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**REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY**

THIRTEENTH PARLIAMENT – SECOND SESSION (2023)

**COMMITTEE ON NATIONAL GOVERNMENT CONSTITUENCIES
DEVELOPMENT FUND**

**REPORT ON THE VETTING OF HON GABRIEL KAGO MUKUHA
FOR APPOINTMENT AS A DIRECTOR OF THE NATIONAL
GOVERNMENT CONSTITUENCIES DEVELOPMENT FUND
BOARD**

November, 2023

Directorate of Audit, Appropriations and Other Select Committees
Clerk's Chambers
National Assembly
Parliament Buildings
NAIROBI

THE NATIONAL ASSEMBLY	
P/ D	
DATE:	07 NOV 2023
	DAY: TUESDAY
TABLED BY:	HON. MUSA SIRMA, EGH, MP CHAIRPERSON
CLERK-AT THE TABLE:	INZORU MWANGI

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ABBREVIATIONS

DCI	-	Directorate of Criminal Investigations
EACC	-	Ethics and Anti-Corruption Commission
HELB	-	Higher Education Loans Board
HR	-	Human Resource
KRA	-	Kenya Revenue Authority
MP	-	Member of Parliament
NASC	-	National Assembly Select Committee
NG-CDF	-	National Government Constituencies Development Fund
ORPP	-	Office of the Registrar of Political Parties
PAPAA	-	Public Appointments (Parliamentary Approval) Act, 2011

CHAIRPERSON'S FOREWORD

The Speaker of the National Assembly conveyed a Message from the Cabinet Secretary for the National Treasury and Economic Planning, Prof. Njuguna Ndung'u on the nomination of Hon. Gabriel Kago Mukuha for appointment as a member of the Board of the National Government Constituencies Development Fund Pursuant to Standing Order No. 42 (4) of the National Assembly on Thursday, 12th October, 2023.

Pursuant to Standing Order 42 3(c), the name was referred to the Select Committee on National Government Constituencies Development Fund for consideration.

The Committee undertook approval hearings on Tuesday, 31st October, 2023 in compliance with the Constitution, the National Government Constituencies Development Fund Act, 2015, the Public Appointments (Parliamentary Approval) Act, 2011 and the National Assembly Standing Orders.

I take this opportunity to thank all Members of the Committee for their dedication to duty, the offices of the Speaker and that of the Clerk of the National Assembly for according the Committee the necessary logistical and technical support during the approval hearings. Further, the Committee wishes to thank all the stakeholders who facilitated the approval hearings.

On behalf of Members of the Select Committee on National Government Constituencies Development Fund and pursuant to Standing Order 199 and section 50(5) (d) of the National Government Constituencies Development Fund Act, 2015, it is my pleasure and duty to table to the House the Committee's Report on the approval hearing of Hon. Gabriel Kago Mukuha for appointment as a Board Director of the National Government Constituencies Development Fund.



Hon. Musa Sirma Cherutich, CBS, M.P.

Chairperson

Committee on National Government Constituencies Development Fund

EXECUTIVE SUMMARY

In line with the provisions of Section 15 of the National Government Constituencies Development Fund Act, 2015, Sections 3 and 5(1) of the Public Appointments (Parliamentary Approval) Act, 2011, the Cabinet Secretary for the National Treasury and Economic Planning vide a letter reference *TNTP/SDP/4/52/(39)* dated 12th October, 2023 submitted the name of Hon. Gabriel Kago Mukuha for appointment as a member of the Board of the National Government Constituencies Development Fund.

The Speaker conveyed the Message to the House on Thursday 12th October, 2023 and subsequently, committed the name of the nominee to the Select Committee on National Government Constituencies Development Fund for consideration.

The Committee carried out approval hearings in accordance with the provisions of the Constitution, the Public Appointments (Parliamentary Approval) Act, 2011, the National Government Constituencies Development Fund Act, 2015 and the National Assembly Standing Orders.

In compliance with Article 118 (1) (b) of the Constitution and Section 6 (4) of the Public Appointments (Parliamentary approval) Act, 2011, the Clerk of the National Assembly placed an advertisement in the Nation and Standard newspapers on Wednesday, 18th October, 2023.

In the advertisement, the general public was notified of the nomination, submission of memoranda on the suitability of the nominee pursuant to Section 6 of the Public Appointments (Parliamentary Approval) Act, 2011. Further the advert notified the public on the date, place and time for the approval hearing that was undertaken on Tuesday, 31st October, 2023 in Committee Room on 5th Floor, Continental House, Parliament Buildings starting from 10.00 a.m.

The nominee was also notified through the same advertisement to submit clearance certificates from the following agencies: the Ethics and Anti-Corruption Commission, the Kenya Revenue Authority, the Higher Education Loans Board, the Directorate of Criminal Investigations and Office of the Registrar of Political Parties.

By close of business on Thursday, 26th October 2023, the Committee had not received any memoranda contesting or in support of the suitability of the nominee.

The Committee undertook the approval hearing for the nominee on Tuesday, 31st October, 2023 and observed that he met the threshold for appointment as a director to the National Government Constituencies Development Fund Board as stipulated in Section 15 (1) (e) of the National Government Constituencies Development Fund Act, 2015 and Section 8(2) of the Public Appointments (Parliamentary Approval) Act, 2011.

The Committee therefore recommends that the House **APPROVES** the nomination of Hon. Gabriel Kago Mukuha for appointment as a Director to the Board of the National Government Constituencies Development Fund.

1.0 PREFACE

1.1 Establishment and Mandate of the Committee

1. The Select Committee on National Government Constituencies Development Fund (NG-CDF) is a statutory Committee established in accordance with the provisions of Section 50 of NG-CDF Act, 2015 whose functions include:
 - (i) Overseeing the implementation of the NG-CDF Act, 2015 and in this respect, shall after every two years submit a report to the National Assembly and where necessary, propose any amendments to the Act with respect to the quantum of funds repayable into the Fund in accordance with Section 4 of the Act;
 - (ii) Overseeing the policy framework and legislative matters that may arise in relation to the Fund;
 - (iii) Reviewing the framework set out for the efficient delivery of development programmes financed through the Fund;
 - (iv) Considering and reporting to the National Assembly, with recommendations, names of persons required to be approved by the National Assembly under this Act; and
 - (v) Carrying out any other functions relevant to the work of the Fund.