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REPUBLIC OF KENYA



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THE NATIONAL ASSEMBLY

12<sup>TH</sup> PARLIAMENT (THIRD SESSION)

DEPARTMENTAL COMMITTEE ON FINANCE AND NATIONAL PLANNING

REPORT ON THE VETTING OF HON. AMINA ABDALLA, CBS, NOMINEE FOR THE  
POSITION OF MEMBER FOR THE SALARIES AND REMUNERATION COMMISSION  
REPRESENTING THE PARLIAMENTARY SERVICE COMMISSION

 THE NATIONAL ASSEMBLY PAPERS LAID	
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CLERK AT THE TABLE:	

DIRECTORATE OF COMMITTEE SERVICES,  
CLERK'S CHAMBERS,  
PARLIAMENT BUILDINGS,  
NAIROBI

DECEMBER, 2019



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## ABBREVIATIONS

DCI	-	Directorate of Criminal Investigations
EACC	-	Ethics and Anti - Corruption Commission
HELB	-	Higher Education Loans Board
ORPP	-	Office of the Registrar of Political Parties
KRA	-	Kenya Revenue Authority,
PAPAA	-	Public Appointments (Parliamentary Approval) Act, 2011
SRC	-	Salaries and Remuneration Commission

## CHAIRPERSON'S FOREWARD

This report contains the Committee's proceedings during the approval hearing of the appointment of Hon. Amina Abdalla, CBS, nominee for the position of Member of the Salaries and Remuneration Commission representing the Parliamentary Service Commission as requested by H.E the President and communicated to the House by the Speaker on Tuesday, 19<sup>th</sup> November, 2019.

In compliance with section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011, the Clerk of the National Assembly placed an advertisement in the print media on Thursday, 21<sup>st</sup> November, 2019. The Clerk invited the public to submit memoranda by way of written statements on oath (*affidavit*) on the suitability of the nominees in conformity with section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011. By close of the submission deadline no memoranda had been submitted for or against the nomination of Hon. Amina Abdalla, CBS.

Hon. Amina Abdalla, CBS appeared before the Committee on **Thursday, 28<sup>th</sup> November, 2019** for the approval hearings and the Committee examined her suitability based on the criteria set out by the Public Appointments (Parliamentary Approval) Act, 2011. The nominee was interviewed on her academic credentials, relevant experience, knowledge of sector issues, leadership and integrity.

Based on her performance during the vetting exercise, the Committee found the nominee to have wealth of experience to serve as the representative of the Parliamentary Service Commission to the SRC.

May I take this opportunity to thank all the Members of the Committee for their input and valuable contributions and time during the approval hearings and deliberations during the writing of the report. The Committee also takes this opportunity to thank the Offices of the Speaker and of the Clerk of the National Assembly for the logistical support accorded to it during the exercise.

On behalf of the Departmental Committee on Finance and National Planning, and pursuant to Articles 230(2) (a) and 250(2) of the Constitution, section 7 of the Salaries and Remuneration Commission Act, 2011 and Section 8(1) of the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011), it is my pleasant duty to table the Report of the Committee on the nomination of Hon. Amina Abdalla, CBS for appointment to the position of Member of the Salaries and Remuneration Commission representing the Parliamentary Service Commission for debate and adoption by the House.

**Hon. Joseph Limo, MP**

**Chairperson, Departmental Committee on Finance and National Planning**

## CHAPTER ONE

### 1 PREFACE

#### 1.1 Establishment of the Committee

1. The Departmental Committee on Finance & National Planning is one of the fifteen Departmental Committees of the National Assembly established under *Standing Order 216* whose mandates pursuant to the *Standing Order 216 (5)* are as follows:
  - i. To investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned ministries and departments;
  - ii. To study the programme and policy objectives of Ministries and departments and the effectiveness of their implementation;
  - iii. **To study and review all the legislation referred to it;**
  - iv. To study, access and analyze the relative success of the Ministries and departments as measured by the results obtained as compared with their stated objectives;
  - v. To investigate and inquire into all matters relating to the assigned Ministries and departments as they may deem necessary, and as may be referred to them by the House;
  - vi. To vet and report on all appointments where the Constitution or any law requires the National Assembly to approve, except those under Standing Order No. 204 (Committee on appointments);
  - vii. To examine treaties, agreements and conventions;
  - viii. To make reports and recommendations to the House as often as possible, including recommendation of proposed legislation;
  - ix. To consider reports of Commissions and Independent Offices submitted to the House pursuant to the provisions of Article 254 of the Constitution; and
  - x. To examine any questions raised by Members on a matter within its mandate.

#### 1.2 Committee Subjects

2. In accordance with the Second Schedule of the Standing Orders, the Committee is mandated to consider matters related to public finance, monetary policies, public debt, financial institutions (excluding those in securities exchange), investment and divestiture policies, pricing policies, banking, insurance, population revenue policies including taxation and national planning and development.
3. In executing its mandate, the Committee oversees the following government Ministries and departments;
  - a. The National Treasury and Ministry of Planning
  - b. Ministry of Devolution and ASAL
  - c. The Commission on Revenue Allocation
  - d. Office of the Controller of Budget
  - e. Salaries and Remuneration Commission

### 1.3 Committee Membership

4. The Departmental Committee on Finance and National Planning was constituted by the House in December, 2017 and comprises of the following Members: -

#### **Chairperson**

Hon. Joseph K. Limo, MP  
MP for Kipkelion East Constituency

#### **Jubilee Party**

#### **Vice-Chairperson**

Hon. Isaac W. Ndirangu  
MP for Roysambu Constituency

#### **Jubilee Party**

#### **Members**

Hon. Jimmy O. Angwenyi, MP  
MP for Kitutu Chache North Constituency

#### **Jubilee Party**

Hon. Christopher Omulele, MP  
MP for Luanda Constituency

#### **ODM Party**

Hon. Dr. Enoch Kibunguchy, MP  
MP for Likuyani Constituency

#### **FORD-K**

Hon. Shakeel Shabbir Ahmed, MP  
MP for Kisumu Town East

#### **Independent Member**

Hon. Abdul Rahim Dawood, MP  
MP for North Imenti Constituency

#### **Jubilee Party**

Hon. Daniel E. Nanok, MP  
MP for Turkana West Constituency

#### **Jubilee Party**

Hon. Andrew A. Okuome, MP  
MP for Karachuonyo Constituency

#### **ODM Party**

Hon. David M. Mboni, MP  
MP for Kitui Rural Constituency

#### **CCU Party**

Hon. Francis K. Kimani, MP  
MP for Molo Constituency

#### **Jubilee Party**

Hon. Joseph M. Oyula, MP  
MP for Butula Constituency

#### **ODM Party**

Hon. Joshua C. Kandie, MP  
MP for Baringo Central Constituency

#### **MCC Party**

The Hon. Lydia H. Mizighi, MP  
MP for Taita Taveta County

#### **Jubilee Party**

Hon. Mohamed A. Mohamed, MP  
MP for Nyali Constituency

#### **Independent Member**

Hon. Purity W. Ngirici, MP  
MP for Kirinyaga County

#### **Jubilee Party**

Hon. Samuel Atandi, MP  
MP for Alego Usonga Constituency

#### **ODM Party**

Hon. Stanley M. Muthama, MP  
MP for Lamu West Constituency

#### **MCC Party**

The Hon. Edith Nyenze, MP  
MP for Kitui West Constituency

#### **WDM-K**

#### 1.4 Committee Secretariat

5. The Committee is facilitated by the following Secretariat: -

Ms. Leah W. Mwaura  
**Senior Clerk Assistant/Head of Secretariat**

Ms. Jennifer Ndeto  
**Principal Legal Counsel I**

Ms. Laureen Wesonga  
**Clerk Assistant II**

Mr. Josephat Motonu  
**Fiscal Analyst I**

Mr. Chelang'a Maiyo  
**Research Officer II**

## CHAPTER TWO

### **2 BACKGROUND**

#### **2.1 Message from H.E. the President**

6. Pursuant to Standing Order 42 (1), the Speaker on Tuesday 19<sup>th</sup> November, 2019 communicated to the House a message from H.E. the President regarding the nominee to the position of Member of the Salaries and Remuneration Commission representing the Parliamentary Service Commission (PSC). The Speaker further informed the House that H.E. the President was seeking the approval of the National Assembly on the said nomination before appointment.

#### **2.2 Committal to the Departmental Committee on Finance and National Planning**

7. In accordance with Standing Order 42(3) (c) the Speaker having read the Message from the President referred the name of the nominee together with their curriculum vitae to the Departmental Committee on Finance and National Planning to conduct approval hearings. The Speaker advised the Committee to conduct extensive public participation as provided for under Article 118 of the Constitution as well as the Public Appointments (Parliamentary Approval) Act (No.33 of 2011) and report to the House on or before Tuesday, 3rd December, 2019.

#### **2.3 Nomination and appointment process**

3. Articles 230(2)(a) and 250 (2) of the Constitution read together with section 7 of the Salaries and Remuneration Commission Act, 2011 provide for the process through which the position is recruited. The Constitution provides that the recruitment of officers to public office should be conducted in a competitive, transparent and fair process before nomination for appointment by H.E. the President with the approval of the National Assembly.
4. The National Assembly having received the name of the nominee is obligated to conduct approval hearings and make a determination of the nominee's suitability or otherwise within fourteen days as provided for in section 8(1) of the Public Appointments (Parliamentary Approval Act) (No.33 of 2011) read together with section 7(11) of the Salaries and Remuneration Commission Act, 2011.

#### **2.2 Report of the Parliamentary Service Commission**

5. Following the rejection of the appointment of the Member of the Salaries and Remuneration Commission representing the Parliamentary Service Commission, Hon. Halima Abdille Mohammed by the National Assembly, the Executive Office of the President wrote to the Speaker of the National Assembly/Chairman of the Parliamentary Service Commission on 7<sup>th</sup> September, 2018 requesting the Parliamentary Service Commission to initiate fresh nomination process for its nominee to the SRC.
6. On 19<sup>th</sup> December, 2018, Parliamentary Service Commission placed an advertisement on the Daily Nation newspaper inviting applications from suitably qualified persons for nomination by the Parliamentary Service Commission to the Salaries and Remuneration Commission. At the close of the advertisement, sixty-six (66) applications were received and long-listed.

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- 7 On 15<sup>th</sup> January, 2019, Hon. Halima Abdille Mohammed filed an application at the High Court in Petition No. 340 of 2018 under Certificate of Urgency seeking that the High Court issues a conservatory order restraining the Parliamentary Service Commission from conducting the process of interviewing, shortlisting, nominating and recruiting a new nominee for Member of the Salaries and Remuneration Commission as advertised in the Daily Nation of 19<sup>th</sup> December, 2018.
- 8 The Court in its ruling issued a conservatory order restraining the Parliamentary Service Commission from conducting the process of interviewing, shortlisting, nominating and recruiting a new nominee for Member of the Salaries and Remuneration Commission as advertised in the Daily Nation of 19<sup>th</sup> December, 2018. As a result of the issuance of the conservatory orders, the recruitment process was halted.
- 9 On 24<sup>th</sup> May, 2019, the Petitioner filed and served the Parliamentary Service Commission with a “*Notice of Intention to Withdraw the Petition*”, requesting for the matter to be withdrawn. Following the withdrawal of the petition, the Parliamentary Service Commission resumed the selection process.
- 10 Out of the sixty-six (66) applications that were long-listed, six (6) qualified applicants were short-listed. The Parliamentary Service Commission published a list of the short-listed applicants in two local daily newspapers on 20<sup>th</sup> September, 2019 and invited the short-listed applicants for oral interviews which were conducted in on 30<sup>th</sup> September, 2019.
- 11 Following the interviews, the candidates performed as follows:-
- |      |                       |   |        |
|------|-----------------------|---|--------|
| i.   | Amina Abdalla         | – | 88.55% |
| ii.  | Andrew Toboso Anyanga | – | 72.15% |
| iii. | Abdirahman Ali Hassan | – | 68.75% |
| iv.  | Racheal Ameso Amollo  | – | 64.65% |
| v.   | Isaac Kipkemboi Melly | – | 63.95% |
| vi.  | Michael Aringo Onyura | – | 61%    |
- 12 Section 7(2) of the Salaries and Remuneration Act provides that the nominating bodies shall interview the applicants and forward the names of two persons so qualified, who shall be of opposite gender, to the Cabinet Secretary for onward transmission to the President.
- 13 However, the High Court in the case of **Judicial Service Commission v Attorney General & another Interested Party; Jacqueline Akinyi Okeyo Manani [2019] eKLR**, issued a declaration that section 7(2) of the Salaries and Remuneration Commission Act was unconstitutional, null and void, in so far as it required a nominating body to forward the names of two persons so qualified who shall be of opposite gender to the Cabinet Secretary for onward transmission to the President and that the same was contrary to Article 230(2) (b) of the Constitution. This decision has not been overturned or stayed.
- 14 At its Special Meeting held on 30<sup>th</sup> September, 2018, the Parliamentary Service Commission resolved to forward the name of one nominee to H. E. the President following the above mentioned decision of the High Court and selected the candidate who ranked highest in the oral interviews as its nominee pursuant to section 7(2) of the Salaries and Remuneration Commission Act, No. 10 of 2011.

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- 15 Accordingly, the Parliamentary Service Commission resolved to forward to the Cabinet Secretary, National Treasury and Planning the name of **Hon. Amina Abdalla, CBS** as the nominee of the Parliamentary Service Commission to the Salaries and Remuneration Commission, for onward transmission to His Excellency the President of the Republic of Kenya.

### 2.3 Committee proceedings

- 16 During the approval hearings, the Committee held a total of three sittings to examine and review the nominee's certificates, testimonials, consider public views and hold vetting meeting with the nominee.

## CHAPTER THREE

### 3 BACKGROUND INFORMATION

#### 3.1 Legal framework

17 Article 230 of the Constitution provides as follows—

230. (1) *There is established the Salaries and Remuneration Commission.*

(2) *The Salaries and Remuneration Commission consists of the following persons appointed by the President—*

(a) *a chairperson;*

(b) *one person each nominated by the following bodies from among persons who are not members or employees of those bodies—*

(i) *the Parliamentary Service Commission;*

(ii) *the Public Service Commission;*

(iii) *the Judicial Service Commission;*

(iv) *the Teachers Service Commission;*

(v) *the National Police Service Commission;*

(vi) *the Defence Council; and*

(vii) *the Senate, on behalf of the county governments;*

(c) *one person each nominated by—*

(i) *an umbrella body representing trade unions;*

(ii) *an umbrella body representing employers; and*

(iii) *a joint forum of professional bodies as provided by legislation;*

(d) *one person each nominated by—*

(i) *the Cabinet Secretary responsible for finance; and*

(ii) *the Attorney-General; and*

(e) *one person who has experience in the management of human resources in the public service, nominated by the Cabinet Secretary responsible for public service.*

(3) *The Commissioners under clause (1)(d) and (e) shall have no vote.*

(4) *The powers and functions of the Salaries and Remuneration Commission shall be to—*

(a) *set and regularly review the remuneration and benefits of all State officers; and*

(b) *advise the national and county governments on the remuneration and benefits of all other public officers.*

(5) *In performing its functions, the Commission shall take the following principles into account—*

(a) *the need to ensure that the total public compensation bill is fiscally sustainable;*

- (b) the need to ensure that the public services are able to attract and retain the skills required to execute their functions;*
- (c) the need to recognise productivity and performance; and*
- (d) transparency and fairness.*

18 Section 7 of the Salaries and Remuneration Commission Act, 2011 provides for the procedure for nomination of chairperson and members of the Commission as follows—

*7. (1) Within fourteen days of the commencement of this Act, or of the occurrence of a vacancy in the Commission relating to the members under Article 230(2)(b) and (c) of the Constitution, the relevant nominating body shall, by advertisement in at least two local daily newspapers of national circulation, invite applications from persons who qualify for nomination under the Constitution and this Act for nomination as a member of the Commission.*

*(2) The relevant nominating body shall consider the applications received under subsection (1) to determine their compliance with the provisions of the Constitution and this Act, interview the applicants and forward the names of two persons so qualified, who shall be of opposite gender, to the Cabinet Secretary for onward transmission to the President.*

*(3) Deleted by Act No. 4 of 2018, Sch.*

*(4) Deleted by Act No. 4 of 2018, Sch.*

*(5) Deleted by Act No. 4 of 2018, Sch.*

*(6) Deleted by Act No. 4 of 2018, Sch.*

*(7) Deleted by Act No. 4 of 2018, Sch.*

*(8) Deleted by Act No. 4 of 2018, Sch.*

*(9) Deleted by Act No. 4 of 2018, Sch.*

*(10) The President shall, within seven days' receipt of the names forwarded under subsection (2) nominate the members of the Commission from each category and forward the names of the nominees, together with the name of his nominee for Chairperson of the Commission, to the National Assembly.*

*(11) The National Assembly shall, within fourteen days of the day it next sits after receipt of the names of the nominees under subsection (9), consider all nominations and may approve or reject any nomination.*

*(12) Where the National Assembly approves the nominees, the Speaker shall forward the names of the approved nominees to the President for appointment.*

*(13) The President shall, within seven days of the receipt of the approved nominees from the National Assembly, by notice in the Gazette, appoint the chairperson and members approved by the National Assembly.*

*(14) Where the National Assembly rejects any nomination, the Speaker shall communicate the decision to the President to submit fresh nominations.*

- 19 In light of this, H.E. the President has nominated Hon. Amina Abdalla, CBS for appointment as Member of the Salaries and Remuneration Commission representing the Parliamentary Service Commission.
- 20 The Departmental Committee on Finance and National Planning was assigned the role of conducting the vetting of the aforesaid nominee. The following statutes/provisions were paramount to the Committee as it executed this mandate:
- (i) The Salaries and Remuneration Commission Act (No. 10 of 2011);
  - (ii) The Public Appointments (Parliamentary Approval) Act (No. 33 of 2011);
  - (iii) Chapter 6 of the Constitution on leadership and integrity;
  - (iv) Article 250 of the Constitution on composition, appointment and terms of office of Constitutional Commission and Independent offices;
  - (v) Article 230 of the Constitution on the Salaries and Remuneration Commission;
  - (vi) Article 232 of the Constitution on values and principles of public service;
  - (vii) Article 10 of the Constitution on the national values and principles of governance;
  - (viii) Article 77 on Restriction on activities of State Officers
  - (ix) The Leadership and Integrity Act (Cap. 182);
  - (x) The Public Service (Values and Principles) Act (No. 1A of 2015)
  - (xi) The Public Officer Ethics Act (Cap. 183)

***The Public Appointments (Parliamentary Approval) Act (No. 33 of 2011)***

21 Section 7 of the Public Appointments (Parliamentary Approval) Act, Chapter 136 (PAPAA), provides for issues which the relevant House of Parliament (in this case, the National Assembly) is required to take into consideration in relation to any nomination. This includes:-

- a) *the procedure used to arrive at the nominee;*
- b) *any constitutional or statutory requirements relating to the office in question; and*
- c) *the suitability of the nominee for the appointment proposed having regard to whether the nominee's abilities, experience and qualities meet the needs of the body to which nomination is being made.*

22 The specific qualifications for appointment as Member of the Commission are prescribed under section 5 of the Salaries and Remuneration Commission Act however the Schedule to the Public Appointments (Parliamentary Approval) Act provides for the criteria to guide the Committee during an approval hearing. These are—

- a. Education, employment record;
- b. Public office, political activities and affiliations;
- c. Deferred income or future benefits;
- d. Sources of income, tax status, statement of net worth;
- e. Potential conflicts of interest;
- f. Pro bono or charity work;
- g. Whether the nominee has been charged in a court of law or convicted;
- h. Adverse mention in an investigatory report of a Parliamentary Committee or Commission.

- 23 During the approval hearing, section 6 of the Public Appointments (Parliamentary Approval) Act (PAPAA) provides important points, as follows—
- i. An approval hearing shall focus on a candidate's academic credentials, professional training and experience, personal integrity and background (section 6(7), PAPAA)
  - ii. The criteria specified in the Schedule shall be used by a Committee during an approval hearing for the purposes of vetting a candidate (section 6(8), PAPAA)
  - iii. Any person may, prior to the approval hearing, and by written statement on oath, provide the Clerk with evidence contesting the suitability of a candidate to hold the office to which the candidate has been nominated (section 6(9), PAPAA)
  - iv. A candidate may, at any time, by notice in writing addressed to the Clerk, withdraw from the approval process and the candidate's nomination shall end (section 6(10), PAPAA).

#### ***Chapter 6 of the Constitution (Leadership and Integrity)***

- 24 There are important provisions in Chapter 6 of the Constitution worth pointing out. Article 73 of the Constitution provides that the authority assigned to a State officer (a member of a Commission being a state officer under Article 260 of the Constitution) is a public trust to be exercised in a manner that is consistent with the Constitution, demonstrates respect for the people, brings honour to the nation and dignity to the office and promotes public confidence in the integrity of the office. Also, the State officer shall have the responsibility to serve the people, rather than the power to rule them.
- 25 The guiding principles of leadership and integrity are listed as selection based on personal integrity, competence and suitability, objectivity and impartiality in decision making, selfless service based solely on the public interest, accountability and discipline and commitment in service to the people.

#### ***Article 77 of the Constitution on Restriction on activities of State Officers***

- 26 Article 77 of the Constitution provides that a full-time State officer shall not participate in any other gainful employment. Further clause (2) provides that any appointed State officer shall not hold office in a political party. Therefore, the Salaries and Remuneration Commission being a full-time Commission pursuant to section 4(3) of the SRC Act, the provisions of Article 77 apply.

#### ***Article 232 of the Constitution on Values and Principles of Public Service***

- 27 Article 232 of the Constitution provides for the values and principles of public service which include high standards of professional ethics; efficient, effective and economic use of resources; responsive, prompt, effective, impartial and equitable provision of services; involvement of the people in the process of policy making; accountability for administrative acts; transparency and provision to the public of timely, accurate information; fair competition and merit as the basis of appointments and promotions; representation of Kenya's diverse communities; and affording adequate and equal opportunities for appointment, training and advancement, at all levels of the public service of men and women; the members of all ethnic groups; and persons with disabilities.

***Article 10(2) of the Constitution on national values and principles of governance***

28 Article 10(2) of the Constitution provides for the national values and principles of governance which include patriotism, national unity, sharing and devolution of power, the rule of law, democracy and participation of the people; human dignity, equity, social justice, inclusiveness, equality, human rights, non-discrimination and protection of the marginalised; good governance, integrity, transparency and accountability; and sustainable development.

***The Leadership and Integrity Act***

29 The Leadership and Integrity Act provides a number of obligations to a State officer. These are, among others: to respect and abide by the Constitution and the law, public trust, performance of duties in an honest and accountable manner, professionalism, financial integrity, not to engage in activities that amount to abuse of office, not misuse public resources, accepting gifts that may compromise the officer's duties, wrongful or unlawful acquisition of property, conflict of interest e.t.c.

***The Public Service (Values and Principles) Act***

30 Section 5 of the Public Service (Values and Principles) Act provides that a public officer shall maintain high standards of professional ethics, including, being honest; displaying high standards of integrity, transparency, accountability, respect to others, objectivity, patriotism, observance of rule of law (Applies in future upon appointment).

***The Public Officer Ethics Act***

31 The Public Officer Ethics Act provides for obligations to be carried out by a public officer. These include professionalism, carrying out duties in accordance with the law, prohibition from unjust enrichment, avoiding conflict of interest, not using office as a venue for soliciting or collecting harambees; not acting for foreigners; care of property; political neutrality, not practicing nepotism or favouritism, giving impartial advice, conducting private affairs in a way that maintains public confidence, bar from sexual harassment, submission of declaration of income, assets and liabilities once every two years (section 26). (Applies in future after appointment)

**3.2 Qualifications for appointment of a Member of the Salaries and Remuneration Commission**

32 In conducting the Approval hearing, the Committee was guided by Article 230(2)(a) of the Constitution, Sections 5 and 7 of the Salaries and Remuneration Commission Act (Act No.10 of 2011) and the provisions of Section 3 and 5 of the Public Appointments (Parliamentary Approval) Act No. 33 of 2011.

33 Article 250(3) of the Constitution provides that to be appointed to a Commission or independent office a person shall have the specific qualifications required by the Constitution or national legislation. Further Article 250(4) provides that appointments to commissions and independent offices shall take into account the national values referred to in Article 10, and the principle that the composition of the commissions and offices, taken as a whole, shall reflect the regional and ethnic diversity of the people of Kenya.

34 As regards qualifications for appointment as a chairperson or member of the Salaries and Remuneration Commission section 5 of the Salaries and Remuneration Commission Act, 2011 provides as follows—

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Qualification for appointment of chairperson and members

5. (1) A person shall be qualified for appointment as the chairperson if such person—

- (a) holds a degree from a university recognized in Kenya;
- (b) has knowledge and at least ten years' experience in matters relating to either—
  - (i) public management;
  - (ii) finance and administration;
  - (iii) human resource management;
  - (iv) economics; or
  - (v) labour laws;
- (c) has knowledge of labour market trends in Kenya as relates to income in the public and private sector;
- (d) meets the requirements of Chapter Six of the Constitution; and
- (e) has had a distinguished career in their respective fields.

(2) A person shall be qualified for appointment as a member if the person—

- (a) holds a degree from a university recognized in Kenya;
- (b) has knowledge and at least ten years' experience in either—
  - (i) finance and administration;
  - (ii) public management;
  - (iii) economics;
  - (iv) human resource management; or
  - (v) labour laws;
- (c) meets the requirements of Chapter Six of the Constitution; and
- (d) has had a distinguished career in their respective fields.

(3) A person shall not be qualified for appointment as the chairperson or a member if the person—

- (a) is a member of Parliament or County Assembly;
- (b) is a member of a governing body of a political party;
- (c) is a member of a local authority;
- (d) is an undischarged bankrupt; or
- (e) has been removed from office for contravening the provisions of the Constitution or any other law.

35 Article 73 of the Constitution provides that: (2) The guiding principles of leadership and integrity include— (a) *selection on the basis of personal integrity, competence and suitability, or election in free and fair elections; (b) objectivity and impartiality in decision making, and in ensuring that decisions are not influenced by nepotism, favouritism, other improper motives or corrupt practices; (c) selfless service based solely on the public interest, demonstrated by— (i) honesty in the execution of public duties; and, (ii) the declaration of any personal interest that may conflict with public duties; (d) accountability to the public for decisions and for decisions and actions; and (e) discipline and commitment in service to the people.*

**Article 10(2) of the Constitution on national values and principles of governance**

28 Article 10(2) of the Constitution provides for the national values and principles of governance which include patriotism, national unity, sharing and devolution of power, the rule of law, democracy and participation of the people; human dignity, equity, social justice, inclusiveness, equality, human rights, non-discrimination and protection of the marginalised; good governance, integrity, transparency and accountability; and sustainable development.

**The Leadership and Integrity Act**

29 The Leadership and Integrity Act provides a number of obligations to a State officer. These are, among others: to respect and abide by the Constitution and the law, public trust, performance of duties in an honest and accountable manner, professionalism, financial integrity, not to engage in activities that amount to abuse of office, not misuse public resources, accepting gifts that may compromise the officer's duties, wrongful or unlawful acquisition of property, conflict of interest e.t.c.

**The Public Service (Values and Principles) Act**

30 Section 5 of the Public Service (Values and Principles) Act provides that a public officer shall maintain high standards of professional ethics, including, being honest; displaying high standards of integrity, transparency, accountability, respect to others, objectivity, patriotism, observance of rule of law (Applies in future upon appointment).

**The Public Officer Ethics Act**

31 The Public Officer Ethics Act provides for obligations to be carried out by a public officer. These include professionalism, carrying out duties in accordance with the law, prohibition from unjust enrichment, avoiding conflict of interest, not using office as a venue for soliciting or collecting harambees; not acting for foreigners; care of property; political neutrality, not practicing nepotism or favouritism, giving impartial advice, conducting private affairs in a way that maintains public confidence, bar from sexual harassment, submission of declaration of income, assets and liabilities once every two years (section 26). (Applies in future after appointment)

**3.2 Qualifications for appointment of a Member of the Salaries and Remuneration Commission**

32 In conducting the Approval hearing, the Committee was guided by Article 230(2)(a) of the Constitution, Sections 5 and 7 of the Salaries and Remuneration Commission Act (Act No.10 of 2011) and the provisions of Section 3 and 5 of the Public Appointments (Parliamentary Approval) Act No. 33 of 2011.

33 Article 250(3) of the Constitution provides that to be appointed to a Commission or independent office a person shall have the specific qualifications required by the Constitution or national legislation. Further Article 250(4) provides that appointments to commissions and independent offices shall take into account the national values referred to in Article 10, and the principle that the composition of the commissions and offices, taken as a whole, shall reflect the regional and ethnic diversity of the people of Kenya.

34 As regards qualifications for appointment as a chairperson or member of the Salaries and Remuneration Commission section 5 of the Salaries and Remuneration Commission Act, 2011 provides as follows—

Departmental Committee on Finance and National Planning; report on the vetting of Hon. Amina Abdalla nominee for appointment to the position of Member of the Salaries and Remuneration Commission

Qualification for appointment of chairperson and members

5. (1) A person shall be qualified for appointment as the chairperson if such person—

- (a) holds a degree from a university recognized in Kenya;
- (b) has knowledge and at least ten years' experience in matters relating to either—
  - (i) public management;
  - (ii) finance and administration;
  - (iii) human resource management;
  - (iv) economics; or
  - (v) labour laws;
- (c) has knowledge of labour market trends in Kenya as relates to income in the public and private sector;
- (d) meets the requirements of Chapter Six of the Constitution; and
- (e) has had a distinguished career in their respective fields.

(2) A person shall be qualified for appointment as a member if the person—

- (a) holds a degree from a university recognized in Kenya;
- (b) has knowledge and at least ten years' experience in either—
  - (i) finance and administration;
  - (ii) public management;
  - (iii) economics;
  - (iv) human resource management; or
  - (v) labour laws;
- (c) meets the requirements of Chapter Six of the Constitution; and
- (d) has had a distinguished career in their respective fields.

(3) A person shall not be qualified for appointment as the chairperson or a member if the person—

- (a) is a member of Parliament or County Assembly;
- (b) is a member of a governing body of a political party;
- (c) is a member of a local authority;
- (d) is an undischarged bankrupt; or
- (e) has been removed from office for contravening the provisions of the Constitution or any other law.

35 Article 73 of the Constitution provides that: (2) The guiding principles of leadership and integrity include— (a) *selection on the basis of personal integrity, competence and suitability, or election in free and fair elections; (b) objectivity and impartiality in decision making, and in ensuring that decisions are not influenced by nepotism, favouritism, other improper motives or corrupt practices; (c) selfless service based solely on the public interest, demonstrated by— (i) honesty in the execution of public duties; and, (ii) the declaration of any personal interest that may conflict with public duties; (d) accountability to the public for decisions and for decisions and actions; and (e) discipline and commitment in service to the people.*

### 3.3 Message from H.E the President

36 H.E. the President on **Monday, 18<sup>th</sup> November, 2019** communicated the name of the nominee for the position of Member representing the Parliamentary Service Commission to the Salaries and Remuneration Commission to the Speaker for approval by the National Assembly pursuant to Article 230 (2) (a). The Speaker in his communication from the Chair issued on **Tuesday, 19<sup>th</sup> November, 2019** and pursuant to Standing Order No. 42 referred the names to the Departmental Committee on Finance and National Planning to conduct approval hearings and report within 14 days.

### 3.4 Notification to the nominee and six (6) clearance requirements

37 The Clerk of the National Assembly vide letter ref. **NA/DC/F&NP/2018/90** dated **20<sup>th</sup> November, 2019** wrote to the nominee informing her of her nomination by H.E the President and requested her to appear for vetting by the Departmental Committee on Finance and National Planning on **Thursday, 28<sup>th</sup> November, 2019** in 2<sup>nd</sup> Floor, Continental House, Parliament Buildings at 10:00 am. The Clerk further requested the nominee to bring with her clearance certificates from the Kenya Revenue Authority (KRA), the Higher Education Loans Board (HELB), Ethics and Anti-Corruption Commission (EACC), Office of the Registrar of Political Parties (ORPP) and Directorate of Criminal Investigations (DCI).

38 The Clerk also wrote to the Kenya Revenue Authority (KRA), the Higher Education Loans Board (HELB), Ethics and Anti-Corruption Commission (EACC), Office of the Registrar of Political Parties (ORPP) and Directorate of Criminal Investigations requesting for tax, loans, integrity, membership to a political party and criminal record status of the nominee. The institutions wrote back to the National Assembly as follows:-

- i. The Higher Education Loans Board (HELB) (letter Ref: HELB/RR/112009/22), the Ethics and Anti-Corruption Commission (EACC) (letter Ref. EACC.7/10/5 VOL.XI (172)) Office of the Registrar of Political Parties (ORPP) (letter Ref: RPP/ORG/34 Vol.III (78)) and Kenya Revenue Authority (KRA) (letter Ref. CDT/HO/54) cleared the candidate.
- ii. By the time the Committee was compiling its report, the Directorate of Criminal Investigations (DCI) had not responded to the letter by the Clerk of the National Assembly, however the nominee submitted a clearance certificate Ref. No.PCC-AAAHJKH6 dated 20<sup>th</sup> December, 2018.

### 3.5 Request for Memoranda and Notification to the public

39 Section 6(9) of the Public Appointments (Parliamentary Approval) Act No. 33 of 2011, provides that *“any person may, prior to the approval hearing, and by written statement on oath, provide the Clerk with evidence contesting the suitability of a candidate to hold the office to which the candidate has been nominated”*.

40 The Clerk of the National Assembly on **Thursday, 21<sup>st</sup> November, 2019** placed a notification in the print media informing the general public of the intention of the Committee to conduct approval hearings, as provided for by Article 118(1)(a)(b) and (2) of the Constitution and Section 6(4) of the Public Appointments (Parliamentary Approval) Act, (No.33 of 2011), which allows public participation in committee proceedings. The notification gave provision for the submission of memoranda, on the suitability or otherwise of the nominee, by **Wednesday, 28<sup>th</sup> November, 2019** at **5.00 pm**.

### 3.6 Submission of memoranda

- 41 At the close of business **Wednesday, 28<sup>th</sup> November, 2019**, the Office of the Clerk, had not received an affidavit for or against the suitability of the nominee.

## CHAPTER FOUR

### 4 APPROVAL HEARINGS

- 42 The Committee conducted approval hearings for the nominee to the position of Member representing PSC to the Salaries and Remuneration Commission on **Thursday, 28<sup>th</sup> November, 2019**. In conducting the vetting exercise, the Committee was guided by, among other documents, the Constitution, the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011) and the Standing Orders.
- 43 The Committee examined the nominee using the guidelines provided for in the Public Appointments (Parliamentary Approval) Act No. 33 of 2011. The Committee also considered the following in vetting the nominee:-
- a. Academic qualifications
  - b. Employment record and work experience
  - c. Professional association
  - d. Public office, political activities and affiliations
  - e. Potential conflict of interest
  - f. Suitability to the position
  - g. Tax compliance
  - h. Vision and leadership
  - i. Integrity
  - j. Expectations and Key priorities

#### **4.1 Hon. Amina Abdalla, CBS – Nominee for the Position of Member Representing the PSC to the Salaries and Remuneration Commission**

- 44 Hon. Amina Abdalla, CBS was nominated for the position of Chairperson of the Salaries and Remuneration Commission. She appeared before the Committee for vetting on **Thursday, 28<sup>th</sup> November, 2019**. She was orally interviewed by the Committee and responded to questions during vetting as follows:-

##### **4.1.1 Personal Background**

- 45 Hon. Amina Abdalla, CBS is a Kenyan citizen of identity card number 10319352 and was born in Nairobi County in 1969.

##### **4.1.2 Educational Background**

- 46 Hon. Amina Abdalla, CBS holds a Masters Degree in International Development from Cornell University in USA and a Bachelor of Science Degree in Agriculture and Home Economics from Egerton University in Njoro.

##### **4.1.3 Work Experience**

- 47 Hon. Abdalla has over 25 years' experience in public sector oversight and international natural resources management having served as a Member of Parliament for fifteen (15) years. As an M.P., she served as the Chairperson of the Departmental Committee on Environment and Natural Resources in the eleventh (11<sup>th</sup>) Parliament and the Chairperson of the Select Committee on Delegated Legislation in the 10th Parliament. Additionally, she is serving as a Member of Presidential Tribunals set up to investigate the conduct of Justices Lucy Njoki Waithaka, Njagi Marete and Martin Muya (August 2019 to date) and Departmental Committee on Finance and National Planning: report on the vetting of Hon. Amina Abdalla nominee for appointment to the position of Member of the Salaries and Remuneration Commission

also served in the Presidential Tribunal set up to investigate the conduct of Supreme Court Judge Hon. Jackton B. Ojwang (April to August, 2019). Besides the above appointments, she has served as Regional Projects Coordinator, IUCN at the World Conservation Union Regional Office for East Africa in Nairobi (June 2000 to January 2003), Programme Officer and Officer in charge of IUCN at the World Conservation Union, Somali Natural Resources Management Programme in Hargesa, Somaliland (August 1998 to May 2000), Projects Officer, IUCN at the World Conservation Union Regional Office for East Africa in Nairobi (August 1996 to August 1997), Field Co-ordinator, GTZ-RESCUE Project, Daadab Refugee Complex in Daadab North Eastern Kenya (April 1996 to August 1996), Deputy Field Co-ordinator, GTZ-RESCUE Project at Daadab Refugee Complex in Daadab North Eastern Kenya (September, 1994 to March 1996) and Camp Supervisor, GTZ-RESCUE Project at Daadab Refugee Complex in Daadab North Eastern Kenya (September 1993 to August 1994).

- 48 Hon. Amina was a Member of Parliament of the Select Committee that midwived the Constitution of Kenya 2010. She has wide knowledge of all major environment and natural resources legislations in Kenya and has developed and managed natural resources management projects in ten (10) countries of the greater Horn of Africa. She is currently a consultant on governance and natural resources management.

#### **4.1.4 Awards, Distinctions and Others**

Hon. Amina Abdalla has achieved the following in her career life:-

- 49 Was awarded Water Ambassador by the Government of Kenya for her contribution to the review of the Water Act, 2016;
- 50 Awarded the Presidential award of the Chief of the Burning Spear 1<sup>st</sup> Class for her contribution to legislative reforms in the natural resources sector in 2015; and
- 51 Awarded by the National Authority for Campaign against alcohol and drug abuse by sponsoring the Bill that anchored the Agency into law in 2012.

#### **4.1.5 Article 77 of the Constitution on Restriction on activities of State Officers**

- 52 Article 77 of the Constitution provides that a full-time State officer shall not participate in any other gainful employment. In light of this provision, the Committee noted that the nominee was serving as a Member of the Presidential Tribunal set up to investigate the conduct of Justices Lucy Njoki Waithaka, Njagi Marete and Martin Muya. The nominee informed the Committee that she intends to resign from the position if approved to serve as a member of SRC.

#### **4.1.6 Clearance Requirements**

- 53 The Committee confirmed that the nominee had been cleared by KRA, DCI, ORPP, EACC and HELB having obtained clearance certificates to that effect.

#### **4.1.7 Gender and Regional Balance**

54 the nominee is female from Nairobi County. The Committee noted that the Commission as currently composed is balanced in terms of gender and region. The nomination of this candidate does not contravene the provisions of the Constitution in this regard.

#### **4.1.8 Other Issues Under Consideration**

55 To examine suitability or otherwise of the nominee, the Committee posed several questions in the following thematic areas:-

##### **How she will improve the relationship between the Salaries and Remuneration Commission and Parliamentary Service Commission**

56 Hon. Abdalla noted that the relationship between the two institutions had been strained in the past following very unfavorable decisions made by the SRC. She stated that she would do her best to ensure that there exists cordial relationship between the two institutions. In her opinion, a cordial, interactive and consensual relationship between the two institutions will enable them to work harmoniously.

##### **Wage bill sustainability**

57 She noted that the wage bill sustainability did not necessarily imply reduction of salaries. She observed that there was need to rethink the entire spectrum of public service to ensure productivity and that there is value for money for every workforce in the public service.

##### **Integrity and Leadership**

58 Hon. Abdalla informed the meeting that no case of integrity arose against her for all the years that she had worked both in the private and public sector. If approved to serve in SRC, she will continue to uphold values of good governance and integrity.

##### **Affiliation to a political party**

59 Hon. Abdalla informed the meeting that she served as an official of KANU from 2006 until 2012 after which she resigned from that position.

##### **Her opinion on the wage bill in the county governments**

60 She noted that the high wage bill in the county governments had been occasioned by the high number of ghost workers and that majority of county government employees were being remunerated higher than their educational qualifications. She observed that the problem of high wage bill could be solved by looking into the institutional structures of county governments and this could be done in a collaborative approach between the Senate and SRC.

### **How she will ensure that SRC works as an independent institution**

- 61 She stated that she will adhere to her oath of office and impress upon her fellow members of the Commission to do the same. Additionally, she cited public participation as key in enabling the Commission to carry out its mandate. She will endeavor to stick to the rule of law and as much as possible engage all the stakeholders with a view to ensuring that their proposals factored in decision making.

### **Her opinion on whether independent Commissions should be full time or part time**

- 62 She noted that in her view, from the onset, the independent commissions needed to operate on a full time basis so as to set up institutional structures after which they should be made part time.

### **Her opinion on the ranking of Members of Parliament as number 43**

- 63 She stated that it was important for Parliamentary Service Commission to engage the Salaries and Remuneration Commission to find out the parameters used in determining the ranking for Members of Parliament. She further stated that if appointed to serve in SRC she will initiate discussions so as to have the ranking reviewed.

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### **Her net worth**

- 64 She stated that she is worth KSh. 250 million.

## CHAPTER FIVE

### 5 **OBSERVATIONS AND FINDINGS**

- 65 The Committee observations were guided by section 7 of the Public Appointments (Parliamentary Approval) Act in terms of issues for consideration as follows:-
- (i) the procedure used to arrive at the nominee;
  - (ii) any constitutional or statutory requirements relating to the office in question; and
  - (iii) the suitability of the nominee for the appointment proposed having regard to whether the nominee's abilities, experience and qualities meet the needs of the body to which nomination is made.
- 66 The Committee having considered the nominees' curriculum vitae and heard oral submissions during the vetting exercise made the following observations and findings. That:-
- i. Hon. Amina Abdalla is a Kenyan citizen born in 1969 in Nairobi County and therefore as a State Officer she didn't possess dual citizenship.
  - ii. Hon. Amina met the educational requirement as she holds a Masters Degree in International Studies and a Bachelor of Science Degree in Agriculture and Home Economics and therefore had the necessary academic qualifications necessary to serve as a Member of SRC.
  - iii. She served as Member of Parliament for fifteen (15) years , ten (10) years of which she was a Chairperson of Committee on Delegated Legislation (2008 - 2012) and Departmental Committee on Environment and Natural Resources (2013 – 2017).
  - iv. She has a wealth of experience in environment and natural resources matters having experience of over twenty-five (25) years in the public sector oversight and international natural resources management and therefore qualified in terms of minimum number of years of experience.
  - v. The Parliamentary Service Commission interviewed and ranked her at position one with a score of 88.55%.
  - vi. She had been cleared by the Kenya Revenue Authority (KRA) on Tax Compliance, Directorate of Criminal Investigations (DCI) on her criminal status, Office of the Registrar of Political Parties (ORPP) on membership to a Political Party, Ethics and Anti-Corruption Commission (EACC) on her integrity and the Higher Educations Loans Board (HELB) on the payment of her education loan.
  - vii. She had 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.

CHAPTER SIX

**6 RECOMMENDATION**

At the end of the vetting process, the Committee made the following recommendation: -

- 67 Having considered the suitability, capacity and integrity of the nominee, and pursuant to Article 250(2) of the Constitution, Sections 5 and 7(11) of the Salaries and Remuneration Commission Act (No. 10 of 2011) and Section 8(2) of the Public Appointments (Parliamentary Approval) Act No. 33 of 2011, the Committee recommends that the National Assembly **APPROVES** the nomination and subsequent appointment of Hon. Amina Abdalla, CBS as a Member of the Salaries and Remuneration Commission representing the Parliamentary Service Commission.

**THE HON. JOSEPH K. LIMO, MP,**

**CHAIRPERSON**

SIGNED:  DATE: 3/12/19

**MINUTES OF THE 70<sup>TH</sup> SITTING OF THE DEPARTMENTAL COMMITTEE ON FINANCE AND NATIONAL PLANNING HELD ON MONDAY, 2<sup>ND</sup> DECEMBER, 2019 IN LOITA CONFERENCE ROOM, OLESERENI HOTEL AT 10.00 AM**

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**PRESENT**

1. Hon. Joseph K. Limo, MP - **Chairperson**
2. Hon. Isaac W. Ndirangu, MP - **Vice Chairperson**
3. Hon. Jimmy O. Angwenyi, MGH, MP - **Chairing**
4. Hon. Christopher Omulele, MP
5. Hon. Shakeel Shabbir Ahmed, CBS, MP
6. Hon. Abdul Rahim Dawood, MP
7. Hon. David M. Mboni, MP
8. Hon. Francis K. Kimani, MP
9. Hon. Joseph M. Oyula, MP
10. Hon. Joshua C. Kandie, MP
11. Hon. Lydiah Mizighi, MP
12. Hon. Purity Ngirici, MP
13. Hon. Samuel Atandi, MP
14. Hon. Stanley M. Muthama, MP
15. Hon. Edith Nyenze, MP

**ABSENT WITH APOLOGY**

1. Hon. Andrew A. Okuome, MP
2. Hon. Daniel E. Nanok, MP

**ABSENT**

1. Hon. Dr. Enoch Kibunguchy, MP
2. Hon. Mohamed A. Mohamed, MP

**INATTENDANCE**

**SECRETARIAT**

1. Ms. Leah Mwaura - Senior Clerk Assistant/Head of Secretariat
2. Ms. Jennifer Ndeto - Principal Legal Counsel I
3. Ms. Laureen Wesonga - Clerk Assistant II
4. Ms. Christine Maeri - Audio Officer
5. Mr. John Njoro - Serjeant-At-Arms
6. Mr. Faustine Rotich - Intern

**AGENDA**

1. Prayers
2. Preliminaries/Introductions/Communication from the Chairperson
3. Confirmation of Minutes
4. Matters Arising

5. **Adoption of the reports on the vetting of the nominees for the positions of Member of the Salaries and Remuneration Commission representing the Parliamentary Service Commission and the Controller of Budget**
6. Adjournment/ Date of the next meeting

**MIN.NO.NA/F&NP/2019/379: PRELIMINARIES/COMMUNICATION FROM THE CHAIRPERSON**

The meeting was called to order at 09.25 am and a prayer was said. The Chairperson then welcomed and thanked Members for attending the retreat. He then welcomed the meeting to deliberate the day's agenda.

**MIN.NO.NA/F&NP/2019/380: CONFIRMATION OF MINUTES**

Agenda deferred.

**MIN.NO.NA/F&NP/2019/381: ADOPTION OF THE REPORT ON THE VETTING OF THE NOMINEE TO THE POSITION OF MEMBER OF SALARIES AND REMUNERATION COMMISSION REPRESENTING THE PARLIAMENTARY SERVICE COMMISSION**

The report on the vetting of Hon. Amina Abdalla, CBS was adopted having been proposed and seconded by Hon. Jimmy Angwenyi, MP and Hon. Abdul Rahim Dawood, MP. The Committee agreed on the following observations and recommendations:-

**OBSERVATIONS**

The Committee observations were guided by section 7 of the Public Appointments (Parliamentary Approval) Act in terms of issues for consideration as follows:-

- (i) the procedure used to arrive at the nominee;
- (ii) any constitutional or statutory requirements relating to the office in question; and
- (iii) the suitability of the nominee for the appointment proposed having regard to whether the nominee's abilities, experience and qualities meet the needs of the body to which nomination is made.

The Committee having considered the nominees' curriculum vitae and heard oral submissions during the vetting exercise made the following observations and findings. That:-

- i. Hon. Amina Abdalla is a Kenyan citizen born in 1969 in Nairobi County and therefore as a State Officer she didn't possess dual citizenship.
- ii. Hon. Amina met the educational requirement as she holds a Masters Degree in International Studies and a Bachelor of Science Degree in Agriculture and Home Economics and therefore had the necessary academic qualifications necessary to serve as a Member of SRC.
- iii. She served as Member of Parliament for fifteen (15) years, ten (10) years of which she was a Chairperson of Committee on Delegated Legislation (2008 -2012) and Departmental Committee on Environment and Natural Resources (2013 – 2017).
- iv. She has a wealth of experience in environment and natural resources matters having experience of over twenty-five (25) years in the public sector oversight and international natural resources management and therefore qualified in terms of minimum number of years of experience.

- v. The Parliamentary Service Commission interviewed and ranked her at position one with a score of 88.55%.
- vi. She had been cleared by the Kenya Revenue Authority (KRA) on Tax Compliance, Directorate of Criminal Investigations (DCI) on her criminal status, Office of the Registrar of Political Parties (ORPP) on membership to a Political Party, Ethics and Anti-Corruption Commission (EACC) on her integrity and the Higher Education Loans Board (HELB) on the payment of her education loan.
- vii. She had 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.

## **RECOMMENDATION**

At the end of the vetting process, the Committee made the following recommendation: -

Having considered the suitability, capacity and integrity of the nominee, and pursuant to Article 250(2) of the Constitution, Sections 5 and 7(11) of the Salaries and Remuneration Commission Act (No. 10 of 2011) and Section 8(2) of the Public Appointments (Parliamentary Approval) Act No. 33 of 2011, the Committee recommends that the National Assembly **APPROVES** the nomination and subsequent appointment of Hon. Amina Abdalla, CBS as a Member of the Salaries and Remuneration Commission representing the Parliamentary Service Commission.

### **MIN.NO.NA/F&NP/2019/382: ADOPTION OF THE REPORT ON THE VETTING OF THE NOMINEE TO THE POSITION OF CONTROLLER OF BUDGET**

The report on the vetting of Dr. Margaret Ngang'ate Nyakango was adopted having been proposed and seconded by Hon. Edith Nyenze, MP and Hon. Joshua Kandie, MP. The Committee agreed on the following observations and recommendations:-

## **OBSERVATIONS**

The Committee observations were guided by section 7 of the Public Appointments (Parliamentary Approval) Act in terms of issues for consideration as follows:-

- i. the procedure used to arrive at the nominee;
- ii. any constitutional or statutory requirements relating to the office in question; and
- iii. the suitability of the nominee for the appointment proposed having regard to whether the nominee's abilities, experience and qualities meet the needs of the body to which nomination is made.

The Committee having considered the nominee's curriculum vitae and heard oral submissions during the vetting exercise made the following observations and findings. That the candidate, Dr. Margaret Nyakango:-

- i. is a Kenyan citizen born in 1959 in Nyamira County and therefore as a State Officer she didn't possess dual citizenship.

- ii. met the educational requirement as she holds a PhD in Business Administration, a Masters of Business Administration in Strategic Management and a Bachelor of Commerce (Accounting).
- iii. had met the minimum experience required as she had a wealth of experience of close to 32 years having worked in the finance departments in both public and private enterprises. She worked for ten (10) years as a Director of Finance & Administration at the Kenya National Bureau of Statistics. She also started her public service at the Controller and Auditor General's Office hence has the requisite knowledge of the operations of the CoB.
- iv. was ranked at first position by the selection panel that interviewed her with a score of 76%.
- v. was cleared by the Kenya Revenue Authority (KRA) on Tax Compliance and the Higher Educations Loans Board (HELB) on the payment of her education loan, Ethics and Anti-Corruption Commission (EACC) on integrity, Directorate of Criminal Investigations (DCI) on her criminal status and Office of the Registrar of Political Parties (ORPP) on membership to a political party.

**RECOMMENDATION**

At the end of the vetting process, the Committee made the following recommendation: -


Having considered the suitability, capacity and integrity of the nominee, and pursuant to Article 250(2) of the Constitution, Sections 3 and 4 of the Controller of Budget Act (No. 26 of 2016) and Section 8(2) of the Public Appointments (Parliamentary Approval) Act No. 33 of 2011, the Committee recommends that the National Assembly **APPROVES** the nomination and subsequent appointment of Dr. Margaret Nyang'ate Nyakango as the Controller of Budget.

**MIN.NO.NA/F&NP/2019/383: ADJOURNMENT/DATE OF NEXT MEETING**

There being no other business to deliberate on, the meeting was adjourned at 1.01 p.m. The next meeting will be held at 2.00 p.m.

**HON. JOSEPH K. LIMO, MP**

**(CHAIRPERSON)**

SIGNED .....  ..... DATE..... 3/12/19 .....

**MINUTES OF THE 69<sup>TH</sup> SITTING OF THE DEPARTMENTAL COMMITTEE ON FINANCE AND NATIONAL PLANNING HELD ON THURSDAY, 28<sup>TH</sup> NOVEMBER, 2019 IN 2<sup>ND</sup> FLOOR, CONTINENTAL HOUSE, PARLIAMENT BUILDINGS AT 10.00 AM**

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**PRESENT**

1. Hon. Isaac W. Ndirangu, MP - Vice Chairperson
2. Hon. Jimmy O. Angwenyi, MGH, MP - Chairing
3. Hon. Dr. Enoch Kibunguchy, MP
4. Hon. Shakeel Shabbir Ahmed, CBS, MP
5. Hon. Abdul Rahim Dawood, MP
6. Hon. Daniel E. Nanok, MP
7. Hon. Francis K. Kimani, MP
8. Hon. Joshua C. Kandie, MP
9. Hon. Purity Ngirici, MP
10. Hon. Samuel Atandi, MP
11. Hon. Edith Nyenze, MP

**ABSENT WITH APOLOGY**

1. Hon. Joseph K. Limo, MP - Chairperson
2. Hon. David M. Mboni, MP
3. Hon. Joseph M. Oyula, MP
4. Hon. Stanley M. Muthama, MP

**ABSENT**

1. Hon. Christopher Omulele, MP
2. Hon. Andrew A. Okuome, MP
3. Hon. Lydiah Mizighi, MP
4. Hon. Mohamed A. Mohamed, MP

**INATTENDANCE**

**SECRETARIAT**

1. Ms. Leah Mwaura - Senior Clerk Assistant/Head of Secretariat
2. Ms. Jennifer Ndeto - Principal Legal Counsel I
3. Ms. Lauren Wesonga - Clerk Assistant II
4. Mr. Chelang'a Maiyo - Research Officer
5. Ms. Christine Maeri - Audio Officer
6. Mr. Faustine Rotich - Intern

**NOMINEES**

1. Hon. Amina Abdalla, CBS
2. Dr. Margaret Nyang'ate Nyakango

## **AGENDA**

1. Prayers
2. Preliminaries/Introductions/Communication from the Chairperson
3. Confirmation of Minutes
4. Matters Arising
5. **Vetting Nominees for the Positions of Member for Salaries and Remuneration Commission and Controller of Budget as follows:-**
  - i. **Hon. Amina Abdalla, CBS – nominee for the position of Member of Salaries and Remuneration Commission representing the Parliamentary Service Commission at 10.00am; and**
  - ii. **Dr. Margaret Nyakang'o Nyang'ate – nominee for the position of Controller of Budget at 12.00am.**
6. Adjournment/ Date of the next meeting

### **MIN.NO.NA/F&NP/2019/373: PRELIMINARIES/COMMUNICATION FROM THE CHAIRPERSON**

The meeting was called to order at 10.29 am and a prayer was said. The agenda was then adopted having been proposed by Hon. Dr. Enoch Kibunguchy, MP and Hon. Edith Nyenze, MP respectively. The Chairperson then invited the meeting to deliberate on the day's agenda.

### **MIN.NO.NA/F&NP/2019/374: CONFIRMATION OF MINUTES**

Agenda deferred.

### **MIN.NO.NA/F&NP/2019/375: VETTING MEETING FOR THE NOMINEE TO THE POSITION OF MEMBER OF SALARIES AND REMUNERATION COMMISSION REPRESENTING THE PARLIAMENTARY SERVICE COMMISSION**

The Chairperson welcomed the nominee to the meeting before proceeding to request her to be take an oath. After administration of oath, the Chairperson requested the nominee to give a brief on her educational and professional backgrounds. She also responded to the following issues as follows:-

#### **1. Awards, Distinctions and Others**

Hon. Amina Abdalla has achieved the following in her career:-

- i. Awarded Water Ambassador by the Government of Kenya for her contribution to the review of the Water Act, 2016;
- ii. Awarded the Presidential award of the Chief of the Burning Spear 1<sup>st</sup> Class for her contribution to legislative reforms in the natural resources sector in 2015; and
- iii. Awarded by the National Authority for Campaign against alcohol and drug abuse by sponsoring the Bill that anchored the Agency into law in 2012.

#### **2. Article 77 of the Constitution on Restriction on activities of State Officers**

Article 77 of the Constitution provides that a full-time State officer shall not participate in any other gainful employment. In light of this provision, the Committee noted that the nominee was serving as a Member of the Presidential Tribunal set up to investigate the conduct of Justices Lucy Njoki Waithaka, Njagi Marete and Martin Muya. The nominee informed the Committee that she intends to resign from the position if approved to serve as a member of SRC.

### 3. Clearance Requirements

The Committee confirmed that the nominee had been cleared by KRA, DCI, ORPP, EACC and HELB having obtained clearance certificates to that effect.

### 4. Other Issues Under Consideration

To examine suitability or otherwise of the nominee, the Committee posed several questions in the following thematic areas: -

#### **How she will improve the relationship between the Salaries and Remuneration Commission and Parliamentary Service Commission**

Hon. Abdalla noted that the relationship between the two institutions had been strained in the past following very unfavorable decisions made by the SRC. She stated that she would do her best to ensure that there exists cordial relationship between the two institutions. In her opinion, a cordial, interactive and consensual relationship between the two institutions will enable them to work harmoniously.

#### **Wage bill sustainability**

She noted that the wage bill sustainability did not necessarily imply reduction of salaries. She observed that there was need to rethink the entire spectrum of public service to ensure productivity and that there is value for money for every workforce in the public service.

#### **Integrity and Leadership**

Hon. Abdalla informed the meeting that no case of integrity arose against her for all the years that she had worked both in the private and public sector. If approved to serve in SRC, she will continue to uphold values of good governance and integrity.

#### **Affiliation to a political party**

Hon. Abdalla informed the meeting that she served as an official of KANU from 2006 until 2012 after which she resigned from that position.

#### **Her opinion on the wage bill in the county governments**

She noted that the high wage bill in the county governments had been occasioned by the high number of ghost workers and that majority of county government employees were being remunerated higher than their educational qualifications. She observed that the problem of high wage bill could be solved by looking into the institutional structures of county governments and this could be done in a collaborative approach between the Senate and SRC.

#### **How she will ensure that SRC works as an independent institution**

She stated that she will adhere to her oath of office and impress upon her fellow members of the Commission to do the same. Additionally, she cited public participation as key in enabling

the Commission to carry out its mandate. She will endeavor to stick to the rule of law and as much as possible engage all the stakeholders with a view to ensuring that their proposals factored in decision making.

#### **Her opinion on whether independent Commissions should be full time or part time**

She noted that in her view, from the onset, the independent commissions needed to operate on a full time basis so as to set up institutional structures after which they should be made part time.

#### **Her opinion on the ranking of Members of Parliament as number 43**

She stated that it was important for Parliamentary Service Commission to engage the Salaries and Remuneration Commission to find out the parameters used in determining the ranking for Members of Parliament. She further stated that if appointed to serve in SRC she will initiate discussions so as to have the ranking reviewed.

#### **Her net worth**

She stated that she is worth KSh. 250 million.

### **MEMBERS' DELIBERATIONS**

Members noted with concern that the Salaries and Remuneration Commission was yet to submit any reports to the House since its inception despite the fact that the Committee had located a lot of resources for the production of the reports. The Secretariat was tasked to write a letter to the Commission asking them to submit all reports to the Committee by Thursday, 5<sup>th</sup> December, 2019.

#### **MIN.NO.NA/F&NP/2019/376: VETTING MEETING FOR THE NOMINEE TO THE POSITION OF CONTROLLER OF BUDGET**

The nominee, Dr. Margaret Nyang'ate Nyakango took an oath before giving the Committee her educational and professional background. She then responded to the Committee's questions as follows:-

##### **1. Potential Conflict of interest**

The Committee noted that Dr. Nyakango was working as a Managing Consultant at Mitun Business Consulting Limited and this was a potential conflict of interest. Dr. Nyakango informed the meeting that she will resign from her position in the Company if she is appointed as the Controller of Budget.

##### **2. Clearance Requirements**

The Committee confirmed that the nominee had been cleared by KRA, ORPP, DCI and HELB having obtained clearance certificates to that effect.

### **3. Other issues under consideration**

To examine suitability or otherwise of the nominee, the Committee posed several questions in the following thematic areas:-

#### **How she will ensure that the Office of the CoB is not an appendage of the Executive**

She stated that the Office operates within a legal framework that gives it the mandate to control and authorize withdrawal of funds. In discharging this mandate, she will ensure that the Office operates devoid of interference. She will however encourage the Office to work closely with other Government institutions in order to achieve success.

#### **How she intends to ensure that the Office of the CoB delivers its mandate**

She will improve the rate and quality of reporting that is done by the Office of the Controller of Budget and she will use her skill base to improve the advice given to all institutions on budgeting and other issues.

#### **Integrity and Leadership**

Dr. Nyakango informed the meeting that no case of integrity arose against her for all the years that she had worked in both the private and public sector. If appointed to serve as the CoB, she will put in place systems to ensure the office promotes ethical practices and encourage reporting of all corrupt practices.

#### **Affiliation to a political party**

Dr. Nyakango informed the Committee that she was neither a member nor an affiliate of any political party.

#### **How she will ensure that the Office of the Controller of Budget helps counties to collect more own source revenue**

She stated that county governments were collecting their own source of revenue which was below their potential. She noted that counties have a lot of potential that was yet to be exploited in terms of collecting own source revenue. If given a chance to serve as the Controller of Budget, her office will embark on capacity building to the counties so as to sensitize them on possible sources of revenue. She noted the need for county governments to align their expenditure within the approved estimates. In addition, she will encourage counties to carry out self-assessment so as to increase their revenue base and integrate the same in their County Integrated Development Plans.

#### **How the issue of pending bills can be resolved**

She stated that pending bills occur because spending agencies spend money that is either not approved, spending beyond what is approved or due to cash flow issues. She noted that this can be solved by assessing the sources of revenue and ensuring that the expenditure is as close as possible to the revenue. The National Government should always have accurate figures obtained

from thorough research. Additionally, she noted the need for the Office of the Controller of Budget to be empowered to not only report on expenditure but also on revenue.

Ultimately, some of the delays in release of funds were as a result of lack of passage of relevant laws such as the Appropriation Act and as such, if appointed as CoB she will encourage county governments to pass the necessary laws before making requisition of funds.

The Office of the CoB is mandated to investigate on pending bills and incomplete projects and find out why they were not completed as scheduled. As the CoB, she will ensure that there is adequate capacity building for institutions so as to ensure completion of one project before embarking on the next and to settle bills as soon as they receive the invoices.

### **Her opinion on the withholding of funds by the National Treasury to counties that had not paid pending bills**

She stated that the Constitution allows the National Treasury to withhold funding to institutions that do not comply with the law. In her opinion, it is a good move since it will encourage prudent use of resources. She further stated that the PFM Act stipulates that at any given financial year, pending bills formed a first charge and therefore the spending agencies had violated that law.

### **Her opinion on the separation of the Office of the Controller of Budget and the Office of the Auditor General**

Dr. Nyakango stated that the separation was a good idea because it has encouraged both offices to execute their mandates better. She stated that the Auditor General could only report on audit issues and the aspect of budget implementation had been neglected. As such separation of the two offices was a positive move as it brought to the fore the aspect of budget implementation.

### **Her opinion on Supplementary Estimates**

She informed the Committee that the Public Finance Management Act provides how a supplementary budget should be initiated. The Office of the CoB provides quarterly reports on the implementation of the budget. The reports give variances on what was budgeted for and what has been spent. If the supplementary budget is intended to cover the gap in the reports then it is a good thing but it should be disallowed if it is prepared as an afterthought.

### **What her Office will do in order to widen the tax base**

She stated that there was need for the informal sector to be brought on board in order to widen the tax base. She will ensure that the quarterly reports capture as much as possible in terms of implementation of the tax base in order to identify ways of capturing everyone who should be in the tax bracket and in turn widen the tax base.

### **Her net worth**

She stated that her net worth is KSh. 68.96 million with total assets being KSh. 69.05 million.

**MIN.NO.NA/F&NP/2019/377: ANY OTHER BUSINESS**


The Chairperson informed Members that the Committee will retreat to Ole Sereni Hotel to consider and adopt the reports on the vetting of the two nominees. He implored upon the Members to avail themselves for the retreat.

**MIN.NO.NA/F&NP/2019/378: ADJOURNMENT/DATE OF NEXT MEETING**

There being no other business to deliberate on, the meeting was adjourned at 1.35 p.m. The next meeting will be held on Monday, 2<sup>nd</sup> December, 2019 at 9.00 a.m.

**HON. JOSEPH K. LIMO, MP**

**(CHAIRPERSON)**

SIGNED .....  ..... DATE..... 3/12/19 .....

REPUBLIC OF KENYA



THE NATIONAL ASSEMBLY

DEPARTMENTAL COMMITTEE ON FINANCE & NATIONAL PLANNING  
ADOPTION SCHEDULE FOR THE REPORT ON THE VETTING OF THE NOMINEE TO THE  
POSITION OF MEMBER OF SALARIES AND REMUNERATION COMMISSION  
REPRESENTING THE PARLIAMENTARY SERVICE COMMISSION

DATE: 2<sup>ND</sup> DECEMBER, 2019

NAME	SIGNATURE
1. HON. JOSEPH K. LIMO, MP – CHAIRMAN	
2. HON. ISAAC W. NDIRANGU – VICE-CHAIRMAN	
3. HON. JIMMY O. ANGWENYI, MGH, MP	
4. HON. CHRISTOPHER OMULELE, MP	
5. HON. ENOCH KIBUNGUCHY, MP	
6. HON. SHAKEEL SHABBIR AHMED, CBS, MP	
7. HON. ABDUL RAHIM DAWOOD, MP	
8. HON. DANIEL E. NANOK, MP	
9. HON. ANDREW A. OKUOME, MP	
10. HON. DAVID M. MBONI, MP	
11. HON. KURIA KIMANI, MP	
12. HON. JOSEPH M. OYULA, MP	
13. HON. JOSHUA KANDIE, MP	
14. HON. LYDIA H. MIZIGHI, MP	
15. HON. MOHAMED ALI, MP	
16. HON. PURITY NGIRICI, MP	
17. HON. SAMUEL ATANDI, MP	
18. HON. STANLEY M. MUTHAMA, MP	
19. HON. EDITH NYENZE, MP	

DLPS

Please draft the communication - *[Signature]*



THE PRESIDENCY  
EXECUTIVE OFFICE OF THE PRESIDENT  
HEAD OF THE PUBLIC SERVICE

NATIONAL ASSEMBLY  
**RECEIVED**  
19 NOV 2019  
SPEAKER'S OFFICE  
P. O. Box 41842, NAIROBI.

Telegraphic Address  
Telephone: +254-20-2227436  
When replying please quote

STATE HOUSE  
P.O. Box 40530-00100  
Nairobi, Kenya

Ref. No.....

and date  
SH/5/52 VOL.I (5)

*Head, the office  
- no memo necessary  
19/11*

18th November, 2019

Hon. Justin Muturi, EGH. MP  
Speaker of the National Assembly  
Parliament Buildings  
NAIROBI

*Noted. CNA to prepare the necessary communication.*

Dear *Hon. Muturi,*

*RA  
SNA  
19/11/19*

RE: APPROVAL OF APPOINTMENT – REPRESENTATIVE OF THE PARLIAMENTARY SERVICE COMMISSION (PSC) TO THE SALARIES AND REMUNERATION COMMISSION (SRC)

Reference is made to the above subject matter.

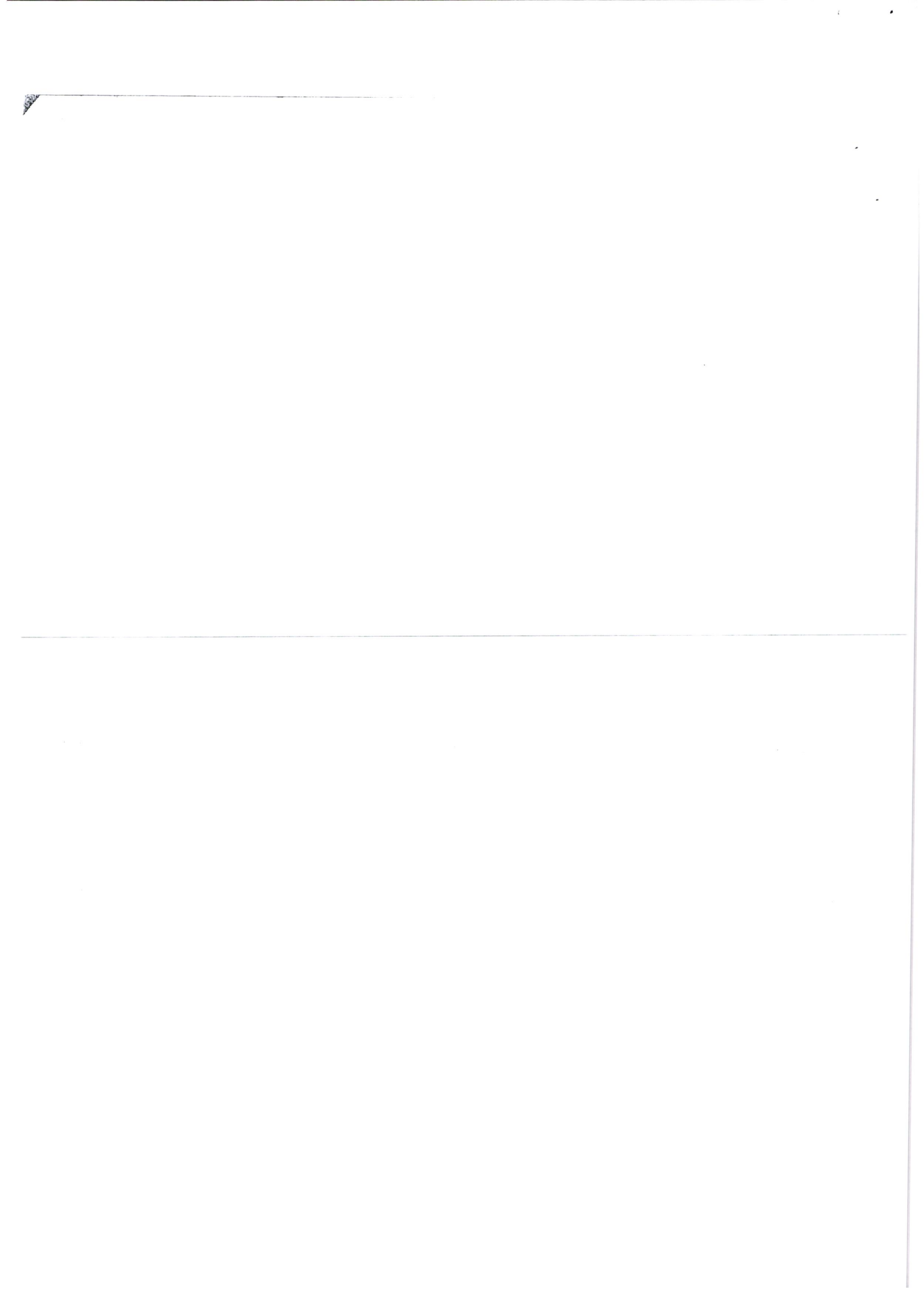
Pursuant to the provision of Article 230(2) (b) (ii) of the Constitution of Kenya 2010 and Section 7 (2) of the Salaries and Remuneration Commission Act No. 10 of 2011 and in accordance to Section 7(10) of the Salaries and Remuneration Commission Act, 2011, His Excellency the President has nominated **Hon. Amina Abdalla** as a representative of the Parliamentary Service Commission to the Salaries and Remuneration Commission, whose name we forward herewith for the National Assembly's consideration and approval.

Yours

*Sincerely,*  
*[Signature]*

JOSEPH K. KINYUA, EGH  
HEAD OF THE PUBLIC SERVICE

cc: **Mr. Michael Sialai, CBS**  
Clerk of the National Assembly of Kenya  
Parliament Buildings  
NAIROBI



REPUBLIC OF KENYA



**NATIONAL ASSEMBLY  
TWELFTH PARLIAMENT – THIRD SESSION**

In the Matter of the Approval by the National Assembly of the person nominated for appointment to serve as the representative of the Parliamentary Service Commission to the Salaries and Remuneration Commission

**SUBMISSION OF MEMORANDA**

Pursuant to the provisions of Article 230(2)(b)(i) of the Constitution and Section 7(10) of the Salaries and Remuneration Act, 2011, His Excellency the President has nominated Hon. Amina Abdalla for appointment to serve as the representative of the Parliamentary Service Commission to the Salaries and Remuneration Commission.

Following the receipt of the nomination from His Excellency the President, the Departmental Committee on Finance and National Planning is mandated to vet and consider the suitability of the said nominee for appointment to office pursuant to Standing Order 45 of the National Assembly and submit its report to the House for approval.

Pursuant to Section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011, the Committee now invites interested members of the public to submit any representations by written statement on oath (affidavit) with supporting evidence contesting the suitability of the said nominee for appointment as the representative of the Parliamentary Service Commission to the Salaries and Remuneration Commission. The representations may be forwarded to the Clerk of the National Assembly, P.O. Box 41842-00100, Nairobi; hand-delivered to the Office of the Clerk, Main Parliament Buildings, Nairobi; or emailed to [clerk@parliament.go.ke](mailto:clerk@parliament.go.ke); to be received on or before Wednesday, 27<sup>th</sup> November, 2019 at 5.00 pm.

MICHAEL R. SIALAI, EBS  
CLERK OF THE NATIONAL ASSEMBLY

REPUBLIC OF KENYA



**NATIONAL ASSEMBLY  
TWELFTH PARLIAMENT – THIRD SESSION**

In the Matter of the Approval by the National Assembly of the person nominated for appointment as the representative of the Parliamentary Service Commission to the Salaries and Remuneration Commission

**NOTIFICATION FOR VETTING BY THE DEPARTMENTAL  
COMMITTEE ON FINANCE AND NATIONAL PLANNING**

Pursuant to the provisions of Article 230(2)(b)(i) of the Constitution and Section 7(10) of the Salaries and Remuneration Act, 2011, His Excellency the President has nominated Hon. Amina Abdalla for appointment to serve as the representative of the Parliamentary Service Commission to the Salaries and Remuneration Commission.

Pursuant to provisions of Article 118 of the Constitution and Section 6(4) of the Public Appointments (Parliamentary Approval) Act, 2011, the general public is hereby notified that the Departmental Committee on Finance and National Planning shall conduct the vetting of the said nominee on Thursday, 28<sup>th</sup> November, 2019 in the Mini-Chamber, First Floor, County Hall, Parliament Buildings at 10.00 am.

The nominee should bring with her original academic and professional certificates, National Identification card and other relevant documents and testimonials. In addition, the nominee should bring letters/certificates of clearance/compliance from:-

1. Ethics and Anti-Corruption Commission;
2. Kenya Revenue Authority on Tax compliance;
3. Higher Education Loans Board;
4. Criminal Investigations Department; and
5. Any of the Credit Reference Bureaus.

MICHAEL R. SIALAI, EBS  
CLERK OF THE NATIONAL ASSEMBLY

REPUBLIC OF KENYA



**NATIONAL ASSEMBLY  
TWELFTH PARLIAMENT – THIRD SESSION**

In the Matter of the Approval by the National Assembly of the person nominated for appointment as the Controller of Budget

**SUBMISSION OF MEMORANDA**

Pursuant to the provisions of Article 228(1) of the Constitution and Section 4(9) of the Controller of Budget Act, 2016, His Excellency the President has nominated Dr. Margaret Nyang'ate Nyakang'o for appointment as the Controller of Budget.

Following the receipt of the nomination from His Excellency the President, the Departmental Committee on Finance and National Planning is mandated to vet and consider the suitability of the said nominee for appointment to office pursuant to Standing Order 45 of the National Assembly and submit its report to the House for approval.

Pursuant to Section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011, the Committee now invites interested members of the public to submit any representations by written statement on oath (affidavit) with supporting evidence contesting the suitability of the said nominee for appointment as the Controller of Budget. The representations may be forwarded to the Clerk of the National Assembly, P.O. Box 41842-00100, Nairobi; hand-delivered to the Office of the Clerk, Main Parliament Buildings, Nairobi; or emailed to [clerk@parliament.go.ke](mailto:clerk@parliament.go.ke); to be received on or before Wednesday, 27<sup>th</sup> November, 2019 at 5.00 pm.

MICHAEL R. SIALAI, EBS  
CLERK OF THE NATIONAL ASSEMBLY

REPUBLIC OF KENYA



**NATIONAL ASSEMBLY  
TWELFTH PARLIAMENT – THIRD SESSION**

In the Matter of the Approval by the National Assembly of the person nominated for appointment as the Controller of Budget

**NOTIFICATION FOR VETTING BY THE DEPARTMENTAL  
COMMITTEE ON FINANCE AND NATIONAL PLANNING**

Pursuant to the provisions of Article 228(1) of the Constitution and Section 4(9) of the Controller of Budget Act, 2016, His Excellency the President has nominated Dr. Margaret Nyang'ate Nyakang'o for appointment as the Controller of Budget.

Pursuant to provisions of Article 118 of the Constitution and Section 6(4) of the Public Appointments (Parliamentary Approval) Act, 2011, the general public is hereby notified that the Departmental Committee on Finance and National Planning shall conduct the vetting of the said nominee on Thursday, 28<sup>th</sup> November, 2019 in the Mini-Chamber, First Floor, County Hall, Parliament Buildings at 12.00 noon.

The nominee should bring with her original academic and professional certificates, National Identification card and other relevant documents and testimonials. In addition, the nominee should bring letters/certificates of clearance/compliance from:-

1. Ethics and Anti-Corruption Commission;
2. Kenya Revenue Authority on Tax compliance;
3. Higher Education Loans Board;
4. Criminal Investigations Department; and
5. Any of the Credit Reference Bureaus.

MICHAEL R. SIALAI, EBS  
CLERK OF THE NATIONAL ASSEMBLY

## REPUBLIC OF KENYA

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NAIROBI, Kenya

Ref:NA/DCS/F&NP/2019/85

20<sup>th</sup> November, 2019

**Mr. Charles M. Ringera**

Chief Executive

Higher Education Loans Board

Anniversary Towers, 18<sup>th</sup> Floor

University way

**NAIROBI**

Dear *Mr. Ringera*

**RE: VETTING OF THE NOMINEE FOR APPOINTMENT TO THE POSITION OF THE REPRESENTATIVE OF THE PARLIAMENTARY SERVICE COMMISSION TO THE SALARIES AND REMUNERATION COMMISSION**

Article 124(4) of the Constitution provides that, "*when a House of Parliament considers any appointment for which its approval is required under this Constitution or an Act of Parliament, the appointment shall be considered by a Committee of the relevant House*".

The Departmental Committee on Finance and National Planning is established and mandated pursuant to Standing Orders 216(5)(f) of the National Assembly to vet and report on appointments where the Constitution or any law requires the National Assembly to approve except those under Standing Order 204 (Committee on Appointments).

The Committee will be conducting the vetting of Hon. Amina Abdalla (ID No. 10319353; PIN No.A002477055Z) who has been nominated for appointment as the representative of the Parliamentary Service Commission to the Salaries and Remuneration Commission on Thursday, 28<sup>th</sup> November, 2019.

Pursuant to Section 7(b) of the Public Appointments (Parliamentary Approval) Act, the Committee is mandated to consider whether the nominees meet all constitutional and statutory requirements relating to the office in question.

This is to request you to provide a report on repayment of any loans that may have been advanced by the Commission to the said nominee. This information will assist the Committee to undertake its mandate more effectively. We will appreciate if the information is received on or before Tuesday, 26<sup>th</sup> November, 2019.

The Liaison Officer responsible for facilitating this matter is Ms. Leah W. Mwaura, Committee Clerk who may be contacted on Tel. No. 0724232353 or email [leahwanjiru@parliament.go.ke](mailto:leahwanjiru@parliament.go.ke)/[leahwanjiru4@gmail.com](mailto:leahwanjiru4@gmail.com).

Yours



**JEREMIAH W. NDOMBI**

**For: CLERK OF THE NATIONAL ASSEMBLY**

## REPUBLIC OF KENYA

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NAIROBI, Kenya

Ref:NA/DCS/F&NP/2018/84

20<sup>th</sup> November, 2019

**Major (Rtd.) Twalib Abdallah Mbarak**

Secretary/Chief Executive Officer,

Ethics and Anti - Corruption Commission,

Integrity Centre,

Milimani/Valley Road Junction,

P. O. Box 61130 -00200,

**NAIROBI**

Dear *Ma (Rtd) Mbarak*

**RE: VETTING OF THE NOMINEE FOR APPOINTMENT TO THE POSITION OF THE REPRESENTATIVE OF THE PARLIAMENTARY SERVICE COMMISSION TO THE SALARIES AND REMUNERATION COMMISSION**

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Article 124(4) of the Constitution provides that, "when a House of Parliament considers any appointment for which its approval is required under this Constitution or an Act of Parliament, the appointment shall be considered by a Committee of the relevant House".

The Departmental Committee on Finance and National Planning is established and mandated pursuant to Standing Orders 216(5)(f) of the National Assembly to vet and report on appointments where the Constitution or any law requires the National Assembly to approve except those under Standing Order 204 (Committee on Appointments).

The Committee will be conducting the vetting of Hon. Amina Abdalla (ID No. 10319353; PIN No. A002477055Z) who has been nominated for appointment as the representative of the Parliamentary Service Commission to the Salaries and Remuneration Commission on Thursday, 28<sup>th</sup> November, 2019.

Committee is mandated to consider whether the nominee meet all constitutional and statutory requirements relating to the office in question in terms of compliance with the principles of leadership and integrity as set out in Chapter Six of the Constitution.

The Commission is the constitutional body mandated to oversee the implementation of the provisions of Chapter Six of the Constitution. This is therefore, to request you to provide any adverse information touching on the integrity of the nominee that may be in the possession of the Commission. This information will assist the Committee to effectively discharge its mandate. We will appreciate if the information is received **on or before Tuesday, 26<sup>th</sup> November, 2019.**

The Liaison Officer responsible for facilitating this matter is Ms. Leah W. Mwaura, Committee Clerk who may be contacted on Tel. No. 0724232353 or email [leahwanjiru@parliament.go.ke/leahwanjiru4@gmail.com](mailto:leahwanjiru@parliament.go.ke/leahwanjiru4@gmail.com).

Yours



JEREMIAH W. NDOMBI  
For: CLERK OF THE NATIONAL ASSEMBLY

## REPUBLIC OF KENYA

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National Assembly  
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NAIROBI, Kenya

Ref:NA/DCS/F&NP/2019/86

20<sup>th</sup> November, 2019

Mr. George Kinoti  
Director of Criminal Investigations  
Directorate of Criminal Investigations,  
P.O Box 30036 -00100,  
Mazingira Hse, Kiambu Road,  
Opp. Forestry Department Headquarters, Karura,  
**NAIROBI**

Dear Mr Kinoti

**RE: VETTING OF THE NOMINEE FOR APPOINTMENT TO THE POSITION OF THE REPRESENTATIVE OF THE PARLIAMENTARY SERVICE COMMISSION TO THE SALARIES AND REMUNERATION COMMISSION**

Article 124(4) of the Constitution provides that, "*when a House of Parliament considers any appointment for which its approval is required under this Constitution or an Act of Parliament, the appointment shall be considered by a Committee of the relevant House*".

The Departmental Committee on Finance and National Planning established and mandated pursuant to Standing Orders 216(5)(f) of the National Assembly to vet and report on appointments where the Constitution or any law requires the National Assembly to approve except those under Standing Order 204 (Committee on Appointments).

The Committee will be conducting the vetting of Hon. Amina Abdalla (ID No. 10319353; PIN No.A002477055Z) who has been nominated for appointment as the representative of the Parliamentary Service Commission to the Salaries and Remuneration Commission on Thursday, 28<sup>th</sup> November, 2019.

Pursuant to section 6(7) of the Public Appointments (Parliamentary Approvals) Act, 2011 the Committee is required to consider, among other issues, the personal integrity and background of the nominee in terms of compliance with the principles of leadership and integrity as set out in Chapter six of the Constitution.

This is therefore, to request you to provide the Committee with information on whether the nominee has been adversely mentioned in any investigations carried out by the Directorate in the normal course of discharging its mandate. This information will assist the Committee to effectively undertake its mandate. We will appreciate if the information is received on or before Tuesday, 26<sup>th</sup> November, 2019.

The Liaison Officer responsible for facilitating this matter is Ms. Leah W. Mwaura, Committee Clerk who may be contacted on Tel. No. 0724232353 or email [leahwanjiru@parliament.go.ke](mailto:leahwanjiru@parliament.go.ke)/[leahwanjiru4@gmail.com](mailto:leahwanjiru4@gmail.com).

Yours



JEREMIAH W. NDOMBI  
For: CLERK OF THE NATIONAL ASSEMBLY

## REPUBLIC OF KENYA

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NAIROBI, Kenya

Ref:NA/DCS/F&NP/2019/88

20<sup>th</sup> November, 2019

**Ms. Anne Njeri Nderitu**

Registrar of Political Parties

Office of the Registrar of Political Parties

P. O. Box 1131 -00606

Lions Place, 1<sup>st</sup> Floor

Karuna Close, Waiyaki Way, Westlands

**NAIROBI**

Dear *Ms Nderitu*

**RE: VETTING OF THE NOMINEE FOR APPOINTMENT TO THE POSITION OF THE REPRESENTATIVE OF THE PARLIAMENTARY SERVICE COMMISSION TO THE SALARIES AND REMUNERATION COMMISSION**

Article 124(4) of the Constitution provides that, *"when a House of Parliament considers any appointment for which its approval is required under this Constitution or an Act of Parliament, the appointment shall be considered by a Committee of the relevant House"*.

The Departmental Committee on Finance and National Planning established and mandated pursuant to Standing Orders 216(5)(f) of the National Assembly to vet and report on appointments where the Constitution or any law requires the National Assembly to approve except those under Standing Order 204 (Committee on Appointments).

The Committee will be conducting the vetting of Hon. Amina Abdalla (ID No. 10319353; PIN No.A002477055Z) who has been nominated for appointment as the representative of the Parliamentary Service Commission to the Salaries and Remuneration Commission on Thursday, 28<sup>th</sup> November, 2019.

Pursuant to Section 7(b) of the Public Appointments (Parliamentary Approval) Act, the Committee is mandated to consider whether the nominees meet all constitutional and statutory requirements relating to the office in question.

In view of the provisions of Article 77(2) of the Constitution, which prohibits an appointed State Officer from holding office in a political party, you are requested to provide the Committee with information on whether the nominee holds an office in any political party. This information will assist the Committee to effectively undertake its mandate. We will appreciate if the information is received on or before **Tuesday, 26<sup>th</sup> November, 2019.**

The Liaison Officer responsible for facilitating this matter is Ms. Leah W. Mwaura, Committee Clerk who may be contacted on Tel. No. 0724232353 or email [leahwanjiru@parliament.go.ke/leahwanjiru4@gmail.com](mailto:leahwanjiru@parliament.go.ke/leahwanjiru4@gmail.com).

Yours



JEREMIAH W. NDOMBI  
For: CLERK OF THE NATIONAL ASSEMBLY

## REPUBLIC OF KENYA

### Telegraphic Address

'Bunge', Nairobi

Tel. +254-020-2221291

Fax: +254-020-22243694

E-mail: [clerk@parliament.go.ke](mailto:clerk@parliament.go.ke)

When replying please quote



NATIONAL ASSEMBLY

Clerk's Chambers

National Assembly

Parliament Buildings

P. O. Box 41842 -00100

NAIROBI, Kenya

Ref:NA/DCS/F&NP/2019/87

20<sup>th</sup> November, 2019

**Mr. James Mburu**

Commissioner General,

Kenya Revenue Authority,

Times Towers, 30<sup>th</sup> Floor,

Haile Selassie Avenue,

P.O. Box 48240 -00100

**NAIROBI**

Dear *Mr. Mburu*

**RE: VETTING OF THE NOMINEE FOR APPOINTMENT TO THE POSITION OF THE REPRESENTATIVE OF THE PARLIAMENTARY SERVICE COMMISSION TO THE SALARIES AND REMUNERATION COMMISSION**

Article 124(4) of the Constitution provides that, "when a House of Parliament considers any appointment for which its approval is required under this Constitution or an Act of Parliament, the appointment shall be considered by a Committee of the relevant House".

The Departmental Committee on Finance and National Planning established and mandated pursuant to Standing Orders 216(5)(f) of the National Assembly to vet and report on appointments where the Constitution or any law requires the National Assembly to approve except those under Standing Order 204 (Committee on Appointments).

The Committee will be conducting the vetting of Hon. Amina Abdalla (ID No. 10319353; PIN No.A002477055Z) who has been nominated for appointment as the representative of the Parliamentary Service Commission to the Salaries and Remuneration Commission on Thursday, 28<sup>th</sup> November, 2019.

Pursuant to Section 7(b) of the Public Appointments (Parliamentary Approval) Act, the Committee is mandated to consider whether the nominees meet all constitutional and statutory requirements relating to the office in question.

This is to request you to provide the Committee with a report on tax compliance by the nominee. This information will assist the Committee to undertake its mandate more effectively. We will appreciate if the information is received on or before Tuesday, 26<sup>th</sup> November, 2019.

The Liaison Officer responsible for facilitating this matter is **Ms. Leah W. Mwaura**, Committee Clerk who may be contacted on Tel. No. **0724232353** or email [leahwanjiru@parliament.go.ke](mailto:leahwanjiru@parliament.go.ke)/[leahwanjiru4@gmail.com](mailto:leahwanjiru4@gmail.com).

Yours



**JEREMIAH W. NDOMBI**  
**For: CLERK OF THE NATIONAL ASSEMBLY**



KENYA REVENUE  
AUTHORITY

ISO 9001:2015 CERTIFIED

REF: CDT/HO/54

28<sup>th</sup> November 2019

Clerks Chambers  
National Assembly  
Parliament Buildings  
P. O. Box 41842 - 00100  
Nairobi

Dear Sir,

RE: VETTING OF THE NOMINEE FOR APPOINTMENT TO THE POSITION  
OF REPRESENTATIVE OF THE PARLIAMENTARY SERVICE  
COMMISSION TO THE SALARIES AND REMUNERATION COMMISSION

Reference is made to your memo Ref No: NA/DCS/F&NP/2019/87 dated 20<sup>th</sup> November 2019.

Ms. Amina Ali Abdalla of PIN No. A002477055Z is up to date in filing IT1 Returns, has paid due taxes. She has a valid Tax Compliance Certificate KRAWON1148519519 which expires on 23/09/2020.

The tax compliance status of the Taxpayer is **compliant**.

E. Meyo (Mrs.)  
Commissioner, Domestic Taxes

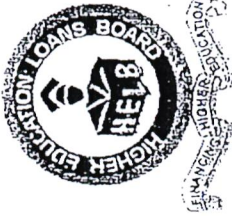


I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE ORIGINAL

DATE: 28/09/19

SIGNATURE: *[Signature]*

A. K. MULULU  
ADVOCATE & COMMISSIONER  
FOR GATHS  
P.O. BOX 10201  
NAIROBI - KENYA



# EDUCATION LOANS BOARD

002312

## CERTIFICATE OF CLEARANCE

UNIVERSITY STUDENTS' LOAN

This Certificate is awarded to

ABDALLA AMINA ALI

who underwent a

ID NO 10319352

B/3386/89

University Registration No.

THREE

year course at

EGERTON UNIVERSITY

From 1989

To 1992

In the faculty of

ARTS

For having repaid in full the Principal Loan of Kshs 58,460.00 (FIFTY EIGHT THOUSAND FOUR HUNDRED & SIXTY) together with interest thereon.

This certificate is issued without erasures, alterations or cancellation

Signature

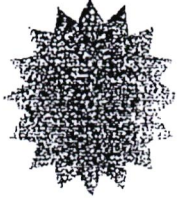
BOARD SECRETARY

Date

*[Signature]*

SIGNATURE / MANAGER LOANS  
DISBURSEMENT & RECOVERY

5/7/2000  
Date





Telephone: 254(0)204022000  
Email: registrar@orpp.or.ke  
Website: www.orpp.or.ke  
When replying please quote

REF NO.: RPP/ORG/34 Vol. III (78)

*D/oms*  
*Please deal-*  
*[Signature]*  
*25/11/19*



Republic of Kenya

Lion Place, 1<sup>st</sup> Floor  
Off Waiyaki Way  
P.O. Box 1131-00606  
Sarit Centre, Nairobi.

DATE: 21<sup>st</sup> November, 2019

Clerk of the National Assembly,  
Clerks Chambers, National Assembly,  
Parliament Buildings,  
P.O. Box 41842-00100,  
**NAIROBI.**

Dear Sir,

**RE: VETTING OF THE NOMINEE FOR APPOINTMENT TO THE POSITION OF THE REPRESENTATIVE OF THE PARLIAMENTARY SERVICE COMMISSION TO THE SALARIES AND REMUNERATION COMMISSION**

Reference is made to letter Ref. NA/DCS/F&NP/2019/88 dated 20<sup>th</sup> November, 2019 on the above subject matter.

According to the records held by this office as at 21<sup>st</sup> November, 2019, **Hon. Amina Abdala ID No. 10319353** is not an official of a registered political party.

Yours faithfully,

**Ann N. Nderitu, MBS**  
Registrar of Political Parties



**ETHICS AND ANTI-CORRUPTION COMMISSION**

INTEGRITY CENTRE (Jakaya Kikwete/Valley Road Junction) P.O. Box 61130 – 00200. NAIROBI, Kenya  
TEL.: 254 (020) 4997000, MOBILE: 0709 781000; 0730 997000  
FAX: 254 (020) 2240954 EMAIL: [eacc@integrity.go.ke](mailto:eacc@integrity.go.ke) WEBSITE: [www.eacc.go.ke](http://www.eacc.go.ke)

When replying please quote:

**Our Ref: EACC.7/10/5 VOL. XI (172)**

**26<sup>th</sup> November, 2019**

**The Clerk of the National Assembly**

National Assembly  
Parliament Buildings  
P O Box 41842-00100  
**NAIROBI**

*(Attn: Jeremiah W. Ndombi)*

① D/Coms

~~DCRS~~

Please check

27/11/19

② LGMT

Please check

FA

27/11/19

**RE: VETTING OF THE NOMINEE FOR APPOINTMENT TO THE POSITION OF THE REPRESENTATIVE OF THE PARLIAMENTARY SERVICE COMMISSION TO THE SALARIES AND REMUNERATION COMMISSION**

Your letter referenced NA/DCS/F&NP/2018/84 dated 20<sup>th</sup> November, 2019 on the above subject matter refers.

We wish to confirm that we have not undertaken any investigations where **Hon. Amina Ali Abdalla** of **ID No. 10319352** has been found culpable.

The information provided is based on records available as at 26<sup>th</sup> November, 2019.

Please note that the absence of records in the Commission's database is not a guarantee of absolute integrity of the nominee.

**TWALIB MBARAK**  
**SECRETARY/CHIEF EXECUTIVE OFFICER**

LCK/tmm





DIRECTORATE OF CRIMINAL INVESTIGATIONS

DIRECTORATE OF CRIMINAL INVESTIGATIONS HEADQUARTERS  
P.O. Box 30036-00100 GPO  
NAIROBI, KENYA

Ref. No. PCC-AAAHJKH6

Date. 20 December 2018

POLICE CLEARANCE CERTIFICATE

I hereby certify that the fingerprints recorded from

AMINA ALI ABDALLA

holder of ID No. 10319352 have been searched in Criminal Records Office's database with/without previous record. The validity of the information on this certificate is as of the date of issue.

REMARKS IN CASE OF PREVIOUS RECORD

OFFENCE(S): NIL

RESULTS OF TRIAL: NIL

DATE: NIL

This Certificate has been issued without any alteration or any erasure

(P.M. Ndunda)

For: Director, Directorate of Criminal Investigations  
(P.T.O)

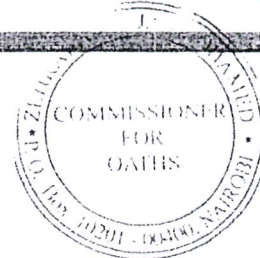
NOTE: This is a computer generated certificate, to verify the authenticity of this document, send DCI to 21546

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE ORIGINAL

DATE: 25/11/2019

SIGNATURE: [Handwritten Signature]

ZEHRABANU JANMOHAMED  
ADVOCATE  
P. O. Box 10201 - 00400, NAIROBI





SCHEDULE

[Section 6(8).]

**CRITERIA FOR VETTING/APPROVAL OF NOMINEES FOR  
APPOINTMENT TO PUBLIC OFFICE BY PARLIAMENT QUESTIONNAIRE**

**Notes:**

- a) This questionnaire applies to appointments to public office arising by or under the Constitution or any other law where parliamentary approval is required.
- b) The questionnaire shall be used by the relevant parliamentary committee to vet a nominee appearing before the committee in the process of parliamentary approval.
- c) The questionnaire shall be filled and submitted by the nominee to the relevant parliamentary committee through the Clerk of the relevant House of Parliament on or before a date set by the committee.
- d) The submission of false information in the questionnaire is an offence and may result in prosecution.
- e) Any form of canvassing by a nominee shall lead to disqualification.
- f) The nominee must answer all the questions.

1. **Name:** (State full name) AMINA ALI ABDALLA

2. **Position:** (State office to which you have been nominated).

COMMISSIONER, SALARIES AND RENUMERATION COMMISSION  
REPRESENTING THE PARLIAMENTARY SERVICE COMMISSION

3. **Sex:** FEMALE

4. **Date of Birth:** (State year and place of birth) 1969, NAIROBI KENYA

5. **Marital Status:** MARRIED

6. **Daytime phone number:** 0722744801

7. **Mobile phone number:** 0722744801

8. **Email Address:** honaminaabdalla@gmail.com

9. **ID Number:** 10319352

10. **PIN Number:** A002477055Z

11. **Nationality:** KENYAN

**12. Postal Address:** P.O. BOX 71012-00622

**13. Town/City:** NAIROBI

**14. Knowledge of Languages:** (Specify Languages): ENGLISH, SWAHILI & BASIC ARABIC

**15. Education:** (List, in reverse chronological order, each university, college, or any other institution of higher education attended and indicate, in respect of each, the dates of attendance, academic award obtained, whether a degree was awarded, and the dates on which each such degree was awarded).

1. CORNELL UNIVERSITY ITHACA NEW YORK, MASTERS IN INTERNATIONAL DEVELOPMENT, 1997 – 1998 GRADUATED IN 2000
2. EGERTON UNIVERSITY, NJORO KENYA, BACHELOR OF SCIENCE IN AGRICULTURE AND HOME ECONOMICS – 1989 - 1992 GRADUATED 1993
3. STATE HOUSE GIRLS, HIGH SCHOOL, NAIROBI, KENYA 1987 – 1988 KENYA ADVANCE CERTIFICATE OF EDUCATION – 3PRINCIPLES & 1 SUBSIDIARY
4. NGARA GIRLS HIGH SCHOOL, NAIROBI, KENYA – 1983 – 1986 KENYA CERTIFICATE OF SECONDARY EDUCATION – DIVISION 2

**Employment Record:** (List in reverse chronological order all government agencies, business or professional corporations, companies, firms or other enterprises with which you have been affiliated as an officer, director, partner, proprietor, employee or consultant)

1. CONSULTANT OCTOBER 2017 – PRESENT
2. MEMBER – TRIBUNAL INVESTIGATING THE CONDUCTS OF: LADY JUSTICE LUCY WAITHAKA; JUSTICE MARTIN MATI MUYA & JUSTICE NJAGI MARETE, JULY 2019-PRESENT
3. MEMBER – TRIBUNAL INVESTIGATORY CONDUCT OF JUSTICE JACKTON B. OJWANG – APRIL 2019 – AUGUST 2019
4. NOMINATED MEMBER OF PARLIAMENT 2003 – 2017 (THREE TERMS OF PARLIAMENT)
5. REGIONAL PROJECTS COORDINATOR WORLD CONSERVATION UNION EASTERN AFRICAN REGIONAL OFFICE 2000 – JAN. 2003
6. PROGRAMME OFFICER, OFFICER IN CHARGE, IUCN SOMALI NATIONAL RESOURCE PROGRAMME HARGEISA, SOMALI 1998 – 2000
7. PROJECTS OFFICER, IUCN EARO – 1996 – 1997
8. FIELD COORDINATOR – GTZ – RESCUE, DADAAB REFUGEE COMPLEX 1996
9. DEPUTY FIELD COORDINATOR GTZ – RESCUE 1994 – 1996
10. CAMP SUPERVISOR, GTZ – RESCUE, DADAAB REFUGEE COMPLEX 1993-1994

16. **Honours and Awards:** (List any scholarships, fellowships, honorary degrees, academic or professional honours, honorary society memberships, military awards and any other special recognition for outstanding service or achievement and in respect of each, state the date of award and the institution or organization that made the award).

1. CHIEF OF THE BURNING SPEAR – CBS 2015, BY THE PRESIDENT OF THE REPUBLIC OF KENYA
2. WATER AMBASSADOR BY MINISTRY OF WATER –2016
3. HEROINE ON THE FIGHT AGAINST DRUGS ABUSE BY NATIONAL CAMPAIGN AGAINST DRUG ABUSE, FOR SPONSORING NACADA ACT -2013
4. MOST ACTIVE FEMALE MP 2013, 2014 BY MZALENDO
5. WANJIKU BEST REPRESENTATIVE ON WATER 2014
6. INSTITUTE OF AFRICAN DEVELOPMENT, TUITION SCHOLARSHIP FOR POSTGRADUATE STUDIES AT CORNELL IN 1997
7. FIELD ATTACHMENT SCHOLARSHIP – VIRGINIA POLYTECHNIC UNIVERSITY OF AGRICULTURE FOR ACADEMIC EXCELLENCE

17. **Professional Association** (where applicable): (List all professional associations of which you are or have a member and give any positions held and the respective dates when each such position was held).

1. COMMON WEALTH PARLIAMENTARY ASSOCIATION, EXECUTIVE MEMBER KENYA CHAPTER 2004 – 2008
2. PRESIDENT OF THE COMMON WEALTH WOMEN PARLIAMENTARIAN CONFERENCE NAIROBI KENYA , 2010
3. EXECUTIVE COMMITTEE MEMBER, AMANI FORUM (A BODY OF GREAT LAKES REGION PARLIAMENTARIANS INVOLVED IN PEACE) – 2003 – 2012

18. **Memberships:** (List all professional, business, fraternal, scholarly, civic, charitable or other organizations, (other than those listed in response to Question 16) to which you belong or have belonged).

NOT APPLICABLE

.....  
.....

19. **Published Writings:**

- (a) List the titles, publishers and dates of books, articles, reports, letters to the editor, editorial pieces or other published materials you have authored or edited.

1. PABARI M, TESAMA Y, ABDALLA A, WAKHUNGU J, ODHOWA A & KAKA A (2019) PARLIAMENT AND PUBLIC PARTICIPATION -THE CASE OF THE WILDLIFE CONSERVATION AND MANAGEMENT ACT 2013
2. ABDALLA, A (2001) CHALLENGES OF MAINSTREAMING PARTICIPATORY NATURAL RESOURCES MANAGEMENT IN REFUGEE SITUATIONS (CONTRIBUTION TO UNHCR EXPERT WORKSHOP, GENEVA 2001)
3. ABDALLA, A (2000) PARTICIPATORY ENVIRONMENTAL MANAGEMENT IN REFUGEE RECEIVING AREAS – LESSONS FROM THE DADAAB REFUGEE COMPLEX KENYA, UNPUBLISHED THESIS, CORNELL UNIVERSITY 2000
4. ABDALLA, A ET AL (2000) COMMUNITY BASED NATURAL RESOURCES AND LAND MANAGEMENT PLANNING: LESSONS AND GUIDELINES DEVELOPED FROM PRACTICE IN SOMALILAND. IUCN SOMALI NATURAL RESOURCES MANAGEMENT PROGRAMME, NAIROBI, KENYA

(b) Supply four (4) copies of any reports, memoranda or policy statements you prepared or contributed in the preparation of any bar association, committee, conference or organization of which you were a member.

**20. Public Office, Political Activities and Affiliations:**

(a) List chronologically any public offices you have held or are currently holding, including the terms of service and whether such positions were elected or appointed.

1. NOMINATED MEMBER OF PARLIAMENT, 2003 – 2017
2. MEMBER, TRIBUNAL TO INVESTIGATE CONDUCT OF SUPREME COURT JUDGE HON JACKON B. OJWANG APRIL – AUGUST 2019
3. MEMBER, TRIBUNAL TO INVESTIGATE CONDUCTS OF: LADY JUSTICE LUCY WAITHAKA, JUSTICE MUIA & JUSTICE MARETE, JULY 2019 TO PRESENT

(b)List all memberships and offices held in and services rendered, whether compensated or not, to any political party or election committee. If you have ever held a position or played a role in a political campaign, identify the particulars of the campaign, including the candidate, dates of the campaign, your title and responsibilities. Also include any linkage you have to a political party at present.

1. VICE CHAIR, ONE OF FOUR VICE CHAIRS OF KENYA AFRICAN NATIONAL UNION, KANU 2006 – 2012
2. VICE CHAIR REPRESENTING KANU IN THE PNU ELECTION BOARD 2007 – 2008
3. MEMBER, THE NATIONAL ALLIANCE PARTY 2012 – 2017
4. MEMBER, JUBILEE PARTY 2017 TO PRESENT

- 5, PART OF PRESIDENTIAL CAMPAIGN FOR HE MWAI KIBAKI 2007 AND HE UHURU KENYATTA

(c) Have you ever been dismissed or otherwise removed from office for a contravention of the provisions of Article 75 of the Constitution?

NO

(d) Have you ever been adversely associated with practices that depict bias, favouritism or nepotism in the discharge of public duties?

NO

**Deferred Income/Future Benefits:** (List the sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock, options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, etc).

UNCOMPLETED CONTRACT – KSHS.900,000 – AHADI – USAID

21. . **Outside commitment during service in office:** (Do you have any plans, commitments or agreements to pursue outside employment with or without compensation during your service in office? If so explain).

MEMBERSHIP TO TRIBUNAL INVESTIGATING JUDGES EXPECTING TO RESIGN WHEN SUCCESS IN NEW ASSIGNMENT. WILL CONTINUE TO MENTOR FEMALE LEADERS ON A PRO-BONO BASIS

22. **Sources of Income:** (List sources and mounts of all income received during the calendar year preceding your nomination and in the current calendar year).

1. LUMPSUM PENSION PAYMENT OF 7.2 MILLION
2. CONSULTANCY FEES OF KSHS. 8.41 MILLION IN 2018 & 6 MILLION IN 2019
3. MONTH PENSION OF KSHS.1.6 IN 2018 AND 1.6 IN 2019

23. **Tax Status:** (State whether you have fully complied with your tax obligations to the State up to the end of the financial year immediately preceding the nomination for appointment).

I HAVE COMPLIED WITH MY TAX OBLIGATIONS WITH KENYA REVENUE AUTHORITY WHO ARE TO UPDATE THE LEDGER TO REFLECT PARLIAMENT REMITTANCE OF 2016 – 2017 PAYE

24. **Statement of Net Worth:** (State you financial net worth).

I AM PERSONALLY WORTH 250 MILLION SHILLINGS

25. **Potential Conflicts of Interest:**

(a) Identify the family members or other persons, parties, categories obligation or financial arrangements that are likely to present potential conflicts-of-interest when you first assume the position to which you have been nominated. Explain how you would address any such conflict if it were to rise.

NONE

(b) Explain how you will resolve any potential conflict of interest, including the procedure you will follow in determining these areas of concern

**ALL POTENTIAL CONFLICT OF INTEREST WILL BE ADDRESSED THROUGH UPHOLDING THE CONSTITUTION AND MY OATH OF OFFICE**

26. **Pro-Bono/Charity Work/Donations to charity:** (Describe what you have done by way of pro bono or charity work, listing specific instances, the amount contributed and the amount of time devoted to each).

1. DONATION TO CHARITY WAS UNQUANTIFABLE BUT ESSENTIAL PART OF MY JOB AS AN MP.
2. MENTORED WOMEN AND GIRLS ON LEADERSHIP -MAINLY SPENT PERSONAL TIME
3. SINCE 2017 SPEND A TOTAL OF 500,000 PER YEAR IN SCHOOL FEES AND PROVIDE FULL BURSARY FOR THREE 3 UNIVERSITY STUDENTS ON PARALLEL PROGRAMME
4. ANNUAL SUPPORT OF KSHS.120,000.00 TO ATHI RIVER CHILDRENS HOME AND MUSDALIF MADRASA
5. CONTRIBUTE 2.5% OF PERSONAL INCOME TO NEEDY CASES

27. Have you ever been charged in a court or law in the last three years? If so, specify the nature of the charge, where the matter is ongoing, the present status of the matter, or where the matter is concluded, the judgment of the court, or otherwise, how the case was concluded.

**NEVER BEEN CHARGED IN A COURT OF LAW**

28. Have you ever been adversely mentioned in an investigatory report of Parliament or any other Commission of inquiry in the last three years?

NONE.....  
.....  
.....

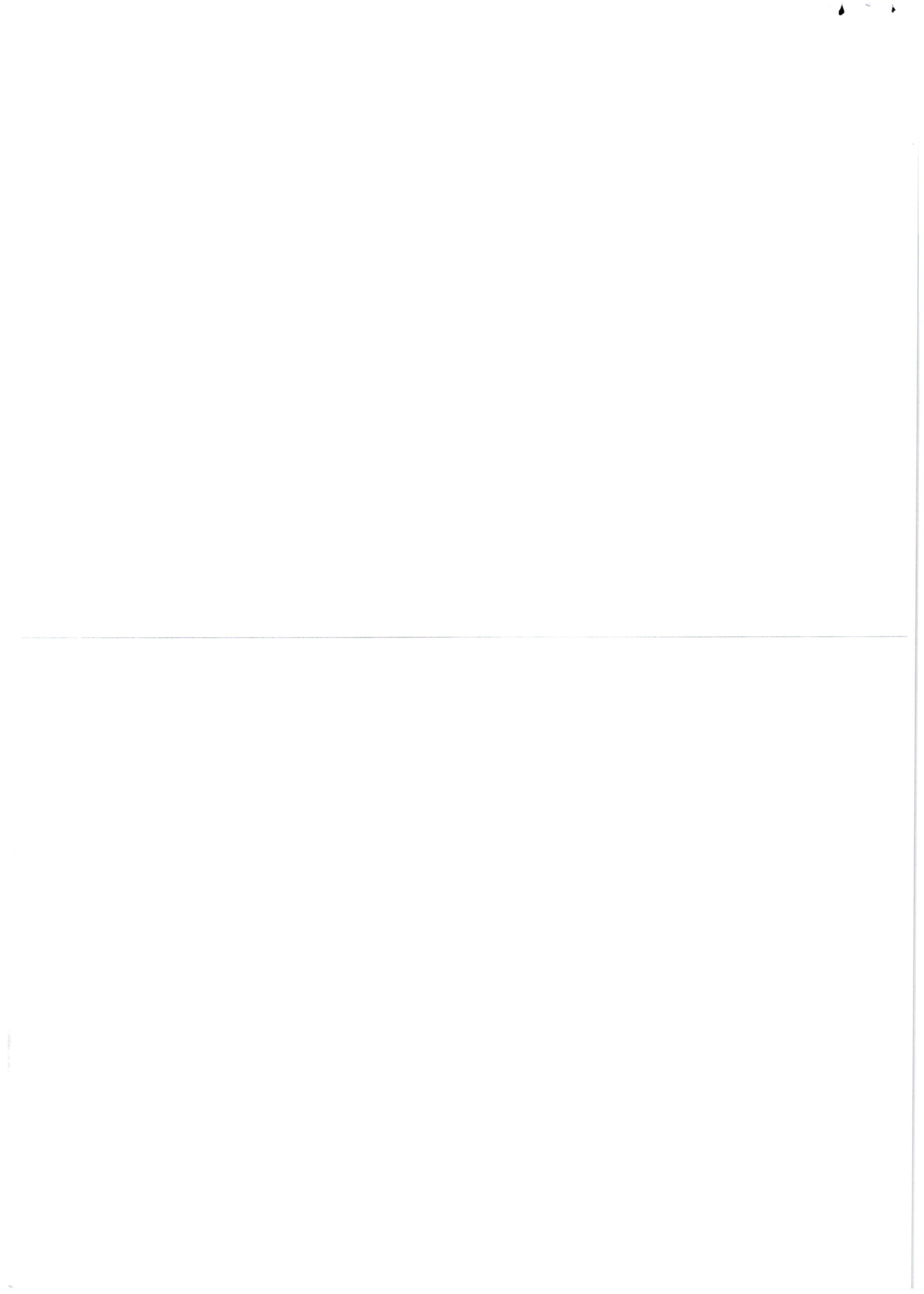
29. Have you any objection to the making of enquiries with your present employer/referees in the course of consideration of your nomination?

NONE

30. **References:** (List three persons who are not your relatives who are familiar with your character, qualification and work).

1. ZEHRABANU JANMOHAMED  
PO BOX 10201-00400,  
NAIROBI, KENYA  
EMAIL: [jackie@arcwil.co.ke](mailto:jackie@arcwil.co.ke)  
MOBILE :0722518989
2. DR. IBRAHIM M. ALI  
PO BOX 10201-00400,  
NAIROBI, KENYA  
EMAIL: [swharc@gmail.com](mailto:swharc@gmail.com)  
MOBILE: 0722842516
3. LADY JUSTICE NJOKI NDUNGU – EBS,CBS  
PO BOX 46984-00100,  
NAIROBI, KENYA  
EMAIL: [ndungunjoki@gmail.com](mailto:ndungunjoki@gmail.com)

**No. 33 of 2011 [Rev. 2012]**  
*Public Appointments (Parliamentary Approval)*  
[Issue 1] 10



# Cornell University

HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE ORIGINAL

DATE: 28 / 09 / 2019

SIGNATURE: *M. MULU*  
K. MULU  
COMMISSIONER  
STATE & COMMS  
HURUGUWA, 00400,  
P. O. BOX 10701 - KENYA  
NAIROBI - KENYA



Be it known that  
**Aminu Ali Abdalla**

having satisfied in full the requirements for the degree of  
**Master of Professional Studies (International Development)**

has been admitted to that degree with all  
the rights, privileges and honors pertaining thereto  
in witness of this action the seal of the University and the signatures  
authorized by the Board of Trustees are affixed below

(Given at Ithaca, New York, on the nineteenth day of January,  
in the year two thousand



*Walter Cohen*  
Dean, Graduate School

*Hunter R. Raschig*  
President

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE ORIGINAL

DATE: 28/09/2019

SIGNATURE: *[Handwritten Signature]*

A. K. W. OLUU  
ADVOCATE & COMMISSIONER  
FOR OATHS  
P.O. BOX 10201 - 0040  
NAIROBI - KENYA



# EGERTON UNIVERSITY

The Egerton University Council on the recommendation of the Senate, hereby confers on

*Amina Ali Abdalla*

the **DEGREE** of

**Bachelor of Science in Agriculture  
and Home Economics**

*Second Class Honours (Upper Division)*

with all rights, privileges and obligations thereto appertaining presented at a congregation held at this University

This *25<sup>th</sup>* Day of *November* 19*93*

*[Handwritten Signature]*

Registrar  
(Academic Affairs)

*[Handwritten Signature]*

