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REPUBLIC OF KENYA

THE NATIONAL ASSEMBLY

THIRTEENTH PARLIAMENT – SECOND SESSION (2023)

COMMITTEE ON NATIONAL GOVERNMENT CONSTITUENCIES DEVELOPMENT
FUND

REPORT ON CONSIDERATION OF NOMINEE FOR APPOINTMENT TO THE
NATIONAL GOVERNMENT CONSTITUENCY DEVELOPMENT FUND
COMMITTEE OF TIATY CONSTITUENCY

October, 2023

Directorate of Audit, Appropriations and Other Select Committees

Clerk's Chambers

National Assembly

Parliament Buildings

NAIROBI

THE NATIONAL ASSEMBLY PAPERS LAID	
DATE: 25 OCT 2023	DAY: WEDNESDAY
TABLED BY: i	HON. MUSA SIRMA, M.P. CHAIRPERSON, NG-CDF COMMITTEE
CLERK-AT THE TABLE:	



Table of Contents

ANNEXURES	iii
ABBREVIATIONS	iv
CHAIRPERSONS FORWARD	1
1.0 PREFACE	3
1.1 ESTABLISHMENT AND MANDATE OF THE COMMITTEE	3
1.2 COMMITTEE MEMBERSHIP	3
2.0 LEGAL FRAMEWORK FOR APPOINTMENT OF MEMBERS TO CONSTITUENCY NG- CDF COMMITTEE	5
3.0 CONSIDERATION OF NOMINEES TO THE NATIONAL GOVERNMENT CONSTITUENCY DEVELOPMENT FUND COMMITTEES	6
COMMITTEE RECOMMENDATIONS	7

ANNEXURES

Adoption

Minutes

Communication from the Board

ABBREVIATIONS

MP	-	Member of Parliament
NASC	-	National Assembly Select Committee
NG-CDF	-	National Government Constituencies Development Fund
NG-CDFC's	-	National Government Constituency Development Fund Committee
S.O	-	Standing Orders

CHAIRPERSONS FORWARD

Vide a letter referenced NG-CDF-CEO-KNA/VOL VI(35) dated 17th October, 2023, a nomination of Mr Daniel Kanyakera Rikuno was submitted to the House by the Secretary to the NG-CDF Board and referred to the committee for consideration

Pursuant to Section 50 (5) of the National Government Constituencies Development Fund (NG-CDF) Act of 2015, the Select Committee on NG-CDF of the National Assembly is mandated to consider and report to the National Assembly, with recommendations, names of persons required to be approved by the National Assembly under the Act amongst others.

Section 43(1) and (2) of the National Government Constituencies Development Fund (NG-CDF) Act 2015 provides that:

“(1) There is established a National Government Constituency Development Fund Committee for every constituency.

(2) Each Constituency Committee shall comprise of —

(a.) the national government official responsible for coordination of national government functions;

(b.) two men each nominated in accordance with subsection (3), one of whom shall be a youth at the date of appointment;

(c.) two women nominated in accordance with subsection (3), one of whom shall be a youth at the date of appointment;

(d.) one person with disability nominated by a registered group representing persons with disabilities in the constituency in accordance with subsection (3); and

(e.) two persons nominated by the constituency office established under Regulations made pursuant to the Parliamentary Service Act”;

Further, Section 43 (3) and (4) provides that: -

“(3) The seven persons referred to in subsection (2) (b), (c), (d) and (e) shall be selected in such manner and shall have such qualifications as the Board may, by regulations, prescribe.

(4) The names of the persons selected under subsection (3) shall be submitted by the Board to the National Assembly for approval before appointment and gazettelement by the Board.”

Pursuant to Section 43(4) of the NG-CDF Act of 2015 that provides for submission of names by the Board to the National Assembly for approval before appointment and gazettelement by the board and there being a vacancy as provided for in regulation 5(2a) of the NG-CDF regulation of 2016, the Committee considered the nominee and resolved to approve the nominee for appointment as CDFC member.

The Committee is grateful to the office of the Speaker and Clerk of the National Assembly for the logistical and technical support accorded to it during its sittings. Finally, I wish to express my appreciation to the Honorable members of the Committee and the Committee secretariat who made useful contributions towards the preparations and production of this report.

On behalf of the Select Committee on National Government Constituencies Development Fund

and pursuant to provisions of Standing Order 199(6), it is my pleasant privilege and honor to present to the House the report of the Committee on its consideration of the nominee of the National Government Constituency Development Fund Committee for Tiaty Constituency.



Hon Musa Cherutich Sirma, MP

Chairperson Select Committee on National Government Constituencies Development Fund

1.0 PREFACE

1.1 ESTABLISHMENT AND MANDATE OF THE COMMITTEE

1. The Select Committee on National Government Constituency Development Fund is established in accordance with the provisions of section 50 of the National Government Constituency Development Fund Act, 2015 and its functions include:

- a) To oversee the implementation of this Act and in this respect, shall after every two years submit a report to the National Assembly and where necessary, propose any amendments to this Act with respect to the quantum of funds repayable into the Fund in accordance with section 4 of the Act;
- b) To oversee the policy framework and legislative matters that may arise in relation to the Fund,
- c) To continually review the framework set out for the efficient delivery of development programmes financed through the Fund;
- d) To consider and report to the National Assembly, with recommendations, names of persons required to be approved by the National Assembly under this Act; and
- e) To carry out any other functions relevant to the work of the Fund.

1.2 COMMITTEE MEMBERSHIP

2. The Committee comprises of the following Members –

S/NO.	MEMBER	CONSTITUENCY	PARTY
1.	The Hon. Musa Sirma Cherutich, E.G.H, MP (Chairperson)	Eldama Ravine	UDA
2.	The Hon. Eng. Tandaza Kassim Sawa, MP (Vice-Chairperson)	Matuga	ANC
3.	The Hon (Dr.) Ogolla Gideon Ochanda MP	Bondo	ODM
4.	The Hon Owuor Joshua Aduma, MP	Nyakach	ODM
5.	The Hon Akuja Protus Ewesit, MP	Loima	UDA
6.	The Hon Elachi Beatrice Kadeversia CBS, MP	Dagoretti North	ODM
7.	The Hon. Mukhwana Titus Khamala, MP	Lurambi	ODM
8.	The Hon Mwalyo Joshua Mbithi, MP	Masinga	ODM
9.	The Hon Nyamita Mark Ogolla, MP	Urii	ODM
10	The Hon. Owino John Walter, MP	Awendo	ODM

11.	The Hon Oyula Joseph H Maero, MP	Butula	ODM
12.	The Hon Wambilianga Catherine Nanjala. MP	Bungoma (CWR)	FORD-K
13.	The Hon. Gisairo Clive Ombane, MP	Kitutu Masaba	ODM
14.	The Hon Kiprono Mutai Alfred, MP	Kuresoi North	UDA
15.	The Hon Machele Mohamed Soud, MP	Mvita	ODM
16.	The Hon. Maina Jane Njeri, MP	Kirinyaga (CWR)	UDA
17.	The Hon. Nduyo Susan Ngugi, MP	Tharaka Nithi (CWR)	UDA
18.	The Hon Wainaina Antony Njoroge, MP	Kieni	UDA

1.3 Committee Secretariat

3. The secretariat facilitating the committee comprises of:

- | | |
|------------------------|---------------------------|
| 1. Mr. Erick Nyambati | Ag Senior Clerk Assistant |
| 2. Ms. Sharon Koskei | Clerk Assistant III |
| 3. Mr. Mohamed Jelle | Clerk Assistant III |
| 4. Mr. Collins Namulen | Fiscal Analyst III |
| 5. Ms. Emma Ezedi | Legal Counsel I |

2.0 LEGAL FRAMEWORK FOR APPOINTMENT OF MEMBERS TO CONSTITUENCY NG-CDF COMMITTEE

4. The consideration of the list of nominees for constituency NG-CDF committee is governed by

Section 43(1) and (2) of the National Government Constituencies Development Fund (NG-CDF) Act 2015 provides that:

“(1) There is established a National Government Constituency Development Fund Committee for every constituency.

(2) Each Constituency Committee shall comprise of—

- 1 the national government official responsible for coordination of national government functions,*
- 2 two men each nominated in accordance with subsection (3), one of whom shall be a youth at the date of appointment,*
- 3 two women nominated in accordance with subsection (3), one of whom shall be a youth at the date of appointment,*
- 4 one person with disability nominated by a registered group representing persons with disabilities in the constituency in accordance with subsection (3), and*
- 5 two persons nominated by the constituency office established under Regulations made pursuant to the Parliamentary Service Act”.*

5. Further, Section 43 (3) and (4) provides that. -

“(3) The seven persons referred to in subsection (2) (b), (c), (d) and (e) shall be selected in such manner and shall have such qualifications as the Board may, by regulations, prescribe

(4) The names of the persons selected under subsection (3) shall be submitted by the Board to the National Assembly for approval before appointment and gazettelement by the Board”

3.0 CONSIDERATION OF NOMINEES TO THE NATIONAL GOVERNMENT CONSTITUENCY DEVELOPMENT FUND COMMITTEES

- 6 A nominee to the Constituency National Government Constituencies Development Fund Committee for **Tiaty Constituency** was tabled in the House on **Wednesday, 17th October 2023** and referred to the National Assembly NG-CDF Committee pursuant to section 43(4) of the NG-CDF Act of 2015 for Consideration and Reporting to the House.
- 7 In accordance with section 43(4) of the NG-CDF Act of 2015 and regulation 5(2a) of the NG-CDF Regulations, the NG-CDF Board submitted names of persons for approval by the National Assembly for appointment and gazettelement as National Government Constituency Development Fund Committee members.
- 8 The Select Committee on NG-CDF of the National Assembly is mandated to consider and report to the National Assembly, with recommendations, names of persons required to be approved by the National Assembly under the Act.
- 9 Pursuant to National Government Constituency Development Fund Act 2015 section 50 (d), the Committee considered the name of the nominee for appointment to Tiaty NG-CDF Committee submitted by the NG-CDF Board as follows:

1. TIATY CONSTITUENCY

No.	Name	Category	Statutory Provision for Assumption of Position
1	Daniel Nyakera Rikuno	Male Adult Representative	Appointment, pursuant to Sec. 43(2)(b)

4.0 COMMITTEE OBSERVATIONS

10. Having considered the nomination, the Committee observed that ;

- I. The National Assembly had approved and subsequently gazetted amongst others, a Male adult nominee Mr. Augustine Mwetich Loribo who passed on.
- II. This created a vacancy as provided in regulation 5(d) of the NG-CDF Act Regulation , 2016.
- III. The Constituency is seeking to replace the Deceased with Mr Daniel Kanyakera Rikuno(the nominee).
- IV. The nomination conforms to Section 43 (1) and (2) of the National Government Constituencies Development Fund (NG-CDF) Act, 2015.

COMMITTEE RECOMMENDATIONS

Having considered the nominee pursuant to the NG-CDF Act of 2015, the Committee recommends that the House **APPROVES** Mr. Daniel Kanyakera Rikuno for appointment and gazettelement by the board as member of the National Government Constituencies Development Fund Committee of Tiaty Constituency.

DATE.....19/10/2023.....SIGN.....

HON. MUSA CHERUTICH SIRMA, MP

CHAIRMAN OF SELECT COMMITTEE ON NATIONAL GOVERNMENT
CONSTITUENCIES DEVELOPMENT FUND

REPUBLIC OF KENYA



PARLIAMENT OF KENYA

**NATIONAL GOVERNMENT CONSTITUENCIES DEVELOPMENT FUND
COMMITTEE**

Agenda: Adoption of the Report of the Nominee For Appointment to The National Government Constituency Development Fund Committee of Tiaty Constituency

Venue: NEW Dipping Hall

Date: 19/10/2023

Time: 12:00 pm

ADOPTION LIST

NO.	NAME	SIGNATURE
1	The Hon. Musa Sirma Cherutich, E.G.H, MP (Chairperson)	
2	The Hon. Eng. Tandaza Kassim Sawa, MP (Vice-Chairperson)	
3	The Hon. (Dr.) Ogolla Gideon Ochanda MP	
4	The Hon. Owuor Joshua Aduma, MP	
5	The Hon. Akuja Protus Ewesit, MP	
6	The Hon. Elachi Beatrice Kadeversia CBS, MP	
7	The Hon. Mukhwana Titus Khamala, MP	
8	The Hon. Mwalyo Joshua Mbithi, MP	
9	The Hon. Nyamita Mark Ogolla, MP	
10	The Hon. Owino John Walter, MP	
11	The Hon. Oyula Joseph H. Maero, MP	
12	The Hon. Wambilianga Catherine Nanjala, MP	
13	The Hon. Gisairo Clive Ombane, MP	
14	The Hon. Kiprono Mutai Alfred, MP	
15	The Hon. Machele Mohamed Soud, MP	
16	The Hon. Maina Jane Njeri, MP	
17	The Hon. Nduyo Susan Ngugi, MP	
18	The Hon. Wainaina Antony Njoroge, MP	

MINUTES OF THE 25TH SITTING OF THE NATIONAL GOVERNMENT CONSTITUENCIES DEVELOPMENT FUND COMMITTEE HELD AT THE COMMITTEE ROOM ON THE NEW DINING HALL ON THURSDAY, 19TH OCTOBER 2023 AT 12 NOON.

PRESENT

1. Hon. Musa Sirma Cherutich, EGH, MP
2. Hon. Eng. Tandaza Kassim Sawa, MP
3. Hon. Protus Ewesit Akuja, MP
4. Hon Elachi Beatrice Kadeversia, MP
5. Hon (Dr) Ogolla Gideon Ochanda, MP
6. Hon. Nduyo Susan Ngugi, MP
7. Hon. Wainaina Anthony Njoroge, MP
8. Hon. Mukhwana Titus Khamala, MP
9. Hon. Nyamita Mark Ogolla, MP
10. Hon. Alfred Mutai Kiprono, MP
11. Hon. Oyula Joseph H. Maero, MP
12. Hon. Owuor Joshua Aduma, MP

Chairperson
Vice-Chairperson

APOLOGY

13. Hon. Owino John Walter, MP
14. Hon. Maina Jane Njeri, MP
15. Hon. Wambilianga Catherine Nanjala, MP
16. Hon. Gisairo Clive Ombane, MP
17. Hon. Machele Mohamed Soud, MP
18. Hon. Joshua Mbithi Mwalyo, MP

IN-ATTENDANCE

- | | |
|-------------------------|---------------------|
| 1. Mr. Erick Nyambati | Clerk Assistant I |
| 2. Ms. Sharon Koskei | Clerk Assistant III |
| 3. Mr. Mohamed Jelle | Clerk Assistant III |
| 4. Ms. Peninnah Naisiae | Legal counsel |
| 5. Mr. Yaqub Ahmed | Media Relations |

MIN NO. NA/DAAOSC/NG-CDF/2023/94

PRELIMINARIES

The chairperson Hon. Musa Sirma Cherutich, EGH, MP called the meeting to order at 12:10 p.m. followed by a word of prayer.

MIN NO. NA/DAAOSC/NG-CDF/21/2023/95 ADOPTION OF THE AGENDA

The agenda of the meeting is to deliberate and adopt the list of nominee of the newly constituted NG-CDF committees for Tiaty constituency which were previously approved and the committee noted that the constituency is seeking fresh appointments to fill the vacancy due to the death of Mr. Augustine Mwetich Loribo and replace the Deceased with Mr. Daniel

Kanyakera Rikuno(the nominee). The agenda was adopted as proposed by Hon. Oyula Joseph H. Maero, MP, and seconded by Hon. Owuor Joshua Aduma, MP

MIN NO. NA/ DAAOSC/NG-CDF/2023/96 **CONFIRMATION OF MINUTES OF THE PREVIOUS MEETING**

Confirmation of minutes of the previous meeting was differed to the next meeting.

MN NO. NA/DAAOSC/NG-CDF2023/97 **MATTERS ARISING**

Confirmation of minutes having been differed, there were no matters arising from the previous meeting.

MIN NO. NA/DAAOSC/NG-CDF/2023/98 **CONSIDERATION OF THE REPORT ON THE NOMINEE FOR APPOINTMENT TO THE NATIONAL GOVERNMENT CONSTITUENCY DEVELOPMENT FUND COMMITTEE OF TIATY CONSTITUENCY**

A nominee to the Constituency National Government Constituencies Development Fund Committee for **Tiaty Constituency** was tabled in the House on **Wednesday, 17th October 2023** and referred to the National Assembly NG-CDF Committee pursuant to section 43(4) of the NG-CDF Act of 2015 for Consideration and Reporting to the House.

In accordance with section 43(4) of the NG-CDF Act of 2015 and regulation 5(2a) of the NG-CDF Regulations, the NG-CDF Board submitted names of persons for approval by the National Assembly for appointment and gazettment as National Government Constituency Development Fund Committee members.

The Select Committee on NG-CDF of the National Assembly is mandated to consider and report to the National Assembly, with recommendations, names of persons required to be approved by the National Assembly under the Act.

Pursuant to National Government Constituency Development Fund Act 2015 section 50 (d), the Committee considered the name of the nominee for appointment to Tiaty NG-CDF Committee submitted by the NG-CDF Board as follows;

1. TIATY CONSTITUENCY

No.	Name	Category	Statutory Provision for Assumption of Position
1.	Daniel Nyakera Rikuno	Male Adult Representative	Appointment, pursuant to Sec. 43(2)(b)

Having considered the nomination, the Committee observed that ;

- I. The National Assembly had approved and subsequently gazetted amongst others, a Male adult nominee Mr. Augustine Mwetich Loribo who passed on.
- II. This created a vacancy as provided in regulation 5(d) of the NG-CDF Act Regulation , 2016.
- III. The Constituency is seeking to replace the Deceased with Mr Daniel Kanyakera Rikuno(the nominee).
- IV. The nomination conforms to Section 43 (1) and (2) of the National Government Constituencies Development Fund (NG-CDF) Act, 2015.

MIN NO. NA/DAAOSC/NG-CDF/2023/100 COMMITTEE RECOMMENDATIONS

Having considered the nominee pursuant to the NG-CDF Act of 2015, the Committee recommends that the House **APPROVES** Mr Daniel Kanyakera Rikuno for appointment and gazettelement by the board as member of the National Government Constituencies Development Fund Committee of Tiaty Constituency.

MIN NO. NA/DAAOSC/NG-CDF/2023/101 ADOPTION OF REPORT

The report was unanimously adopted as proposed Hon Tanadaza Sawa,MP and

Seconded by Hon. Clive Gesairo, MP.

MIN NO. NA/DAAOSC/NG-CDF/2023/102 ANY OTHER BUSINESS

There was no any other business

MIN NO. NA/DAAOSC/NG-CDF/2023/103 ADJOURNMENT

The Chairperson adjourned the meeting at 1:20 p.m.

DATE.....19/10/2023.....SIGN.....

HON. MUSA CHERUTICH SIRMA, MP

**CHAIRMAN OF SELECT COMMITTEE ON NATIONAL GOVERNMENT
CONSTITUENCIES DEVELOPMENT FUND**

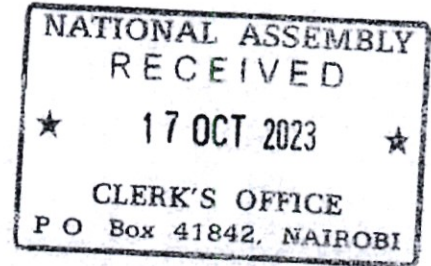


National Government Constituencies Development Fund Board
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Nairobi, Kenya
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OUR REF: NG-CDFB-CEO-KNA/VOL VI (35)

October 17, 2023

Mr. Samuel Njoroge
Clerk of the National Assembly/
Parliament Buildings,
Parliament Road,
P O Box 41842-00200,
NAIROBI.



Dear *Sir,*

Re: SUBMISSION OF NOMINEES TO NATIONAL GOVERNMENT CONSTITUENCIES DEVELOPMENT FUND COMMITTEE FOR NATIONAL ASSEMBLY APPROVAL

Reference is made to the above matter and our letter Ref: NG-CDFB-CEO-KNA/VOL VI (17) dated July 27, 2023 submitting nominees to NG-CDF Committees for three constituencies.

Section 43(1) and (2) of the National Government Constituencies Development Fund (NG-CDF) Act 2015 states that:

- “(1) There is established a National Government Constituency Development Fund Committee for every constituency.*
- (2) Each Constituency Committee shall comprise of —*
- (a.) the national government official responsible for coordination of national government functions;*
 - (b.) two men each nominated in accordance with subsection (3), one of whom shall be a youth at the date of appointment;*
 - (c.) two women nominated in accordance with subsection (3), one of whom shall be a youth at the date of appointment;*
 - ~~*(d.) one person with disability nominated by a registered group representing persons with disabilities in the constituency in accordance with subsection (3); and*~~
 - (e.) two persons nominated by the constituency office established under Regulations made pursuant to the Parliamentary Service Act”;*

Further, Section 43 (3) and (4) provides that: -

- “(3) The seven persons referred to in subsection (2) (b), (c), (d) and (e) shall be selected in such manner and shall have such qualifications as the Board may, by regulations, prescribe.*
- (4) The names of the persons selected under subsection (3) shall be submitted by the Board to the National Assembly for approval before appointment and gazettment by the Board.”*

As further noted and pursuant to the provision of Regulation 5(2)(a) of the National Government Constituencies Development Fund Act Regulations, 2016, the Board issued circular Ref: NG-CDFB/ CEO/CIRCULARS / Vol. II (033) dated September 15, 2022, setting in motion the constitution of constituencies' committees.

In regards to Tiaty Constituency, the National Assembly had approved, among others, the Male Adult nominee [Mr. Augustine Mwetich Loribo] who was subsequently gazetted vide Gazette Notice Vol. CXXIV no. 254. However, it has since been brought to the attention of the Board that on July 27, 2023, the said Mr. Augustine Mwetich Loribo passed on. Subsequently, Constituency now seeks to replace the deceased with Mr. Daniel Kanyakera Rikuno as follows:

1. TIATY CONSTITUENCY

NO	NAME	CATEGORY	STATUTORY PROVISION FOR ASSUMPTION OF POSITION
1.	Daniel Kanyakera Rikuno	Male Adult Representative	Appointment, pursuant to Sec. 43(2)(b)

In light of the above, it is noted that Section 50(5)(d) of the National Government Constituencies Development Fund Act, the National Assembly Select Committee on the NG-CDF is mandated to consider and report to the National Assembly, with recommendations, the name of the person required to be approved by the National Assembly under the Act. In this regard, the name of the above nominee is forwarded for your further necessary action.

Yours

Sincerely



**Simon Ndweka - Secretary to the Board
FOR: CHIEF EXECUTIVE OFFICER**

Copy to: Mr. James Muhati
Principal Secretary,
State Department for Economic Planning,
The National Treasury and Economic Planning,
P.O. Box 30005-00100,
NAIROBI.