNA.2/3/(33)

3<sup>rd</sup> May, 2013

Mr. James Wainaina Macharia  
NAIROBI

Dear *Mr. Macharia*

RE: INVITATION FOR VETTING BY THE COMMITTEE ON APPOINTMENTS

Having been nominated by H.E. the President for the position of **Cabinet Secretary for Health**, the Committee on Appointments of the National Assembly, pursuant to Article 152(2) of the Constitution and Section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011, invites you for vetting at Kenyatta International Conference Centre (KICC), Amphitheatre Hall, on Friday, 10<sup>th</sup> May, 2013 at 9.00 a.m.

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Yours *Sincerely*  
*Justin N. Bundi*

JUSTIN N. BUNDI  
CLERK OF THE NATIONAL ASSEMBLY



REPUBLIC OF KENYA

9

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Parliament Buildings  
P O Box 41842-00100  
NAIROBI, Kenya

KNA.2/3/(32)

3<sup>rd</sup> May, 2013

Mr. Henry K. Rotich  
NAIROBI

Dear Henry

RE: INVITATION FOR VETTING BY THE COMMITTEE ON APPOINTMENTS

Having been nominated by H.E. the President for the position of Cabinet Secretary for the National Treasury, the Committee on Appointments of the National Assembly, pursuant to Article 152(2) of the Constitution and Section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011, invites you for vetting at Kenyatta International Conference Centre (KICC), Amphitheatre Hall, on Thursday, 9<sup>th</sup> May, 2013 at 4.00 p.m.

Kindly fill the attached Questionnaire as required by the Public Appointments (Parliamentary Approval) Act, 2011 and return it to the undersigned on or before Tuesday, 7<sup>th</sup> May, 2013 together with the following documents: -

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Yours Sincerely

Handwritten signature of Justin N. Bundi.

JUSTIN N. BUNDI  
CLERK OF THE NATIONAL ASSEMBLY



8

REPUBLIC OF KENYA

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Parliament Buildings  
P O Box 41842-00100  
NAIROBI, Kenya

KNA.2/3/(31)

3<sup>rd</sup> May, 2013

Prof. Jacob Kaimenyi  
NAIROBI

Dear Prof. Kaimenyi

RE: INVITATION FOR VETTING BY THE COMMITTEE ON APPOINTMENTS

Having been nominated by H.E. the President for the position of Cabinet Secretary for Education, Science and Technology, the Committee on Appointments of the National Assembly, pursuant to Article 152(2) of the Constitution and Section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011, invites you for vetting at Kenyatta International Conference Centre (KICC), Amphitheatre Hall, on Thursday, 9<sup>th</sup> May, 2013 at 2.30 p.m.

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Yours Sincerely

Handwritten signature of Justin N. Bundi.

JUSTIN N. BUNDI  
CLERK OF THE NATIONAL ASSEMBLY





7

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NAIROBI, Kenya

KNA.2/3/(30)

3<sup>rd</sup> May, 2013

Amb. Amina Mohammed  
NAIROBI

Dear *Amb. Amina*

RE: INVITATION FOR VETTING BY THE COMMITTEE ON APPOINTMENTS

Having been nominated by H.E. the President for the position of Cabinet Secretary for Foreign Affairs, the Committee on Appointments of the National Assembly, pursuant to Article 152(2) of the Constitution and Section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011, invites you for vetting at Kenyatta International Conference Centre (KICC), Amphitheatre Hall, on Thursday, 9<sup>th</sup> May, 2013 at 12.00 p.m.

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Yours *Sincerely*

JUSTIN N. BUNDI  
CLERK OF THE NATIONAL ASSEMBLY





6

REPUBLIC OF KENYA

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NAIROBI, Kenya

KNA.2/3/(29)

3<sup>rd</sup> May, 2013

Amb. Raychelle Omamo  
NAIROBI

Dear *Amb. Raychelle*

RE: INVITATION FOR VETTING BY THE COMMITTEE ON APPOINTMENTS

Having been nominated by H.E. the President for the position of Cabinet Secretary for Defence, the Committee on Appointments of the National Assembly, pursuant to Article 152(2) of the Constitution and Section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011, invites you for vetting at Kenyatta International Conference Centre (KICC), Amphitheatre Hall, on Thursday, 9<sup>th</sup> May, 2013 at 10.30 a.m.

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Yours *Sincerely*

JUSTIN N. BUNDI  
CLERK OF THE NATIONAL ASSEMBLY



REPUBLIC OF KENYA

5

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NAIROBI, Kenya

KNA.2/3/(28)

3<sup>rd</sup> May, 2013

Ms. Anne Waiguru  
NAIROBI

Dear *Anne*

RE: INVITATION FOR VETTING BY THE COMMITTEE ON APPOINTMENTS

Having been nominated by H.E. the President for the position of **Cabinet Secretary for Devolution and Planning**, the Committee on Appointments of the National Assembly, pursuant to Article 152(2) of the Constitution and Section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011, invites you for vetting at Kenyatta International Conference Centre (KICC), Amphitheatre Hall, on Thursday, 9<sup>th</sup> May, 2013 at 9.00 a.m.

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Yours *Sincerely*

Handwritten signature of Justin N. Bundi in black ink.

JUSTIN N. BUNDI  
CLERK OF THE NATIONAL ASSEMBLY



D/ Committees



4

**OFFICE OF THE PRESIDENT**  
PERMANENT SECRETARY, SECRETARY TO THE CABINET  
AND HEAD OF THE PUBLIC SERVICE

Telegraphic Address "Rais"  
Telephone: Nairobi 2227411  
When replying please quote

P.O. Box 62345-00200  
NAIROBI

Ref. No. **OP/CAB.1/4**.....  
and date

6<sup>th</sup> May, 2013....., 20.....

**Mr. Justin Bundi**  
Clerk of the National Assembly  
Parliament Buildings  
**NAIROBI**

Dear *Mr. Bundi*

**REF: CURRICULUM VITAE'S FOR NOMINATED CABINET SECRETARIES**

Attached, please find a CV for the nominated Cabinet Secretary named below for your necessary action.

1. Prof. Jacob Thuranira Kaimenyi

Yours *Sincerely*

*K. W. Kihara*

**K. W. Kihara, EBS**  
For: **PERMANENT SECRETARY, SECRETARY TO THE  
CABINET AND HEAD OF THE PUBLIC SERVICE**

Encl.





D/Committee 595

3



THE NATIONAL ASSEMBLY  
RECEIVED  
08 MAY 2013  
DIRECTOR COMMITTEE SERVICE

OFFICE OF THE PRESIDENT  
PERMANENT SECRETARY, SECRETARY TO THE CABINET  
AND HEAD OF THE PUBLIC SERVICE

P.O. Box 62345-00200  
NAIROBI

Telegraphic Address "Rais"  
Telephone: Nairobi 2227411  
When replying please quote

.....3<sup>rd</sup> May, 2013.....

Ref. No. OP/CAB.1/4.....  
and date



RECEIVED  
06 MAY 2013  
CLERK'S OFFICE

Mr. Justin Bundi  
Clerk of the National Assembly  
Parliament Buildings  
NAIROBI

Dear *Justice Bundi*

REF: CURRICULUM VITAE'S FOR NOMINATED CABINET SECRETARIES

Attached, please find a CV for the nominated Cabinet Secretary named below for your necessary action.

1. Amb. Raychelle Awuor Omamo, SC

Yours *Sincerely*

*Kihara*

K. W. Kihara, EBS  
For: PERMANENT SECRETARY, SECRETARY TO THE  
CABINET AND HEAD OF THE PUBLIC SERVICE

Encls.





## CURRICULUM VITAE

AMBASSADOR RAYCHELLE AWUOR OMAMO, SC  
Date of Birth: 18 July 1962  
Nationality: Kenyan  
Mailing Address: P.O. BOX 129 - 00502, Nairobi, Kenya  
Tel: + 254 734 953 949  
Email – raychelle\_omamo@yahoo.com

---

### ATTRIBUTES:

I am an intelligent, conscientious and articulate Kenyan woman with proven leadership and professional skills in the areas of law and diplomacy.

---

### WORK EXPERIENCE

---

#### Diplomacy

Substantial experience as an Ambassador Extraordinary and Plenipotentiary of the Republic of Kenya, undertaking bilateral diplomacy (including the promotion of trade, investment, tourism, culture and development co-operation, Diaspora and consular affairs) multilateral diplomacy (in the area of education, science, social development and culture) and managing a large diplomatic mission with accreditation to five (5) European countries as well as to a substantive UN specialized agency, as follows:

- *First woman Ambassador Extraordinary & Plenipotentiary of the Republic of Kenya to the Republic of France, the Republic of Portugal, The Holy See (The Vatican) and the Republic of Serbia – 2003 to 2009;*
- *First woman Ambassador Extraordinary & Plenipotentiary of the Republic of Kenya to the Kingdom of Spain – 2003 – 2007; Ambassador,*
- *First woman Permanent Delegate of the Republic of Kenya to UNESCO - 2003 – 2006;*
- *First African woman President of the UNESCO Headquarters Committee- 2005 – 2006;*

#### Law

- *First woman lawyer to be inscribed on the Roll of Senior Counsel in Kenya*
- *First woman Chairperson of the Law Society of Kenya*
- *27 years experience as an Advocate of the High Court of Kenya, in this regard undertaking legal research, interpreting statutes, providing legal advice, rendering written legal opinions and briefs, drafting pleadings, legal instruments and agreements and conducting contentious litigation, in the Court of Appeal and High Court of Kenya as well as in Magistrates courts and tribunals and attending to arbitration proceedings as follows:*



Substantial contributions to the development of legislation and policy as follows:

- *Member of the Committee established by the Law Society of Kenya to Review the Law Society Act – 2010;*
- *Member of the Minister of Justice of Kenya's Task Force on the Establishment of a Truth and Reconciliation Commission for Kenya – 2003;*
- *Assisting Counsel to the Presidential Commission of Inquiry into the Illegal and Irregular Allocation of Public Land in Kenya – 2003;*
- *Delegate to the National Constitutional Conference of Kenya – representing Professional Organisations – 2002 – 2003;*
- *Member of the drafting team in respect of the Kenya's Children's Bill, 2002 under the auspices of the Attorney General of Kenya's Task Force on Children – 2001 – 2002; and*
- *Member of the Attorney General of Kenya's Task Force on the Review of Landlord and Tenant Legislation – 1999 – 2000.*

Key contributions to the advancement of the rule of law, the fair administration of justice and the protection of human rights in Kenya and in Africa as follows:

- *Member of a mission established by the International Bar Association to investigate encroachments into the independence of the judiciary, the rule of law and the administration of justice in the Kingdom of Swaziland – 2003;*
- *Leader of the Law Society of Kenya's National "Yellow Ribbon Campaign" in support of Constitutional and judicial reform in Kenya- 2002;*
- *Leader of a mission/study established by the Law Society of Kenya in collaboration with the USAID to investigate land based electoral violence in Tana River District, Molo, Transmara District and Kibera in Kenya – 2002; and*
- *Member of a mission established by the International Commission of Jurists (Kenya) and the East Africa Law Society to Zanzibar & Pemba to investigate human rights violations and electoral violence – 2001*



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## COMMUNITY SERVICE

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Contributions to the management of non-profit organizations established for the benefit of underprivileged and vulnerable groups in Kenya.

- *Member of the Board of AMREF Flying Doctors – 2012 to date;*
- *Member of the Advisory Board of the Dispute Resolution Centre, Nairobi – 2000 to date;*
- *Founder Council Member of the International Federation of Women Lawyers (Kenya Chapter);*
- *Chairperson of the Board of the Nyumbani Children's Home and HIV/AIDS Hospice-Kenya's first children's hospice and home for HIV/AIDS orphans – 2001 – 2003;*
- *Member of the Board of the Undugu Society of Kenya – Kenya's pioneer organization for the rehabilitation of street children – 2000 – 2002; and*
- *Founder Trustee of the Starehe Girls Centre — a trust established to create and manage an institution of academic excellence for underprivileged girls in Kenya – 2002 – 2003;*

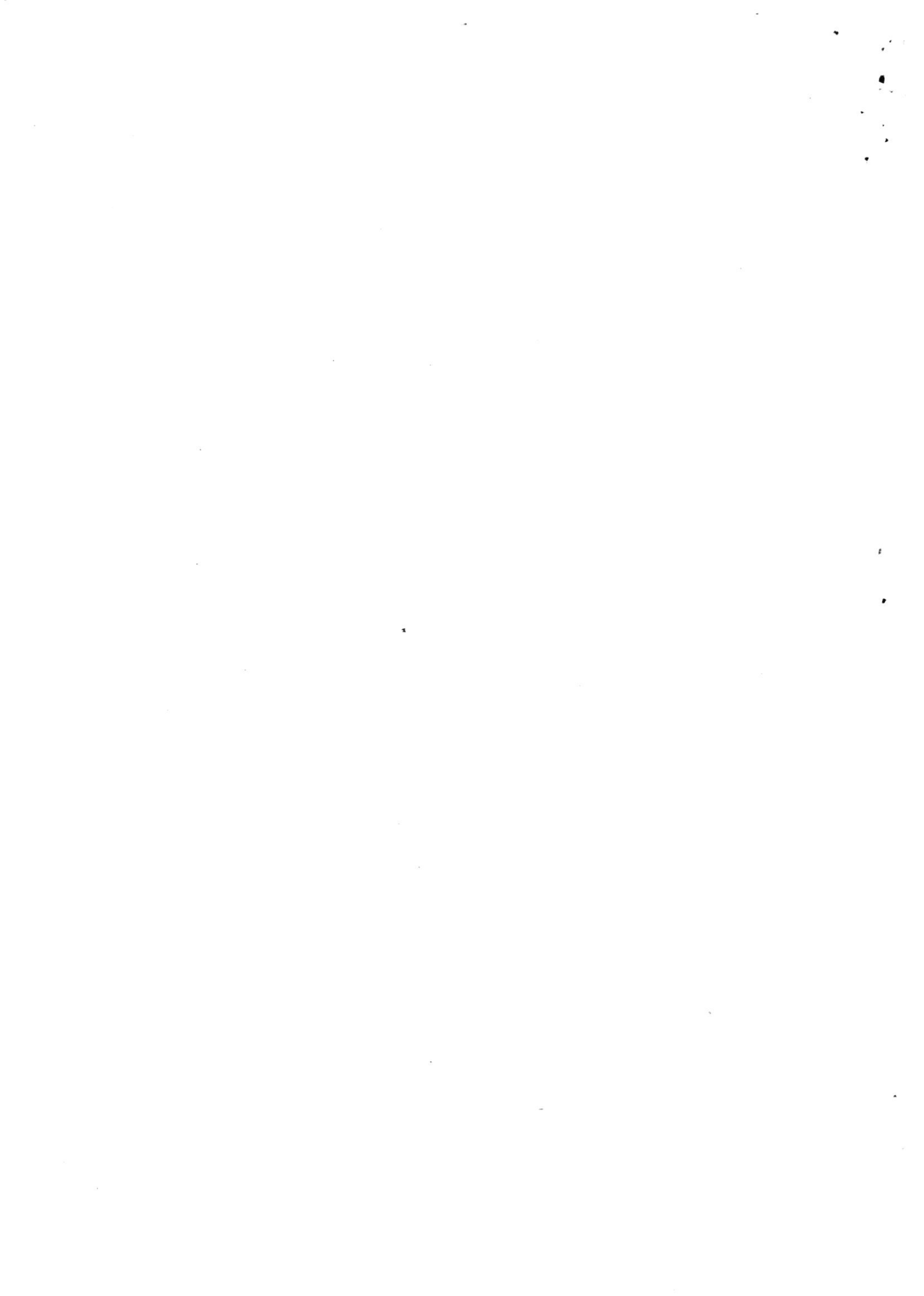
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## LANGUAGES

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- *English;*
- *French (Working knowledge);*
- *Swahili; and*
- *Luo*

*Ambassador Raychelle Awuor Omamo, SC.*  
*Nairobi, Friday, 22 March 2013*





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**OFFICE OF THE PRESIDENT**  
PERMANENT SECRETARY, SECRETARY TO THE CABINET  
AND HEAD OF THE PUBLIC SERVICE

Telegraphic Address "Rais"  
Telephone: Nairobi 2227411  
When replying please quote

P.O. Box 62345-00200  
NAIROBI

Ref. No. **OP/CAB.1/4**.....  
and date

.....**2<sup>nd</sup> May, 2013**.....

**Mr. Justin Bundi**  
Clerk of the National Assembly  
Parliament Buildings  
**NAIROBI**

Dear *Justin Bundi*

**REF: CURRICULUM VITAE'S FOR NOMINATED CABINET SECRETARIES**

Attached, please find CV's for two nominated Cabinet Secretaries named below for your necessary action.

1. Dr. Hassan Wario Arero
2. Amb. Amina C. Mohamed, CBS, CAV

Yours *sincerely*

**K. W. Kihara, EBS**  
For: PERMANENT SECRETARY, SECRETARY TO THE  
CABINET AND HEAD OF THE PUBLIC SERVICE

Encls.







1

**OFFICE OF THE PRESIDENT**  
PERMANENT SECRETARY, SECRETARY TO THE CABINET  
AND HEAD OF THE PUBLIC SERVICE

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P.O. Box 62345-00200  
NAIROBI

Ref. No. OP/CAB.1/4  
and date

.....30<sup>th</sup> April, 2013.....

**Mr. Justine Bundi**  
Clerk of the National Assembly  
Parliament Buildings  
**NAIROBI**

Dear *M Bundi*

**REF: CURRICULUM VITAE'S FOR NOMINATED CABINET SECRETARIES**

Attached, please find four CV's for the nominated Cabinet Secretaries for your necessary action. They are for:

1. Judy Wangalwa Wakhungu
2. Anne Mumbi Waiguru
3. Koskei Felix Kiptarus
4. Mr. Fred O. Matiang'i

Yours

*Sincerely*



*Kihara*

**K. W. Kihara, EBS**

**For: PERMANENT SECRETARY, SECRETARY TO THE  
CABINET AND HEAD OF THE PUBLIC SERVICE**

Encls.

