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NATIONAL ASSEMBLY

ELEVENTH PARLIAMENT- THIRD SESSION

FIFTH REPORT

OF THE

COMMITTEE ON APPOINTMENTS

REPORT ON THE VETTING OF SEVEN (7) NOMINEES FOR APPOINTMENT TO THE POSITION OF CABINET SECRETARY

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LIST OF ABBREVIATIONS/ACRONYMS

AFFA	Agriculture, Fisheries and Food Authority
ASAL	Arid and Semi Arid Lands
CDF	Constituency Development Fund
CRB	Credit Reference Bureau
DCI	Director of Criminal Investigations
EACC	Ethics and Anti Corruption Commission
HELB	Higher Education Loans Board
KEMSA	Kenya Medical Supplies Authority
KIPPRA	Kenya Institute for Public Policy Research and Analysis
KRA	Kenya Revenue Authority
KNH	Kenyatta National Hospital
NEMA	National Environment Management Authority
NGO	Non-Governmental Organization
NYS	National Youth Service
UNESCO	United Nations Educational, Scientific and Cultural Organisation
UNICEF	United Nations International Children's Fund
WHO	World Health Organisation

1.0 PREFACE

1.1 Committee Mandate

The Committee on Appointments is established pursuant to Standing Order 204(4) which provides that, ***the Committee on Appointments shall consider, for approval by the House, appointments under Article 152(2) of the Constitution (Cabinet Secretaries)***.

1.2 Committee Membership

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

1. The Hon. Justin Muturi, EGH, MP - **Speaker (Chairperson)**
2. The Hon. (Dr.) Joyce Laboso, MGH, MP - **Deputy Speaker**
3. The Hon. Aden Duale, EGH, MP - **Leader of the Majority Party**
4. The Hon. Francis Nyenze, EGH, MP - **Leader of the Minority Party**
5. The Hon. (Dr.) Naomi Shaban, EGH, MP - **Deputy Leader of the Majority Party**
6. The Hon. Jakoyo Midiwo, MGH, MP - **Deputy Leader of the Minority Party**
7. The Hon. Katoo Ole Metito, EGH, MGH, MP - **Chief Whip of the Majority Party**
8. The Hon. (Dr.) Chrisantus Wamalwa, CBS, MP - **Deputy Chief Whip of the Minority Party**
9. The Hon. Amina Abdalla, CBS, MP
10. The Hon. Gideon Konchella, EGH, OGW, MP
11. The Hon. Cecily Mbarire, MGH, MP
12. The Hon. Moses Cheboi, MGH, MP
13. The Hon. Jamleck Kamau, EGH, MP
14. The Hon. Nelson Gaichuhie, MP
15. The Hon. Jackson Kiptanui, MP
16. The Hon. Isaak Ali Shaban, MP
17. The Hon. Esther Murugi, EGH, MP
18. The Hon. Manson Nyamweya, MP
19. The Hon. Abass Ahmed Ibrahim, MP
20. The Hon. Boniface Gatobu, MP

21. The Hon. David Wafula, MP
22. The Hon. Ibrahim Sane, MP
23. The Hon. Maj. (Rtd) Marcus Muluvi, MP
24. The Hon. Mishi Juma Khamis, MP
25. The Hon. Roselinda Soipan, MP
26. The Hon. Stephen Mule, MP

1.3 Message from His Excellency the President

Pursuant to Article 152(2) of the Constitution, H.E. the President, forwarded to the Clerk of the National Assembly, the nomination of the following seven (7) persons vide letter dated 1st December, 2015 for vetting by the Committee on Appointments and consideration for approval by the National Assembly for appointment as Cabinet Secretaries of the respective ministries:

1. ***The Hon. Festus Mwangi Kiunjuri, nominee for Ministry of Devolution and Planning;***
2. ***Senator Charles Cheruiyot Keter, nominee for Ministry of Energy and Petroleum;***
3. ***Dr. Cleopa Kilonzo Mailu, nominee for Ministry of Health;***
4. ***Mr. Willy Kipkorir Bett, nominee for Ministry of Agriculture, Livestock and Fisheries;***
5. ***Mr. Joseph Wakaba Mucheru, nominee for Ministry of Information, Communication and Technology;***
6. ***Mrs. Sicily Kanini Kariuki, nominee for Ministry of Public Service, Youth and Gender Affairs; and***
7. ***The Hon. Daniel Kazungu Muzee, nominee for Ministry of Mining.***

1.4 Committal to Committee on Appointments

Pursuant to Standing Order 42(1), the Honorable Speaker informed the House on 2nd December, 2015 that he had received the notification of the nominations.

The notification of nominations was therefore referred to the Committee on Appointments on 2nd December, 2015 for vetting and reporting to the House within 14 days in accordance with Section 8(1) of Public Appointments (Parliamentary Approval) Act, Cap.136.

1.5 Committee Meetings

All the nominees appeared before the Committee on Friday, 11th December, 2015 and were vetted in accordance with the provisions of the Constitution, the Public Appointments (Parliamentary Approval) Act, Cap.136 and the National Assembly Standing Orders on their suitability for appointment to the position of Cabinet Secretary. In total, the Committee held five Sittings in consideration of this matter.

1.6 Acknowledgement

May I take this opportunity to thank all Members of the Committee for their input and valuable contributions during the deliberations and vetting exercise. 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 vetting exercise. The Committee is also grateful to the media for their coverage of the proceedings of the Committee, thus enhancing accountability and transparency of the vetting exercise.

On behalf of the Committee on Appointments and pursuant to Article 124(4)(b) of the Constitution, Section 8(1) of the Public Appointments (Parliamentary Approval) Act, Cap.136, and the provisions of Standing Order No. 199, it is my pleasure and duty to present to the House, the Committee's Report on the vetting of the seven (7) nominees for appointment to the position of Cabinet Secretary.

Thank you.

Signed .....

Hon. Justin B. Muturi, E.G.H., M.P
Speaker of the National Assembly
Chairperson of the Committee on Appointments

Date 15th December, 2015

2.0 BACKGROUND

2.1 Establishment of the Committee

The Committee on Appointments is established under Standing Order 204(4) with the mandate to consider for approval by the House, appointments of Cabinet Secretaries pursuant to Article 152(2) of the Constitution. The said Article requires H.E. the President to nominate and with the approval of the National Assembly, appoint Cabinet Secretaries. Section 7(10) of the Public Appointments (Parliamentary Approval) Act, Cap. 136, provides that, ***where the nomination of a candidate is rejected by Parliament, the appointing authority may submit to the relevant House the name of another candidate, and the procedure for approval specified in this Act shall apply accordingly.***

2.2 Appointment Process of Cabinet Secretary Nominees

In accordance with the provisions of Article 152(2) of the Constitution, H.E. the President forwarded to the Speaker of the National Assembly, the nomination of the seven (7) persons vide a letter dated 1st December 2015, for vetting by the Committee on Appointments and consideration for approval by the National Assembly for appointment as Cabinet Secretaries for various Ministries.

Pursuant to Standing Order 42(1), the Honorable Speaker informed the House on 2nd December, 2015 that he had received the notification of the nominations and referred the same to the Committee on Appointments for vetting and reporting to the House within 14 days in accordance with Section 8(1) of Public Appointments (Parliamentary Approval) Act, Cap. 136.

2.3 Notification to the Public

Section 6(9) of the Public Appointments (Parliamentary Approval) Act, Cap. 136 provides that "***any person may, prior to the approval hearing and by a 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".***

The Clerk of the National Assembly placed an advertisement in the print media on Thursday, 3rd, December, 2015 inviting the public to submit memoranda by way of written statements on oath **(sworn affidavits)** on the suitability or otherwise of the nominees in conformity with section 6(9)

of the Public Appointments (Parliamentary Approval) Act, Cap. 136. The submissions were to be received latest by Wednesday, 9th December, 2015 at 5.00 pm.

Pursuant to provisions of Article 118 of the Constitution, section 6(4) of the Public Appointments (Parliamentary Approval) Act, Cap. 136 and Standing Order 45(3), the general public was also notified in the print media by the Clerk of the National Assembly of the intention of the Committee on Appointments to conduct the vetting and approval hearing of the nominees on Friday,11th December, 2015.

2.4 Clearance Requirements

On 2nd December, 2015 the Clerk of the National Assembly wrote to the Ethics and Anti-Corruption Commission (EACC), Kenya Revenue Authority (KRA), Directorate of Criminal Investigations and the Higher Education Loans Board (HELB) requesting for reports with respect to the nominees on-

- matters touching on integrity;
- tax compliance; and
- loan repayments.

The Higher Education Loans Board confirmed vide letter Ref. Ref. HELB/RD/56593 dated 7th December, 2015 that ALL the nominees were cleared by the Board as per the schedule below:

Nominee	Clearance Date	Certificate No.
Hon. Festus Mwangi Kiunjuri	June 2002	2271
Hon. Charles Cheruiyot Keter	June 2003	88437
Hon. Daniel Kazungu Muzee	December 2012	43498
Mr. Willy Kipkorir Bett	June 2007	88243
Mr. Joseph Mucheru	Non-beneficiary	N/A
Mrs. Sicily Kanini Kariuki	May 2006	6945
Dr. Cleopa Kilonzo Mailu	October 2007	10077

The Kenya Revenue Authority confirmed vide letter Ref. CDT/HQ/54 dated 8th December 2015 and Ref. CDT/HQ/81 dated 9th December 2015 that ALL the nominees are tax compliant.

The Directorate of Criminal Investigations issued individual nominees with Police Clearance Certificates indicating their record on offenses and ongoing court cases. The Committee however observed that the Directorate should exercise care and due diligence while clearing candidates for purposes of Chapter Six of the Constitution and avoid submitting information to Parliament that is unfounded and conflicting.

Various Credit Reference Bureaus also issued individual nominees with clearance certificates confirming that ALL nominees have complied with their loan repayment terms and are not listed by the Bureau as defaulters.

2.5 Appearance by Mr. Halakhe Waqo, Chief Executive Officer, EACC

The Ethics and Anti-Corruption Commission vide a letter Ref. EACC.7/10/5 VOL.II(3) dated 7th December 2015 to the Clerk of the National Assembly confirmed that it did not have outstanding issues or ongoing investigations against the nominees except Hon. Daniel Kazungu who was adversely mentioned in an unsubstantiated complaint. However, in a subsequent letter dated 10th December, 2015, the Commission confirmed that it had verified information in its possession on the nominee and found no evidence to warrant an adverse recommendation on his appointment.

Following the two letters referenced above, the Chief Executive Officer, Ethics and Anti-Corruption Commission appeared before the Committee on 11th December 2015 at 4.00pm to substantiate the extent and veracity of the complaint against Hon. Kazungu.

In his response, the CEO informed the Committee that on receiving the list of nominees to be vetted by Parliament on 2nd December 2015, the Commission searched its records on any complaints and investigations touching on the nominees. It is based on these findings that the Commission found complaints on three of the nominees one of whom, is Hon. Kazungu, Cabinet Secretary nominee, Ministry of Mining. On further verification prompted by Clerk of the National Assembly in a letter dated 9th December, 2015, the Commission found the allegations of misuse of CDF funds by the nominee were unsubstantiated and could read malice bearing in mind the timing of filing the complaint.

He however committed that the Commission will undertake its investigations and report to the relevant authorities its findings of the corruption allegations against the nominee.

The Committee observed that EACC should exercise care and due diligence while clearing candidates for purposes of Chapter Six of the Constitution and avoid submitting information to Parliament that is unfounded and conflicting.

2.6 Criteria for Vetting

Section 7 of the Public Appointments (Parliamentary Approval) Act, Cap. 136 provides that the issues for consideration by the relevant House in relation to any nomination shall be:-

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 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.

Further, section 6(10) of the Public Appointments (Parliamentary Approval) Act, Cap. 136 provides that a candidate may at any time, by notice in writing addressed to the Clerk withdraw from the approval process.

2.7 Submission of Memoranda

Pursuant to section 6(9) of the Public Appointments (Parliamentary Approval) Act, Cap. 136 (hereinafter referred to as "the Act"), which 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*", the Clerk of the National Assembly placed an advert in the local dailies on 3rd December, 2015, inviting interested members of the public to submit any representations by written statement on oath (affidavit) , that they may have on the suitability of the said nominees for appointment as Cabinet Secretaries for their respective Ministries.

By close of business on 9th December, 2015, the Committee had received five (5) submissions against the approval for appointment of-

(a) the nominee for Agriculture, Livestock and Fisheries;

(b) the nominee for Energy and Petroleum;

(c) the nominee for Devolution and Planning; and

(d) the nominee for Health.

There were no memoranda submitted in respect of-

a) the nominee for Mining;

b) the nominee for Information, Communication and Technology; and

c) the nominee for Public Service, Youth and Gender Affairs.

The details of the Memoranda are as follows: -

2.7.1 Memorandum by Sammy Tonui against Mr. Willy Bett

Mr. Sammy Tonui submitted a signed letter dated 7th December, 2015 with the subject *"Complaint against Willy Bett"*.

The following documents were attached in support of the Letter-

i A signed letter by Mr. Sammy Tonui dated 1st October, 2015 with the subject *"Appeal to my dismissal vide letter dated 25th September, 2015"*.

ii A signed letter by Mr. K. S Malakwen on behalf of the Managing Director, Kenya Seed Company to Mr. Sammy Tonui dated 25th September, 2015 with the subject *"Dismissal"*.

iii A signed letter by Mr. K. S Malakwen on behalf of the Managing Director, Kenya Seed Company to Mr. Sammy Tonui dated 11th May, 2015 with the subject *"show cause letter"*.

iv A signed letter by Mr. K. S Malakwen on behalf of the Managing Director, Kenya Seed Company to Mr. Sammy Tonui dated 7th August, 2015 with the subject *"Appearance before the Staff Disciplinary Committee"*.

v A signed memo by Mr. Sammy Tonui dated 13th May, 2015 with the subject *"Reasons I should not be disciplined"* to the Ag. Head of Human Resource Manager, Kenya Seed Company.

vi A Farm Produce Price List for 2015 prepared and signed by Mr. Sammy Tonui.

vii A signed memo from the Head of Strategy and Business Development, Kenya Seed Company, Mr. Fred Oloibe to the Managing Director, Kenya Seed Company dated 10th February, 2015 with the subject *"Price Review of by Products"*.

viii Minutes of Planning Committee of the Kenya Seed Company dated 9th February, 2015.

ix Memo dated 29th July, 2015 with the subject *"Disposal of non-conforming seed maize/maize cleanings"* from the Senior Engineer, Kenya Seed Company to the Managing Director, Kenya Seed Company.

x Memo by Mr. Sammy Tonui to Mr. Peter Wasike dated 19th August, 2015 with the subject *"sale of reject maize unprocedurally"*.

xi Memo by Mr. Sammy Tonui to the Finance Director Kenya Seed Company dated 27th August, 2015 with the subject *"non-conforming seed maize-DH02 from Seed Driers"*.

xii Memo by the Finance Director Kenya Seed Company dated 9th April, 2015 to the Head of Departments, Kenya Seed Company with the subject *"exclusion of Finance Director and his team from key inventory movement information and communication"*.

xiii Memo by the Finance Director, Kenya Seed Company dated 16th September, 2015 to Mr. Sammy Tonui with the subject *"sale of reject maize unprocedurally"*.

xiv Memo from the Internal Audit Manager, Kenya Seed Company to the Director, Finance, Strategy and Administration dated 29th November, 2013 with the subject *"sale of maize chenga, hay off-cuts and others products from EDF Farm"*

xv Memo from the Finance Director, Kenya Seed Company dated 22nd April, 2015 with the subject *"bull fattener"*.

xvi Memo from Mr. Sammy Tonui to the Finance Director, Kenya Seed Company dated 20th April, 2015.

xvii Memo from the Head of Production EDF/BSU, Kenya Seed Company to the Managing Director dated 18th March, 2015 with the subject *"Grain stock at Elgon Downs Farm"*.

xviii Report from Mr. Sammy Tonui dated 10th June, 2015 with the subject *"Report on Sale of by Product 2014/2015"*.

xix Email from the Legal Officer, Kenya Seed Company to Mr. Alfred Busolo dated 24th January, 2013 with the subject *"duration of leased farms"*.

Analysis of the Memorandum against Mr. Bett

In the letter, Mr. Sammy Tonui stated that he was wrongfully dismissed for alleged gross misconduct for selling three hundred bags of maize unprocedurally. The dismissal letter was allegedly written by the Acting Human Resource Manager on behalf of the Managing Director. Further, Mr. Sammy Tonui alleges his dismissal was as a result of witch hunt for his actions of following up on fraudulent activities in the Company involving among other things the disposal of 2,000 bags of non-conforming seed maize worth Kshs. 3.2 million, sale of a bull for which no money was remitted to the Company and underpricing deal in which the Company lost Kshs. 3.3 million. He further alleges that the Staff Disciplinary Committee which recommended his dismissal was not properly constituted.

Committee Observations

In reference to the submission made against the nominee for Agriculture, Livestock and Fisheries, the Committee observed as follows: -

i) **THAT**, the letter is not a sworn statement as required by Section 6(9) of the Act which provides that evidence contesting the suitability of a candidate to hold the office to which the candidate has been nominated to should be by way of *"a written statement on oath"*.

ii) **THAT,** the letter does not in any way illustrate how the nominee was involved in the alleged unfair dismissal of the complainant. The letters submitted by the complainant were all signed by the Ag. Human Resource Manager of the Kenya Seed Company.

iii) **THAT,** the issues raised by the complainant do not fall within the purview of the issues for consideration by the Committee. Indeed, section 6(7) of the Act provides that *"an approval hearing shall focus on a candidate's academic credentials, professional training and experience, personal integrity and background."* The issues raised by the complainant do not touch on the issues referred to in section 6(7) of the Act. Further, section 7 of the Act provides as follows-

> *The issues for consideration by the relevant House of Parliament in relation to any nomination shall be-*

i. the procedure used to arrive at the nominee;

ii. the constitutional and 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 the nomination is being made.

Consequently, a close reading of section 7 of the Act clearly indicates that the letter refers to issues other than those contemplated to be issues for consideration by the Committee.

The Committee therefore resolved to proceed to conduct the approval hearing of the nominee for Agriculture, Livestock and Fisheries without reference to the letter as submitted by Mr. Sammy Tonui.

2.7.2 Memorandum by Mr. William J. Ombese against Senator Charles Keter

Mr. William Jeremiah Ombese submitted a sworn affidavit dated 4th December, 2015 against the appointment of Mr. Charles Cheruiyot Keter as Cabinet Secretary for the Ministry of Energy and Petroleum and attached a newspaper cutting of the article titled "Multi-billion calls fraud pits" dated 1st December, 2015.

In the affidavit, the deponent states that he was a former employee of the defunct Telecommunications Corporation and had worked with the nominee for Energy and Petroleum who had risen over time to the rank of Assistant Manager at Internal Investigation Department. The deponent alleges that the nominee used intimidation on other staff to extract information. Further, the deponent alleges that the nominee took advantage of his position and duties for personal gain as he had his own networks of dealings which deprived the employer of its financial income. Further, the deponent depones that after the nominee left employment, he continued to carry on with his networks which were detrimental to his former employer. The deponent therefore states that the issues raised by him touch on the nominee's integrity and urges that more investigations need to be carried out on his past background and further his self-declaration forms ought to be scrutinized thoroughly. The deponent has also attached a newspaper cutting of the Daily Nation of Tuesday 1st December, 2015, which has an article that discusses how fraud is perpetuated in the telecommunication industry through sim boxes where international calls are

routed to the recipients as local calls. In the article, the Communication Authority states that it estimates that fraudsters' pocketed around Kshs. 3 Billion last year.

Committee Observations

In reference to the submission made against the nominee for Energy and Petroleum, the Committee observed as follows:

i) **THAT,** the Memorandum meets the requirements of section 6(9) of the Act as it is a sworn statement. Further, although the allegations made in the affidavit are largely unsubstantiated, they cast doubt as to the integrity, qualities and the background of the nominee. As such, the issues raised fall within the purview of the issues for consideration by the Committee in terms of sections 6(7) and 7 of the Act. However, the newspaper cutting which was attached by the deponent, did not in any way whether directly or indirectly refer to the nominee and did not also substantiate any of allegations made in the affidavit.

ii) **THAT,** by the close of business on 8th December, 2015, the Office of the Clerk received a letter dated 8th December, 2015 from the deponent formally withdrawing the memorandum.

A close reading of the Act, indicates that there is no provision barring a person from withdrawing a memorandum once submitted. In this regard therefore, the memorandum stands withdrawn.

The Committee therefore resolved to proceed to conduct the approval hearing of the Cabinet Secretary nominee for Energy and Petroleum without reference to the Memorandum by Mr. William J. Ombese.

2.7.3 Memorandum by Mr. John Mbugua against Hon. Festus Mwangi Kiunjuri

Mr. John Mbugua submitted an affidavit dated 9th December 2015 against the appointment of Mr. Festus Mwangi Kiunjuri as the Cabinet Secretary for the Ministry of Devolution and Planning.

Analysis of the Memorandum

In the affidavit drawn and filed by Mr. John Mbugua, the deponent opposes the appointment of the nominee due to alleged corruption in the Ministry of Water where he served as the Assistant

Minister. Further, the Ministry of Roads where he also served as an Assistant Minister, the nominee was allegedly removed from office for corruption charges. The deponent questions how the nominee will be able to ensure that the funds missing at the Ministry of Devolution and Planning are recovered if he is appointed as the Cabinet Secretary.

2.7.4 Memorandum by Mr. Phillip Mwangi against Hon. Festus Mwangi Kiunjuri

Mr. Phillip Mwangi submitted an affidavit dated 7th December, 2015 against the appointment of Mr. Festus Mwangi Kiunjuri as the Cabinet Secretary for the Ministry of Devolution and Planning.

Analysis of the Memorandum

In reference to the submission made against the nominee for Devolution and Planning by Mr. Phillip Mwangi, the affidavit submitted raises questions on the abilities, experience, qualities, professional training and experience and the personal integrity and background of the nominee, which fall within the purview of the issues to be considered by the Committee in terms of section 6(7) and 7 of the Act. However, the allegations made against the nominee are largely unsubstantiated.

Further, the affidavit does not meet the requirements of section 6(9) of the Act as it is not a sworn statement. A close look at the jurat of the affidavit indicates that the affidavit is not signed by both the deponent and the commissioner of oaths. Pursuant to sections 4 and 5 of the Oath and Statutory Declarations Act, Cap. 15, the Commissioner of Oaths has powers to administer oath. The veracity of a sworn statement is therefore revealed by the signature of the Commissioner of Oaths and the deponent. However, a reading of the Civil Procedure Rules in particular Order 19, Rule 17 which relates to the irregularity in form of affidavit provides that *"a court may receive any affidavit sworn for the purpose of being used in any suit notwithstanding any defect by mis-description of the parties or otherwise in the title or other irregularity in the form thereof or on any technicality"*. Further, Article 159(2)(d) of the Constitution which outlines the principles of judicial authority provides *that "justice shall be administered without undue regard to procedural technicalities"*. Indeed, although undue regard to technicalities is one of the principles observed by the Courts which this Committee may want to refer to, issues of veracity of an affidavit touch on the very substance of the subject matter and cannot be disregarded. As a matter of fact, the

question of veracity is one which involves answering the question of whether or not to admit evidence. In this regard, the veracity of the affidavit as submitted as evidence against the nominee is one that cannot be determined as it is unsigned.

Committee Observations

The Committee observed as follows:

i. **THAT,** that the veracity of the affidavit submitted by Mr. Philip Mwangi as evidence against the nominee is one that cannot be determined as it is unsigned.

ii. **THAT,** in reference to the submission made against the nominee by Mr. John Mbugua, although the affidavit submitted raises questions on the integrity and background of the nominee, which fall within the purview of the issues to be considered by the Committee in terms of section 6(7) and 7 of the Act, the affidavit as drawn does not meet the requirements of Order 19 of the Civil Procedure Rules which require in Rule 4 that every affidavit states the description, true place of abode and postal address of the deponent and Rule 5 which require every affidavit to be drawn in the first person and divided into paragraphs numbered consecutively which shall be confined as nearly as may be to a distinct portion of the subject.

iii. **THAT,** the affidavit by Mr. John Mbugua offends the provisions of section 8 of the Oaths and Statutory Declarations Act, Cap 15 as read with the Schedule of the same Act. In addition, pursuant to section 34 of the Advocates Act Cap. 16, unqualified persons cannot prepare documents for which a fee has been prescribed by the Chief Justice. An affidavit is one of the documents envisaged under section 34 and as such the affidavit as presented against the approval for appointment of the nominee as Cabinet Secretary is contrary to the provisions of the Advocates Act as the deponent is unqualified person.

iv. **THAT,** a close look at the jurat of the affidavit casts aspersion on the veracity of the affidavit. In this regard therefore, the affidavit presented by the deponent offends the provisions of section 6(9) of the Act.

Having carefully considered the two memoranda against the appointment of Hon. Festus Kiunjuri, the Committee resolved to proceed to conduct the approval hearing of the nominee

without reference to the affidavits as submitted by Mr. Phillip Mwangi and Mr. John Mbugua.

2.7.5 Memorandum by Mr. Joseph Gituru Mahugu against Dr. Cleopa Mailu

Mr. Joseph Gituru Mahugu submitted a sworn affidavit dated 9th December, 2015 by against the appointment of Dr. Cleopa Mailu, the Cabinet Secretary nominee for the Ministry of Health.

The affidavit is supported by the following documents-

i. Signed letter dated *16th March, 2013* by the Chief Executive Officer of the Nairobi Hospital, Dr. Cleopa Kilonzo Mailu to Mr. Joseph Mahugu with the subject *"Appeal";*

ii. Signed letter dated *7th March, 2013* by Christine M. Were for the Chief Executive Officer of the Nairobi Hospital, Dr. Cleopa Kilonzo Mailu to Mr. Joseph Mahugu with the subject *"Appeal Hearing";*

iii. Signed letter by Mr. Joseph Mahugu dated 14th February, 2013 to the Chief Executive Officer of the Nairobi Hospital, Dr. Cleopa Kilonzo Mailu with the subject *"reminder of appeal for termination of employment"*;

iv. Signed letter by Mr. Joseph Mahugu dated 14th January, 2013 to the Chief Executive Officer of the Nairobi Hospital, Dr. Cleopa Kilonzo Mailu with the subject *"Appeal for termination of employment";*

v. Signed letter dated *10th January, 2013* by Christine M. Were for the Chief Executive Officer of the Nairobi Hospital, Dr. Cleopa Kilonzo Mailu to Mr. Joseph Mahugu with the subject "*Termination of services";*

vi. Signed letter dated *5th December, 2012* by Christine M. Were for the Chief Executive Officer of the Nairobi Hospital, Dr. Cleopa Kilonzo Mailu to Mr. Joseph Mahugu with the subject *"Suspension";*

vii. Signed letter dated *3rd July, 2012* by Christine M. Were for the Chief Executive Officer of the Nairobi Hospital, Dr. Cleopa Kilonzo Mailu to Mr. Joseph Mahugu with the subject *"Employment confirmation.*

Analysis of the Memorandum

In the affidavit, the deponent states that he was confirmed for employment at the Nairobi Hospital under the watch of the nominee. He further depones that his contract of employment was terminated on flimsy grounds of alleged fraudulent transactions leading to the loss of Kshs. 28,300 by Nairobi Hospital. Mr. Joseph Mahugu further states that the nominee should not be approved for the appointment of Cabinet Secretary due to his reputation and integrity. Further, he depones that the nominee failed to conduct his case with due diligence, humility and without bias.

Dr. Mailu's Response to Mr. Mahugu's Memorandum

In response to Mr. Mahugu's allegations, the nominee responded as follows-

(i) **THAT,** Mr. Joseph Gituru Mahugu was an employee of Nairobi Hospital and was dismissed following an internal audit investigation that revealed he was involved in fraudulent transactions which resulted in substantial loss of revenue by the Hospital.

(ii) **THAT,** he instructed the Human Resource Manager to follow due process by following the law, the hospital policies and protocol which involved issuance of a showcause letter, proper investigations, issuance of a disciplinary hearing notice and the constitution of a disciplinary committee to conduct a hearing of the case before the dismissal of the employee.

(iii) **THAT,** the Disciplinary Committee after due diligence found him culpable and recommended dismissal following which he was given an opportunity to appeal the decision of the Committee before the Appeals Hearing Committee.

(iv) **THAT,** after the appeal, the Appeals Hearing Committee reaffirmed the decision of the Disciplinary Committee and Mr. Mahugu was paid his terminal dues in line with the institutional and statutory procedures.

(v) **THAT,** Mr. Joseph Mahugu was therefore given an opportunity to be heard and was found culpable after due process was followed.

(vi) **THAT,** he was not personally involved at any point in the disciplinary and appellate proceedings relating to the dismissal of Mr. Mahugu.

(vii) **THAT,** in the circumstances, the allegations against the nominee are therefore malicious and without basis.

Further, the nominee in support of his replying affidavit submitted the following documents-

(i) Signed letter dated 24th April, 2013 by Christine M. Were for the Chief Executive Officer of the Nairobi Hospital, Dr. Cleopa Kilonzo Mailu to Mr. Joseph Mahugu with the subject "Joseph Gituru Mahugu";

(ii) Signed letter dated 16th March, 2013 by the Chief Executive Officer of the Nairobi Hospital, Dr. Cleopa Kilonzo Mailu to Mr. Joseph Mahugu with the subject "Appeal";

(iii) Signed letter dated 7th March, 2013 by Christine M. Were for the Chief Executive Officer of the Nairobi Hospital, Dr. Cleopa Kilonzo Mailu to Mr. Joseph Mahugu with the subject "Appeal Hearing";

(iv) Signed letter by Mr. Joseph Mahugu dated 14th January, 2013 to the Chief Executive Officer of the Nairobi Hospital, Dr. Cleopa Kilonzo Mailu with the subject "appeal for termination of employment";

(v) Signed letter dated 10th January, 2013 by Christine M. Were for the Chief Executive Officer of the Nairobi Hospital, Dr. Cleopa Kilonzo Mailu to Mr. Joseph Mahugu with the subject "termination of services";

(vi) Internal Memo by Christine Were to Mr. Joseph Mahugu dated 7th December, 2012 with the subject "Disciplinary Committee Hearing".

(vii) Signed letter dated 5th December, 2012 by Christine M. Were for the Chief Executive Officer of the Nairobi Hospital, Dr. Cleopa Kilonzo Mailu to Mr. Joseph Mahugu with the subject "suspension".

(viii) Memo dated 5th December by Christine M. Were to Mr. Joseph Mahugu with the subject "Show Cause".

Committee Observations

In reference to the submission made against the Cabinet Secretary nominee for Health, the Committee observed as follows:

i) **THAT,** the affidavit is a sworn statement as required by section 6(9) of the Act which provides that evidence contesting the suitability of a candidate to hold the office to which the candidate has been nominated to should be by way of "*a written statement on oath*".

ii) **THAT,** although the issues raised by deponent are largely unsubstantiated, the issues raised by the complainant fall within the purview of the issues for consideration by the Committee as they touch on the qualities of the nominee and hence a question as to the suitability of the candidate as provided for under section 7(c) of the Act.

In view of the foregoing and in accordance with the provisions of the Constitution, the Public Appointments (Parliamentary Approvals) Act and the Standing Orders of the National Assembly, the Committee on Appointments resolved to proceed to undertake the approval hearing as required and scheduled.

3.0 VETTING OF THE NOMINEES

In conducting the vetting process, the Committee on Appointments examined the nominees against the following criteria, amongst others, as set out in the Public Appointments (Parliamentary Approval) Act No. 33, Cap. 136: -

(i) Academic qualifications

(ii) Employment record

(iii) Professional affiliations

(iv) Potential conflict of interest

(v) Knowledge of the relevant subject

(vi) Overall suitability for the position

(vii) Integrity

(viii) Vision and leadership

(ix) Expectations and key priorities

3.1 HON. FESTUS KIUNJURI - MINISTRY OF DEVOLUTION AND PLANNING

Hon. Festus Mwangi Kiunjuri, Cabinet Secretary nominee, Ministry of Devolution and Planning appeared before the Committee on Friday, 11th December, 2015 at 10.00 am and was orally

interviewed under Oath pursuant to the provisions of the Constitution of Kenya, the Public Appointments (Parliamentary Approvals) Act, Cap. 136 and the Standing Orders of the National Assembly.

The nominee presented as follows, both orally and in writing: -

Date and Place of Birth

1. He is a Kenyan citizen born on 18th January, 1968 in Nyeri County.

Academic and Professional Qualifications

2. He attended Dr. Kiano Secondary School where he attained a Kenya Certificate of Education (1987) and Kangema High School for Kenya Advanced Certificate of Education (1989).

3. He holds a Master of Business Administration degree from the United States International University – Africa (2015) and Bachelor's Degree in Education from Moi University (1994).

Employment Record

4. He started his career as a graduate teacher between 1996 and 1997 at Kiaritha-ini Secondary School. He thereafter served as Member of Parliament for Laikipia East Constituency between the years 1997 and 2013.

5. During his tenure as a Member of Parliament, he also served as an Assistant Minister, Ministry of Energy between the years 2003 and 2008, Ministry of Water and Irrigation in the year 2008 and Ministry of Public Works between the years 2011 and 2013.

6. Prior to his nomination, he served as the Chairman of Athi Water Services Board.

Net Worth

7. He estimated his net worth to be Kshs. 798 million as at December 2015 mainly from land and buildings in Nanyuki, Sagana and Nairobi

Honours and Awards

8. He was awarded the Moran of the Order of the Golden Heart of Kenya (MGH) on 12th December 2008.

Potential Conflict of Interest

9. He declared that he currently does not have any persons or matter that would present a potential conflict of interest should he assume the position of Cabinet Secretary, Ministry of Planning and Devolution. Should a conflict of interest arise, the nominee stated that he would declare the interest in writing to the appointing authority in accordance with the law.

Pro-bono/Charity Work

10. The nominee is involved in charity work through supporting education of disadvantaged students in various institutions of learning.

Integrity

11. He has fully complied with his tax obligations to the State as confirmed by the Commissioner General, Kenya Revenue Authority in a letter to the Clerk of the National Assembly Ref. CDT/HQ/54 dated 8th December 2015 and Tax Compliance Certificate No. KRANON2828582015 dated 2nd December 2015.

12. In a letter Ref. EACC.7/10/5 VOL.II(3) dated 7th December 2015 to the Clerk of the National Assembly, the Chief Executive Officer of the Ethics and Anti-Corruption Commission confirmed that there are no outstanding issues or ongoing investigations against the nominee.

13. The nominee has also neither been charged in a court of law nor mentioned in any investigatory report of Parliament or any Commission of Inquiry in the last three (3) years. He has also never been dismissed or otherwise removed from office for contravention of the provisions of Article 75 of the Constitution.

14. The Director of Criminal Investigations issued the nominee with a Police Clearance Certificate No. 485860 dated 8th December 2015 with a **reservation** owing to an incitement to violence offence pending in court since 21st March 2000. The nominee informed the Committee that the incitement charge relates to his role in leading demonstrations against land injustices in Rumuruti area of the then Laikipia East Constituency which he represented as the Member of Parliament and does not regret his actions in the said demonstration. He however, expressed frustration by the Directorate of Criminal Investigations to have the matter concluded.

15. On 14th December, 2015, the Committee received a copy of the court order by the Chief Magistrate at Milimani Courts dated 14th December, 2015 that the nominee has been discharged of the incitement to violence charges following withdrawal of Criminal Case No. 278 of 2000 pursuant to section 87(a) of the Criminal Procedure Code.

16. He cleared the loan owed to the Higher Education Loans Board (HELB) and was issued with a Certificate of Clearance No. 2271 dated 20th December 2012. The same position was confirmed by the Head of Research, Strategy and Planning of Higher Education Loans Board in a letter to the Clerk of the National Assembly, Ref. HELB/RD/56593 dated 8th December, 2015.

17. The nominee has also been cleared by the TransUnion Credit Reference Bureau via CRB Certificate No. 08656723 dated 4th December 2015.

GENERAL AND SECTOR SPECIFIC QUESTIONS TO THE NOMINEE

The Committee posed several questions to the nominee on his past work experience and knowledge of the Devolution and Planning sector and he responded as follows: -

Immediate Issue to be Addressed in the Ministry

18. The immediate issue to be addressed in the Ministry relates to the misconception that the Jubilee Administration is anti-devolution. He indicated that to be able to address the issue, he intended to work very closely with all devolution stakeholders including the county and national government officials. Further, he stated that he has the requisite negotiation skills likely to assist him address the perception problem.

Capacity to Perform in the Ministry of Devolution and Planning

19. He has sufficient experience having served in various positions in the previous Governments including Assistant Minister in the Ministry of Water and Irrigation.

The Challenge of Corruption in the Ministry and his Plans to Reverse the Trend

20. He lauded the efforts by the Head of State to institute measures to curb the vice and indicated that if appointed to the position of Cabinet Secretary, Ministry of Devolution and Planning, he will undertake the following:

    a. Implement the already instituted measures to curb corruption;

b. With his negotiation skills, he intends to bring together all stakeholders to ensure that the National and County Governments Coordinating Summit and other inter-governmental institutions already in place are utilized to enhance service delivery;

c. Ensure that Article 10 of the Constitution on national values is adhered to; and

d. Ensure that the National Government enhances capacity building of County governments to increase accountability.

The Matter of Umaa Dam

21. He reiterated that no accusations had been levelled against him as relates to the said issue of Umaa Dam and challenged any individual with evidence implicating him to follow the existing mechanisms to launch complaints which will be investigated by the relevant institutions.

Conflict between him and his former boss, Cabinet Minister, Ministry of Water and Irrigation and how he intends to deal with conflict as and when it arises

22. He informed the Committee that the conflict in the Ministry was as a result of his stand against corruption and not personal differences. If faced with the same challenge, he will tackle corruption head-on since he will be in charge of the Ministry.

Linking Planning to Research Evidence

23. He acknowledged that there can be no development in the absence of informed planning. He recognised the existence of competent public officers within the Ministry and existing institutions like the Kenya National Bureau of Statistics (KNBS) and the Kenya Institute of Public Policy and Research Analysis (KIPPRA) which support and provide the requisite data and information to inform planning. He further appreciated the need for public participation to ensure the needs of the people are appreciated. While concluding on the question, the nominee recognized the already existing national development blue print, Vision 2030 and the Jubilee Government manifesto which he said he will utilise while implementing the Ministry's projects and programmes.

Achievement as the Assistant Minister in the Ministry of Water and as a public Servant

24. He stated that while in the Ministry he presided over the rural electrification projects and the development of the water master plan including the privatization of major dams which have in the long-term contributed to the improved water supply in the Country

Key priorities for the Ministry of Devolution and Planning going forward

25. The nominee outlined the following key priorities areas:

a. Strengthening inter-governmental relations and mechanisms by ensuring consultation of relevant stakeholders takes place;

b. Implementation of the national policy on Devolution;

c. Capacity building of the Counties which is the function of the National Government in line with the Fourth Schedule to the Constitution;

d. Ensure timely allocation of resources to Counties by working closely with the Cabinet Secretary, National Treasury, Chair of the Economic and Social Council and the Council of Governors; and

e. Ensure the unbundling of the functions of either level of government to ensure clarity.

Committee Observations on Suitability of Hon. Festus Kiunjuri for Appointment as Cabinet Secretary, Ministry of Devolution and Planning

The Committee having considered the nominee's filled Questionnaire pursuant to Section 6 (8) of Public Appointments (Parliamentary Approval) Act, his Curriculum Vitae and having heard his oral submission during the vetting exercise/interview, made the following observations on his suitability for appointment as Cabinet Secretary, Ministry of Devolution and Planning:-

1. **THAT**, He satisfies the requirements of Chapter 6 of the Constitution of Kenya on leadership and integrity having been cleared by the Kenya Revenue Authority, Higher Education Loans Board (HELB), Ethics and Anti-Corruption Commission and the Credit Reference Bureau.

2. **THAT**, the incitement to violence case against him, Criminal Case No. 278 of 2000 was withdrawn by the Director of Public Prosecutions on 14th December, 2015 before Hon.

Daniel Ogembo, Chief Magistrate, Milimani Court and the nominee accordingly acquitted of the charge.

3. **THAT,** he has no potential conflict of interest.

4. **THAT,** he has never been dismissed from office for contravention of the provisions of Article 75 of the Constitution which deals with conduct of state officers that are adversely mentioned in any investigatory report of Parliament or any Commission of Inquiry.

5. **THAT,** he exhibited impressive knowledge of topical and legal issues touching on the docket of Devolution and Planning and has the requisite abilities, qualifications and experience. Therefore, the Committee found the nominee suitable for appointment as the Cabinet Secretary, Ministry of Devolution and Planning.

3.2 SEN. CHARLES KETER - MINISTRY OF ENERGY AND PETROLEUM

Hon. Charles Cheruiyot Keter, Cabinet Secretary nominee, Ministry of Energy and Petroleum appeared before the Committee on Friday 11th December, 2015 at 11.00 am and was orally interviewed under Oath pursuant to the provisions of the Constitution of Kenya, the Public Appointments (Parliamentary Approvals) Act, Cap. 136 and the Standing Orders of the National Assembly.

The nominee presented as follows, both orally and in writing: -

Date and Place of Birth

1. The nominee is a Kenyan citizen born on 22nd November, 1969.

Academic and Professional Qualifications

2. He attended Litein High School where he attained a Kenya Certificate of Education (KCE) and Kericho High School for Kenya Advance Certificate of Education (KACE).

3. He holds a Bachelor of Education (Science) degree majoring in Double Mathematics from Kenyatta University and an Executive Master of Business Administration (MBA) from United States International University (USIU- Africa). He has also been trained in Curtailing Economic Fraud by Crown Agents, United Kingdom.

Employment Record

4. The nominee started working in 1993 as Systems Analyst at Telkom Kenya and in 1996 worked as a Manager, Anti-Fraud Section in the same organisation.

5. He served as Member of Parliament for Belgut Constituency from the year 2002 to 2013 and Senator for Kericho County from the year 2013 up to the time of his nomination as Cabinet Secretary. He served as Deputy Leader of Majority Party in the Senate.

6. During his tenure as Member of Parliament for Belgut Constituency, he also served as Assistant Minister, Ministry of Energy from the year 2008 to 2010 when his appointment was revoked.

Honours and Awards

7. He achieved the following during his tenure as a Member of Parliament: -

   a) Sponsored Constitution (Amendment) Bill, also known as "Keter Bill" aimed at enhancing parliamentary autonomy;

   b) Awarded the Moran of the Order of the Golden Heart (MGH) by retired President Kibaki in 2009.

   c) National Tax Payers Association rated Belgut Constituency, the best among 28 sampled constituencies in CDF management.

Net Worth

8. He estimated his net worth to be Kshs. 352.8 million as at December, 2015.

Potential Conflict of Interest

9. He declared that he currently does not have any persons or matter that would present a potential conflict of interest should he assume the position of Cabinet Secretary, Ministry of Energy and Petroleum. Should a conflict of interest arise, the nominee stated that he would declare the interest as required.

Charity Work

10. The nominee was instrumental in establishing Social Economic Empowerment Women Organisation (SEEWO), an organisation which empowers women socially, economically through table banking, agribusiness and Small Medium Enterprises (SMEs).

Integrity

11. The nominee has neither been charged in a court of law nor been mentioned in any investigatory report of Parliament or any Commission of Inquiry in the last three years. He has also never been dismissed or otherwise removed from office for contravention of the provisions of Article 75 of the Constitution.

12. He has fully complied with his tax obligations to the State as confirmed by the Commissioner General, Kenya Revenue Authority in a letter to the Clerk of the National Assembly Ref. CDT/HQ/54 dated 8th December 2015 and Tax Compliance Certificate No. KRAWON2894212015 dated 4th December 2015.

13. He cleared the loan owed to the Higher Education Loans Board (HELB) and was issued with a Certificate of Clearance No. 0088437 dated 4th December 2015. The same position was confirmed by the Head of Research, Strategy and Planning of Higher Education Loans Board in a letter to the Clerk of the National Assembly, Ref. HELB/RD/56593 dated 7th December, 2015.

14. The Director of Criminal Investigations issued the nominee with a clean Police Clearance Certificate No. 491785 dated 8th December 2015.

15. In a letter Ref. EACC.7/10/5 VOL.II(3) dated 7th December 2015 to the Clerk of the National Assembly, the Chief Executive Officer of the Ethics and Anti-Corruption Commission confirmed that there are no outstanding issues or ongoing investigations against the nominee.

16. The nominee has also been cleared by MetroPol Credit Reference Bureau via CRB Certificate No. MCRB/C97944 dated 4th December 2015.

GENERAL AND SECTOR SPECIFIC QUESTIONS TO THE NOMINEE

The Committee posed several questions to the nominee on his past work experience and knowledge of the Energy and Petroleum sector and he responded as follows: -

Significant Achievement(s) in his Career

17. He stated that for 45 years in the history of Belgut Constituency, he was re-elected for the second term owing to his development record. Further, he observed that while working in the Ministry of Energy, he presided over substantial rural electrification in the Country.

Reasons for his removal from the Position of Assistant Minister in the Ministry of Energy

18. He was categorical that his removal from office as an Assistant Minister in the Coalition government was politically instigated and not as a result of incompetence.

Appointment of Members of Parliament as Cabinet Secretaries

19. He stated that he subscribes to the ideology of having Members of Parliament serve as Cabinet Secretaries as they are adequately seized of the development challenges and needs of the people.

Leveraging on Oil discovery in Kenya

20. He indicated that he intends to fast track the production of oil in Turkana and its marketing by leveraging on the use of tanks in Kitale and by rail to Mombasa, including the need to fast-track the completion of the Northern Corridor which will offer the requisite infrastructure necessary to ensure oil production in Turkana is sustainable. He further added that the revival of the Kenya Oil Refineries Ltd and refurbishing of the oil refinery in Mombasa will ensure reduction of imported refined oil in the Country.

21. On the issue of whether oil discovery will be a curse or a blessing, he indicated that the Energy Bill, 2015 will offer the legal framework to address the contentious issues of community benefit and environmental conservation among others. Further, the nominee committed to incorporate insurance aspect in the Bill.

Key Priority Areas in the Ministry of Energy and Petroleum

22. He highlighted the following key priority areas:

a. Undertaking systems audit of the sector so as to restore confidence in the energy sector amidst corruption allegations;

b. Address power tariffs that have resulted in high electricity costs;

c. Increasing transmission lines particularly in the ASALs regions where electricity supply coverage is well below the national average of seventy percent (70%); and

d. Restructuring the law to clearly address the issues of partnerships between local and foreign investors.

Reasons for Change in Career

23. He informed the Committee that his decision to quit politics is informed by the fact that he has made his contribution as a politician and particularly as a Member of Parliament for fourteen (14) years including serving as a Senator in the current Parliament. He further added that his passion in the energy sector saw him undertake research on factors affecting geothermal production, some of which include lack of adequate resources and a proper legislative framework. He is keen to take a leading role to improve the Energy and Petroleum Ministry and the sector in general.

Challenges facing the Energy Sector and Issues to address in 100 days

24. He informed the Committee that the sector is experiencing funding challenges which if appointed, he will leverage on the Public –Private Partnership (PPP) and Build-Operate-Transfer (BOT) concepts among others to ensure increased investment in the sector. He will also seek to address the high power tariffs and the ever fluctuating cost of fuel.

25. In the first 100 days of his appointment, he indicated that his priority will be reduction of high costs of fuel and LPG gas by addressing challenges arising from lack of storage facilities in Mombasa and between Mombasa and Nairobi. Further, he added that it will be critical to review the legal framework underpinning the Energy Regulatory Commission so as to streamline its operations while at the same time reviewing the Open Tender System in fuel acquisition.

Committee Observations on Suitability of Sen. Charles Keter for Appointment as Cabinet Secretary, Ministry of Energy and Petroleum

The Committee having considered the nominee's filled Questionnaire pursuant to Section 6 (8) of Public Appointments (Parliamentary Approval) Act, his Curriculum Vitae and having heard his oral submission during the vetting exercise/interview, made the following observations on his suitability for appointment as Cabinet Secretary, Ministry of Energy and Planning:-

1. **THAT,** he satisfies the requirements of Chapter 6 of the Constitution of Kenya on leadership and integrity having been cleared by the Kenya Revenue Authority, Higher Education Loans Board (HELB), Ethics and Anti-Corruption Commission and the Credit Reference Bureau.

2. **THAT,** he has not been charged in a Court of Law in the last three (3) years.

3. **THAT,** he has no potential conflict of interest.

4. **THAT,** he has never been dismissed from office for contravention of the provisions of Article 75 of the Constitution which deals with conduct of state officers that are adversely mentioned in any investigatory report of Parliament or any Commission of Inquiry.

5. **THAT,** he exhibited impressive knowledge of topical and legal issues touching on the docket of Energy and Petroleum and has the requisite abilities, qualifications and experience. Therefore, the Committee found the nominee suitable for appointment as the Cabinet Secretary, Ministry of Energy and Petroleum.

3.3 DR. CLEOPA MAILU – MINISTRY OF HEALTH

Dr. Cleopa Kilonzo Mailu, Cabinet Secretary nominee, Ministry of Health appeared before the Committee on Friday 11th December, 2015 at 12.00 pm and was orally interviewed under Oath pursuant to the provisions of the Constitution of Kenya, the Public Appointments (Parliamentary Approvals) Act, Cap. 136 and the Standing Orders of the National Assembly.

The nominee presented as follows, both orally and in writing: -

Date and Place of Birth

1. He is a Kenyan citizen born on 29th April, 1956 in Machakos District.

Academic and Professional Qualifications

2. He attended Kangundo High School and Friends School in Kamusinga where he attained East African School Certificate and East African Advanced Certificate of Education respectively.

3. He holds a Bachelors Degree in Medicine from the University of Nairobi (1984), Master of Science Degree in Medical Sciences (Genetics) from the University of Glasgow, United Kingdom (1989) and Diploma in Advanced Management Programme from the Strathmore Business School/University of Navara (2007).

4. The nominee has attended several leadership and management courses and seminars including Strategic Leadership and Change Management Workshop for Directors of State Corporations (May 2010), Effective Management Seminar (April 1991) and Management of

Public Enterprise Seminar (September 1990) all offered by the Kenya School of Government (formerly Kenya Institute of Administration).

Work Experience

5. He started his medical career at Kenyatta National Hospital in 1985 as a Casualty Manager/Quality Assurance Manager/Consultant Clinical Genetist (1985-1992) and between the years 1995 and 1999, he worked at Ministry of Health headquarters as a Director/National EPI Manager and Director, Health Sector Reform Programme.

6. He left Kenya's public health sector in the year 2000, where he worked for International Charity NGO in Nairobi as a Reproductive Health Advisor (2000 to 2003), Consultant for UNICEF and WHO (2001 -2003), Projects Officer for UNICEF in India (2003) and Chief Executive Officer of the Nairobi Hospital (2003 to date).

Honours and Awards

7. Dr. Mailu has been awarded the following honours/awards:

   a) International Who is Who of Professionals (2009);

   b) Distinguished Service Award – Kenya Medical Association (2008);

   c) Elder of the Order of the Burning Spear (E.B.S) (2006);

   d) Moran of the Order of Burning Spear (M.B.S) (2004);

   e) UNESCO Fellowship Scholarship – In Situ Ahybridization, Glasgow, UK (1991); and

   f) Scholarship for Masters Degree in Genetics sponsored by British Council Through Directorate of Personnel Management, Office of the President (1988).

Professional Affiliations

8. The nominee is a Member of the Kenya Medical Association, Gold Member of the University of Nairobi Alumni Association, Chairman of the University of Nairobi Alumni Association – Medicine Chapter, Member of the British Society of Human Genetics and Life Member of the Kenya Red Society.

9. He has also been a Director/Governing Council Member of the Kenya Private Sector Alliance (2011-2013), Council Member, Inoorero University (2009-2012), and Founding Chairman of the Kenya Healthcare Federation Board (2006-2007).

Published Writings

10. Dr. Mailu has published the following writings:

a) *Cost Attainment: The Key to Running Public Hospitals (2008;)*

b) *Skills Drain: Applying Sound Employment Imperatives to Retain Nurses and Doctors in Hospitals (2005);*

c) *Lessons of the Bamako Initiative in Kenya (1997); and*

d) *Female Surgical Contraception in Kenya – The Kenyatta National Hospital Experience (1989).*

Public Office(s) Previously Held

11. He has held the following public offices:

a) *Ag. Chairman, Global Fund Kenya (2013-2014);*

b) *Director, Federation of Kenya Employers (2004-2014);*

c) *Trustee, National Social Security Fund (2010-2013;*

d) *Council Chairman, Machakos University College (2012-2013;*

e) *National Chairman, Federation of Kenya Employers (2012-2013);*

f) *Director, National AIDS Control Council (2010-2012;*

g) *Director, National Labour Board (2010-2012); and*

h) *Director, Consolidated Bank of Kenya (2007-2012).*

Income and Net Worth

12. The nominee does not envisage any deferred income or future benefits and does not have outside commitments he plans to pursue outside employment.

13. His main source of income in the preceding year is Kshs. 67,000,000 being salary from the Nairobi Hospital employment.

14. He estimates his net worth to be Kshs. 615 million as at December, 2015.

Potential Conflict of Interest

15. He declared that he currently does not have any persons or matter that would present a potential conflict of interest should he assume the position of Cabinet Secretary, Ministry of Health.

Pro-Bono/Charity Work

16. The nominee has contributed to charity work as follows:

a) Member of Board of Governors – Friends School, Kamusinga (2012-2013);

b) Chairman, Board of Governors – Moi Girls Secondary School, Kibwezi (2005-2007);

c) Member, Board of Governors – Moi Girls Secondary School, Kibwezi (2002-2004); and

d) Chairman and Member of Board of Governors, St. Mary's Girls High School, Kinyambu, Makueni (2001-2003)

Integrity

17. The nominee has neither been charged in a court of law nor mentioned in any investigatory report of Parliament or any Commission of Inquiry in the last three years. He has also never been dismissed or otherwise removed from office for contravention of the provisions of Article 75 of the Constitution.

18. He has fully complied with his tax obligations to the State as confirmed by the Commissioner General, Kenya Revenue Authority in a letter to the Clerk of the National Assembly REF. CDT/HQ/54 dated 8th December 2015 and Tax Compliance Certificate No. KRASON2844412015 dated 2nd December 2015.

19. He cleared the loan owed to the Higher Education Loans Board (HELB) and was issued with a Certificate of Clearance No. 010077 dated 15th November 2007. The same position was confirmed by the Head of Research, Strategy and Planning of Higher Education Loans Board in a letter to the Clerk of the National Assembly, Ref. HELB/RD/56593 dated 8th December, 2015.

20. The Director of Criminal Investigations issued the nominee with a clean Police Clearance Certificate No. 260589 dated 13th July 2015.

21. In a letter Ref. EACC.7/10/5 VOL.II (3) dated 7th December 2015 to the Clerk of the National Assembly, the Chief Executive Officer of the Ethics and Anti-Corruption Commission confirmed to the Committee that there are no outstanding issues or ongoing investigations against the nominee.

22. The nominee has also been cleared by the MetroPol Credit Reference Bureau via CRB Ref. NVY06Y1033U41YE dated 6th December 2015.

Endorsement by Medical Professionals

23. Following his nomination for appointment to the position of Cabinet Secretary, Ministry of Health, the nominee was endorsed and given a vote of confidence in writing by the following medical bodies: Kenya Medical Association (KMA), Kenya Medical Practitioners, Pharmacists and Dentists Union (KMPDU), Federation of Kenya Employers (FKE) and Association of Kenya Medical Laboratory Scientific Officers.

GENERAL AND SECTOR SPECIFIC QUESTIONS TO THE NOMINEE

The Committee posed several questions to the nominee on his past work experience and knowledge of the Health sector and he responded as follows: -

Challenges facing Devolution of Health Services

24. The main reason devolution of health is facing numerous challenges is because it was undertaken without an existing legal framework. He, therefore, indicated that he intends to engage County Governments so that all parties can appreciate what devolution means in addition to ensuring that each level of Government understands its role in so far as health is concerned. The nominee also added that there is need to review the pending legislation to ensure that it addresses all the gaps.

Preventive Medicine

25. He will prioritize the allocation of additional resources to primary health care to address communicable diseases, vaccination services and curative and preventive services.

Improving Service Delivery at the Kenyatta National Hospital (KNH)

26. He proposed the following key strategies to improve service delivery at KNH:

a. *The need to decongest the Hospital by improving the surrounding County health facilities especially in Nairobi County so that only referral cases requiring highly specialised attention are handled by KNH;*

b. *Put in place a clear referral mechanism;*

c. *Streamline procurement at the facility;*

d. *Review the legal framework which establishes KNH to determine the gaps in the constitution of the Hospital's Board; and*

e. *Review the KNH Board's strategic planto determine if it is in line with Kenya's health strategy.*

HIV/ AIDS and TuberculosisFunding in the Country

27. Having served as Chairperson of the Committee on Global Fund in the Ministry of Health in 2013, there is need to review the innovative ways of raising funds locally for HIV/ AIDS including ensuring that the Government allocates adequate funds for HIV/AIDS management.

28. On issues of TB, he reiterated that the National government has a responsibility to oversee and set policies on cross cutting issues among them TB management, with clear cut boundaries on the role of each level of Government in TB management.

Welfare of Medical Personnel

29. The welfare of medical personnel is critical and the single most important ingredient for provision of health services. He further indicated the need to ensure the ability to train, sustain and maintain key personnel in the Country is enhanced. This function cannot be left to the Counties alone. While further addressing the issue of brain drain of health workers, he added that better working conditions is the ultimate solution.

30. On reducing the high cost of healthcare services, he added that the factors contributing to high cost of healthcare services may be attributed to the procurement mechanisms. As such, he proposed the need to engage with private and mission healthcare providers. He further

added that the County Governments ought to be assisted to understand the needs of the health worker so as to reduce the ever increasing industrial conflict between the health workers and County Governments.

Managed Equipment Services Vis-à-vis Direct Purchase of Medical Equipment

31. Leasing of medical equipment is a concept that is gaining momentum in several jurisdictions including South Africa where a service level agreement is signed and equipment is paid for according to utilization. However, he added that the success of such a framework will depend on the preparedness of health workers in terms of training and skills to operate the equipment and that there is need for continuous consultation and consensus in handling the matter.

Universal Health Coverage (UHC)

32. He underscored the importance of reforming the National Hospital Insurance Fund (NHIF) to provide universal healthcare and ensure access to quality healthcare.

Capacity of Kenya Medical Supplies Authority (KEMSA) to Supply Medicines & Medicaments

33. He is of the opinion that there is need to review legislation on importation of drugs. While acknowledging the good intention with which KEMSA was established, which was to guarantee and standardize quality of medicines, he admitted that there seems to be a challenge preventing County Governments from utilising the pull system in requisitioning for medicines and other medicaments from KEMSA. As such, he will work towards ensuring that the situation is improved.

Establishment of Referral Facilities in Each of the 47 Counties

34. In his view, the establishment of forty-seven (47) referral health facilities ought to be a long-term goal. He indicated that bearing in mind that the referral centres offer specialised services, this may be a challenge to the sector given the capacity in terms of health personnel. He reiterated the need to build capacity for County governments.

Right to Emergency Care in line with Art 43 (2) of the Constitution

35. He informed the Committee that access to emergency care is a right in line with Article 43(2) of the Constitution. However, there need for legislation that will among other things

define emergency care, explain how it can be accessed and most importantly provide for the resources to support the service through a fund.

Matters raised in the Affidavit by deponent Mr. Joseph Gituru Mahugu

36. He confirmed that the deponent is a former employee of the Nairobi Hospital who was sacked in 2013 following misappropriation of funds involving fifteen cashiers at the Hospital. The nominee informed the Committee that due process was followed in handling the matter as follows:

a. He was issued with a show cause letter following investigations and audit in 2013;

b. He appeared before the Disciplinary Committee which recommended his dismissal; and

c. He appealed before the Appeal Committee which affirmed the Disciplinary Committee's decision.

Committee Observations on Suitability of Dr. Cleopas Mailu for Appointment as Cabinet Secretary, Ministry of Health

The Committee having considered the nominee's filled Questionnaire pursuant to Section 6 (8) of Public Appointments (Parliamentary Approval) Act, his Curriculum Vitae and having heard his oral submission during the vetting exercise/interview, made the following observations on his suitability for appointment as Cabinet Secretary, Ministry of Health:-

1. **THAT**, he satisfies the requirements of Chapter 6 of the Constitution of Kenya on leadership and integrity having been cleared by the Kenya Revenue Authority, Higher Education Loans Board (HELB), Ethics and Anti-Corruption Commission and the Credit Reference Bureau.
2. **THAT**, he has not been charged in a Court of Law in the last three (3) years.
3. **THAT,** he has no potential conflict of interest.
4. **THAT**, he has never been dismissed from office for contravention of the provisions of Article 75 of the Constitution which deals with conduct of state officers and has not been adversely mentioned in any investigatory report of Parliament or any Commission of Inquiry.

5. **THAT**, he nominee exhibited impressive knowledge of topical and legal issues touching on the docket of Health and has the requisite abilities, qualifications and experience. Therefore, the Committee found the nominee suitable for appointment as the Cabinet Secretary, Ministry of Health.

3.4 MR. WILLY BETT - MINISTRY OF AGRICULTURE, LIVESTOCK & FISHERIES

Mr. Willy Kipkorir Bett, Cabinet Secretary nominee, Ministry of Agriculture, Livestock and Fisheries appeared before the Committee on Friday 11th December, 2015 at 3.00 pm and was orally interviewed under Oath pursuant to the provisions of the Constitution of Kenya, the Public Appointments (Parliamentary Approvals) Act, Cap. 136 and the Standing Orders of the National Assembly.

The nominee presented as follows, both orally and in writing: -

Date and Place of Birth

1. He is a Kenyan citizen born on 14th April, 1963 in Nandi District.

Academic and Professional Qualifications

2. He attended Kaptel High School and Kaheti High School where he attained a Kenya Certificate of Education and and Kenya Advanced Certificate of Education respectively.

3. He holds a Bachelor's Degree in Arts (Economics and Sociology) from the University of Nairobi and a Master of Business Administration Degree (Marketing) also from the same University.

Employment Record

4. He started his career in 1991 as a Management Trainee at Post Bank Credit. He thereafter was employed at the Post Bank in 1992 where he rose through the ranks from Finance Officer to Senior Manager, Money Transfer Services.

5. He was appointed Managing Director Kenya Seed Company in 2006 where he served until his nomination as Cabinet Secretary.

Honours and Awards

6. He was awarded a recognition award by "Sahara Communities Abroad" for helping fundraise for children with special needs in Kenya (20th December 2004, London, UK).

Professional Affiliation

7. He is a Member of the Chartered Institute of Marketing, Marketing Society of Kenya and Kenya Institute of Management.

Published Writing

8. He has published one article being his Master of Business Administration Project Report titled "Differentiation Strategies used by Micro-Finance Institutions in Kenya" submitted to the University of Nairobi.

Net Worth

9. He estimated his net worth to be Kshs. 127.5 million as at December, 2015 mainly from employment, farming and rental income.

Potential Conflict of Interest

10. He declared that he currently does not have any persons or matter that would present a potential conflict of interest should he assume the position of Cabinet Secretary, Ministry of Agriculture, Livestock and Fisheries.

Pro-Bono/Charity Work

11. The nominee supports three (3) needy children through payment of school fees amounting to Kshs. 120,000 per year. He has also contributed to construction of a local church in Kitale contributing Kshs. 100,000 until it is completed.

Integrity

12. The nominee has neither been charged in a court of law nor mentioned in any investigatory report of Parliament or any Commission of Inquiry in the last three years. He has also never been dismissed or otherwise removed from office for contravention of the provisions of Article 75 of the Constitution.

13. He has fully complied with his tax obligations to the State as confirmed by the Commissioner General, Kenya Revenue Authority in a letter to the Clerk of the National Assembly Ref. CDT/HQ/54 dated 8th December 2015 and Tax Compliance Certificate No. KRAELD1690412015 dated 25th November, 2015.

14. He has also cleared his Higher Education Loans Board (HELB) and was issued with a Certificate of Clearance No. 0088243 dated 27th November, 2015. The same position was confirmed by the Head of Research, Strategy and Planning of Higher Education Loans Board in a letter to the Clerk of the National Assembly, Ref. HELB/RD/56593 dated 7th December, 2015.

15. The Director of Criminal Investigations issued the nominee with a clean Police Clearance Certificate No. 461836 dated 27th November, 2015.

16. In a letter Ref. EACC.7/10/5 VOL.II(3) dated 7th December 2015 to the Clerk of the National Assembly, the Chief Executive Officer of the Ethics and Anti-Corruption Commission confirmed that there are no outstanding issues or ongoing investigations against the nominee.

17. The nominee has also been cleared by MetroPol Credit Reference Bureau via CRB Certificate No. MCRB/C82913 dated 25th November, 2015.

GENERAL AND SECTOR SPECIFIC QUESTIONS TO THE NOMINEE

The Committee posed several questions to the nominee on his previous work experience and knowledge of the Agriculture, Livestock and Fisheries sector and he responded as follows: -

Successes at the Kenya Seed Company

18. He informed the Committee that his tenure as Managing Director at the Kenya Seed Company was successful. That prior to his tenure, the Country experienced shortage of seeds where production averaged 15 million kilograms of seed for two seasons. Currently, the Company boasts of 54 million kilograms of seed enough for a similar period. Other successes that he highlighted include:

    a. Expanded production.
    b. Introduction of irrigation.
    c. Modernization and expanded infrastructure in terms of seed production.
    d. Automation of the Company's operations.
    e. Financial viability where the current profits for the Company are Kshs. 200 million a significant improvement from the previous Kshs. 50 million while the turnover is Kshs. 5.2 billion also a significant improvement from the previous Kshs. 300 million.

f. Enhanced research and development hence expanded portfolio in terms of seed varieties.

His Plans for the Ministry

19. He stated that he will focus on increasing national productivity by addressing the challenges arising from farm input. He also intends to strengthen institutions that handle food production.

20. He further informed the Committee that the focus area in the agriculture sector is revamping of extension services. He said that having worked with Kenya Seed Company and more so with farmers at the grassroots level, the major challenges bedeviling farmers at that level can be addressed through revamping of extension services.

21. He also informed the Committee that he intends to recognise and utilise the existing inter-governmental mechanisms bearing in mind that Agriculture is one of the functions that was fully devolved. This according to the nominee will ensure seamless working relationship and engagement with the County governments.

Implementation of AFFA Act

22. His informed the Committee that the sector had for a long time operated under an obsolete legal framework and piece-meal legislation that was confusing and caused implementation hiccups. Following the amalgamation of eight agencies under AFFA among them Coffee Board of Kenya, the Tea Board of Kenya among others, there is focus on resources in terms of marketing and efficiency. He however indicated that a lot more needs to be done on the Fisheries sector whose potential remains untapped.

Kenya Meat Commission (KMC) and Livestock Management in ASALs

23. He informed the Committee that technology challenges continue to ail the Kenya Meat Commission and if appointed he intends to engage with the Commission on whether modernisation of the factory or the establishment of a new factory is the way to go. Further, he indicated that management and governance issues ought to be addressed for viability of the Commission. The Committee heard that following the inception of the KMC, the farmers were expected to benefit from the Commission. He therefore intends to ensure that the Disease Free Zones are operationalised and also consider exploiting value addition products while assisting the people of North Eastern province to market their animals.

Addressing Challenges affecting the Sugar Sector

24. He informed the Committee that the challenges in the sugar sector are comparable to those facing the Kenya Meat Commission, where technology is obsolete and archaic. He further added that sugar companies require additional capital to be injected hence the current policy on privatization. He however cautioned that for privatization to work, there is need for adequate consultation of all relevant stakeholders especially leadership from the sugar belt. He also informed the Committee that reduction in costs of sugar production is critical in the sustainability of the sugar industry and proposed that farmers should be engaged to adopt new varieties that have high sucrose content vis-à-vis the traditional high tonnage variety.

Irrigation as a Means of boosting Agricultural Production

25. He observed that following re-organisation of government, the infrastructure aspect of irrigation was moved to the Ministry of Water and Irrigation while the Ministry of Agriculture is charged with the agronomy aspect of it. There is therefore need to work closely with Ministry of Water and Irrigation to optimise irrigation as a means of boosting agricultural production.

Committee Observations on Suitability of Mr. Willy Bett for Appointment as Cabinet Secretary, Ministry of Agriculture, Livestock and Fisheries

The Committee having considered the nominee's filled Questionnaire pursuant to Section 6 (8) of Public Appointments (Parliamentary Approval) Act, his Curriculum Vitae and having heard his oral submission during the vetting exercise/interview, made the following observations on his suitability for appointment as Cabinet Secretary, Ministry of Agriculture, Livestock and Fisheries:-

1. **THAT**, he satisfies the requirements of Chapter 6 of the Constitution of Kenya on leadership and integrity having been cleared by the Kenya Revenue Authority, Higher Education Loans Board (HELB), Ethics and Anti-Corruption Commission and the Credit Reference Bureau.
2. **THAT**, he has not been charged in a Court of Law in the last three (3) years.
3. **THAT,** he has no potential conflict of interest.

4. **THAT**, he has never been dismissed from office for contravention of the provisions of Article 75 of the Constitution which deals with conduct of state officers and has not been adversely mentioned in any investigatory report of Parliament or any Commission of Inquiry.

5. **THAT,** he exhibited impressive knowledge of topical and legal issues touching on the docket of Agriculture, Livestock and Fisheries and has the requisite abilities, qualifications and experience. Therefore, the Committee found the nominee suitable for appointment as the Cabinet Secretary, Ministry of Agriculture, Livestock and Fisheries.

3.5 MR. JOSEPH MUCHERU - MINISTRY OF INFORMATION, COMMUNICATION & TECHNOLOGY

Mr. Joseph Wakaba Mucheru, Cabinet Secretary nominee, Ministry of Information, Communication and Technology appeared before the Committee on Friday, 11th December, 2015 at 4.00 pmand was orally interviewed under Oath pursuant to the provisions of the Constitution of Kenya, the Public Appointments (Parliamentary Approvals) Act, Cap. 136 and the Standing Orders of the National Assembly.

The nominee presented as follows, both orally and in writing: -

Date and Place of Birth

1. The nominee is a Kenyan citizen born on 28th August, 1968 in Kiambu District.

Academic and Professional Qualifications

2. He attended Lenana School where he attained both Kenya Certificate of Education ('O' Level) and Kenya Advanced Certificate of Education ('A' Level).

3. He holds a Bachelor of Science degree in Economics and Computer Science from Stanford School of Business, London United Kingdom. He also attended the Stanford University Executive Programme in 2008.

Work Experience

4. The nominee started his career in 1999 as a Technical and Product Development Manager at Webmaster. Since then he has had a very successful career in the ICT sector including co-founding Wananchi Online (now known as Zuku) in 1999 and working for Google Sub-

Sahara Africa Ambassador and East Africa Lead from the year 2007 to date. He is also the Investment Regional Lead of Energy Access and Investment.

Pro-Bono/Charity Work

5. He is also a Director in several firms including UAP Investments Ltd, AFB Ltd, GiveDirectly, BitPesa Ltd, M-Pesa Foundation Academy Advisory Board, Mango Tree Foundation and Telecommunications Service Provider Association of Kenya (TESPOK).

Honours and Awards

6. He was awarded the Moran of the Order of the Burning Spear (MBS) in December 2010 mainly for his contribution to the ICT sector.

Net Worth and Deferred Income

7. He estimates his net worth to be Kshs. 500 million as at December, 2015 and with a deferred income of Kshs. 267 million.

Professional Affiliations

8. He is the Chairman of the Telecommunications Service Providers Association, Director of the Kenya Internet Exchange Point and the Kenya Private Sector Alliance (KEPSA).

Potential Conflict of Interest

9. With regard to conflict of interest, he stated that BTC Africa Ltd and Wananchi Online Ltd fall under the Ministry of ICT in Regulation and Licensing. To resolve this conflict of interest, the nominee stated that in the process of liquidating his interests, he will recuse himself from any decisions touching on the two companies.

Pro-Bono/Charity Work

10. The nominee is involved in the following pro-bono work:

a) Monthly meetings at Mpesa Foundation Academy Advisory Board;

b) Volunteered as a Trustee at the Mango Tree non-profit organisation supporting orphans; and

c) Quarterly meetings at GiveDirectly, a non-profit organisation.

Integrity

11. The nominee has neither been charged in a court of law nor mentioned in any investigatory report of Parliament or any Commission of Inquiry in the last three years. He has also never been dismissed or otherwise removed from office for contravention of the provisions of Article 75 of the Constitution.

12. He has fully complied with his tax obligations to the State as confirmed by the Commissioner General, Kenya Revenue Authority in a letter to the Clerk of the National Assembly Ref. CDT/HQ/54 dated 8th December 2015 and Tax Compliance Certificate No. KRASON2882532015 dated 7th December 2015.

13. He has also cleared his Higher Education Loans Board (HELB) loan and was issued with a Certificate of Clearance No.59140 dated 4th December 2015. The same position was confirmed by the Head of Research, Strategy and Planning of Higher Education Loans Board in a letter to the Clerk of the National Assembly, Ref. HELB/RD/56593 dated 8th December, 2015.

14. The Director of Criminal Investigations issued the nominee with a clean Police Clearance Certificate No. 512810 dated 4th December 2015.

15. In a letter Ref. EACC.7/10/5 VOL.II (3) dated 7th December 2015 to the Clerk of the National Assembly, the Chief Executive Officer of the Ethics and Anti-Corruption Commission confirmed to the Committee that there are no outstanding issues or ongoing investigations against the nominee.

16. The nominee has also been cleared by the TransUnion Credit Reference Bureau via CRB Certificate No. 8578 dated 14th December 2015.

GENERAL AND SECTOR SPECIFIC QUESTIONS TO THE NOMINEE

The Committee posed several questions to the nominee on his previous work experience and knowledge of the ICT sector and he responded as follows: -

Cyber Security, Data Protection and Privacy

17. There is need for requisite laws to guide cyber security. Further, he stated that privacy controls are in existence, however what is required is education, sensitization and awareness of users.

Development of Konza Technopolis City

18. Konza city is one of the flagship projects under Kenya's Vision 2030. He therefore stated that the ingredients of ensuring its operationalization are already in place. However, structures on data protection and e-security laws will need to be enacted. He also added that he intends to leverage on his wide experience in the sector particularly his major achievement of establishing the "Wananchi Online" platform to ensure the Silicon Savannah of Kenya takes off.

His Relationship with Communication Authority of Kenya (CAK) given a previous petition against the Authority on market share

19. He informed the Committee that he did not have any ill feeling towards the Authority since the petition that he lodged against the parastatal at the time was a stepping stone in securing market share for his company Wananchi Online.

ICT vis-à-vis Radicalization/Terrorism

20. Given the job, he would utilize the already existing infrastructure including the legal framework to ensure that the use of ICT in radicalization and terrorism is dealt with.

Perceived dominance of Safaricom Ltd in the Telecommunication Sector

21. He was of the view that having worked in the sector for over two decades, Safaricom cannot be said to be dominant. Issues of dominance should not arise if there exists a level playing field for all investors. He therefore argued that what ought to be done is to ensure that there is a legal framework that allows for growth and encourages investors to seek opportunities.

Committee Observations on Suitability of Mr. Joseph Mucheru for Appointment as Cabinet Secretary, Ministry of Information, Communication and Technology

The Committee having considered the nominee's filled Questionnaire pursuant to Section 6 (8) of Public Appointments (Parliamentary Approval) Act, his Curriculum Vitae and having heard his oral submission during the vetting exercise/interview, made the following observations on his suitability for appointment as Cabinet Secretary, Ministry of Information and Technology: -

1. **THAT**, he satisfies the requirements of Chapter 6 of the Constitution of Kenya on leadership and integrity having been cleared by the Kenya Revenue Authority, Higher

Education Loans Board (HELB), Ethics and Anti-Corruption Commission and the Credit Reference Bureau.

2. **THAT**, he has not been charged in a Court of Law in the last three (3) years.
3. **THAT,** he has no potential conflict of interest.
4. **THAT**, he has never been dismissed from office for contravention of the provisions of Article 75 of the Constitution which deals with conduct of state officers and has not been adversely mentioned in any investigatory report of Parliament or any Commission of Inquiry.
5. **THAT,** he exhibited impressive knowledge of topical and legal issues touching on the docket of Information, Communication and Technology and has the requisite abilities, qualifications and experience. Therefore, the Committee found the nominee suitable for appointment as the Cabinet Secretary, Ministry of Information, Communication and Technology.

3.6 MRS. SICILY KARIUKI - MINISTRY OF PUBLIC SERVICE, YOUTH & GENDER AFFAIRS

Mrs. Sicily Kanini Kariuki, Cabinet Secretary nominee, Ministry of Public Service, Youth and Gender Affairs appeared before the Committee on Friday, 11th December, 2015 at 5.00 pm and was orally interviewed under Oath pursuant to the provisions of the Constitution of Kenya, the Public Appointments (Parliamentary Approvals) Act, Cap. 136 and the Standing Orders of the National Assembly.

The nominee presented as follows, both orally and in writing: -

Date and Place of Birth

1. The nominee is a Kenyan citizen born on 27th December, 1965 in Embu District.

Academic and Professional Qualifications

2. She attended Kangaru High School where she attained a Kenya Advanced Certificate of Education in 1985.
3. She holds a Bachelor of Commerce Degree (Business Administration)from the University of Nairobi, Certificate in International Food Laws and Regulations from Michigan State

University, Executive Master of Business Administration from the ESAMI/Maastricht School of Management and is currently pursuing a Doctorate in Business Administration. In addition, she has attended several leadership skills enhancement trainings such as Leadership and Governance in the Public Sector, Lobbying and Advocacy Skills and Directors' Course in Corporate Governance among others.

Employment Record

4. She was first employed in 1990 as an Investment Promotion Officer at the Investment Promotion Centre (now Kenya Investment Authority) where she worked until 1997. She has several years of experience in the horticulture sector where she briefly worked as General Manager for Kenia Fresh Ltd and Export Marketing Manager and later Chief Executive Officer of the Fresh Produce Exporters Ltd from the year 2001 to 2006.

5. She was appointed Managing Director of the Tea Board of Kenya in June 2006 where she served until June 2013 when she was appointed Principal Secretary, State Department of Agriculture, Ministry of Agriculture, Livestock and Fisheries.

Honours and Awards

6. She holds the following honours and awards:

a) Order of the Moran of the Burning Spear (MBS) by H.E the President of Kenya (2015)

b) Certificate of Recognition – Top Woman in Business and Government awarded by Business Woman Magazine/Ministry of Trade/UNDP (2009);

c) Marketing Warrior awarded by the Marketing Society of Kenya (2008); and

d) Certificate of Recognition Chochran Fellowship – United States Department of Agriculture.

Professional Affiliation

7. The nominee is a member of the Marketing Society of Kenya and Institute of Directors (Kenya). She is also a Member of the Food and Agriculture Organisation of the United Nations Inter-Governmental Group on Tea (IGG on Tea).

Published Writings

8. She has published the following Papers/Articles:

a) *Economic Review of Agriculture (2015);*

b) *Strategic Plan 2013 -2017 (Revised 2015);*

c) *Cassava Manual (2014);*

d) *Contracted Extension Service Delivery Model (2015); and*

e) *Conference Paper –Soil "The Substance of Transformation".*

Net Worth and Deferred Income

9. She does not envisage any deferred income or future benefits and does not have outside commitments she plans to pursue outside employment.

10. She estimates her total net worth to be Kshs. 168.3 million as at December, 2015 being income from investments, assets and salary.

Potential Conflict of Interest

11. She declared that she has a relative who is an official of the Union of Kenya Civil Servants. The nominee stated that she will adhere to Article 73 of the Constitution in carrying out her duties.

Pro-Bono/Charity Work

12. The nominee is involved in the following pro-bono and charity work:-

a) *Motivations talks to upcoming corporate leaders and students – 4 days in a year*

b) *Giving talks to women on economic empowerment – 4 hours*

c) *Time and cash donation to churches – Kshs. 100,000 per year*

d) *Paying school for destitute children – Kshs. 100,000 per year.*

Integrity

13. The nominee has neither been charged in a court of law nor mentioned in any investigatory report of Parliament or any Commission of Inquiry in the last three years. She has also never been dismissed or otherwise removed from office for contravention of the provisions of Article 75 of the Constitution.

14. She has fully complied with her tax obligations to the State as confirmed by the Commissioner General, Kenya Revenue Authority in a letter to the Clerk of the National Assembly Ref. CDT/HQ/54 dated 8th December 2015 and Tax Compliance Certificate No. KRAWON28999222015 dated 7th December 2015.

15. She has also cleared her Higher Education Loans Board (HELB) loan and was issued with a Certificate of Clearance No.006945 dated 17th October 2006. The same position was confirmed by the Head of Research, Strategy and Planning of Higher Education Loans Board in a letter to the Clerk of the National Assembly, Ref. HELB/RD/56593 dated 8th December, 2015.

16. The Director of Criminal Investigations issued the nominee with a clean Police Clearance Certificate No. 513017 dated 8th December 2015.

17. In a letter Ref. EACC.7/10/5 VOL.II (3) dated 7th December 2015 to the Clerk of the National Assembly, the Chief Executive Officer of the Ethics and Anti-Corruption Commission confirmed to the Committee that there no outstanding issues or ongoing investigations against the nominee.

18. The nominee has also been cleared by the MetroPol Credit Reference Bureau via CRB Certificate No. MCRB/C58746 dated 7th December 2015.

GENERAL AND SECTOR SPECIFIC QUESTIONS TO THE NOMINEE

The Committee posed several questions to the nominee on her past work experience and knowledge of the Public Service, Youth and Gender Affairs sector and she responded as follows: -

Her Achievements as a Public Officer

19. She informed the Committee that following her employment in the Horticultural sector, foreign exchange arising from the sector had increased to over Kshs. 200 billion while at the same time she spearheaded the development of 'Kenya Gap', a quality and standards platform that contributed to increased yield in the sector.

20. She added having served in various capacities in the public service especially as a Principal Secretary, has equipped her with knowledge and experience required to serve in a higher capacity as Cabinet Secretary.

Huduma Centres as a concept to be rolled out across the country

21. She lauded the concept as one that provides a one-stop shop service with specific targets. She also indicated the need to have the concept rolled out countrywide and within the Counties since it is a reflection of result-based Management. She indicated that ICT-related challenges in roll-out of the Centres ought to be addressed.

Gender Issues

22. She informed the Committee that there is need to first demystify gender to ensure the issues of both men and women are appreciated. She acknowledged that indeed there exist several programs addressing matters on gender, however additional impetus is required to ensure the program have meaningful impact.

National Youth Service (NYS) and its role in Youth Development

23. The nominee stated that bearing in mind the role played by the youth, the future of Kenya is dependent upon their empowerment. NYS is therefore the best vehicle to realise youth empowerment within the framework of the Constitution. With the existing programs being implemented under the NYS, additional resources are required while focus should be shifted to streamlining the governance structures of the Service for efficiency.

24. On what she intends to do differently if appointed, she informed the Committee that she will first address the challenges associated with systems, governance control and capacity. Her solutions will be based on the model, structure and design of the NYS concept.

Public Wage Bill vis-à-vis Productivity

25. She told the Committee that the Public Service is reeling under an aging population with reduced energies. Given the position she intends to-:

a. Ensure that the public service leverages on use of Information, Communication Technology;
b. Undertake skills audit to determine skills gaps;
c. Standardise salaries across all counties and across the two levels of Government;
d. Ensure adequate succession planning in the public service; and
e. Consider offering an attractive exit package to those willing to retire early.

Several overlapping Funds like the Youth, Women and Uwezo Funds

26. In her view, all these funds need to be rationalised for synergy and to ensure efficiency since they are all geared towards the same broad goal. She added that with her experience in reforming the agriculture sector following the passage of the AFFA Act, she indicated that she has the capacity to provide leadership on the matter.

Thirty Per Cent (30%) Preferential Government Tenders earmarked for Women, Youth and Persons with Disabilities (PWDs)

27. The success of the policy will require sustained awareness and this ought to form part of performance contract. She further added that there is need for change of attitude towards these vulnerable groups and their capacity to participate in these contracts and tenders.

Committee Observations on Suitability of Mrs. Sicily Kanini Kariuki for Appointment as Cabinet Secretary, Ministry of Public Service, Youth and Gender Affairs

The Committee having considered the nominee's filled Questionnaire pursuant to Section 6 (8) of Public Appointments (Parliamentary Approval) Act, her Curriculum Vitae and having heard her oral submission during the vetting exercise/interview, made the following observations on her suitability for appointment as Cabinet Secretary, Ministry of Public Service, Youth and Gender Affairs:-

1. **THAT**, she satisfies the requirements of Chapter 6 of the Constitution of Kenya on leadership and integrity having been cleared by the Kenya Revenue Authority, Higher Education Loans Board (HELB), Ethics and Anti-Corruption Commission and the Credit Reference Bureau.
2. **THAT**, she has not been charged in a Court of Law in the last three (3) years;
3. **THAT,** she declared conflict of interest that she has a relative who is an official of the Union of Kenya Civil Servants. She however stated that she will adhere to Article 73 of the Constitution in carrying out her duties.
4. **THAT,** she has never been dismissed from office for contravention of the provisions of Article 75 of the Constitution which deals with conduct of state officers and has not been adversely mentioned in any investigatory report of Parliament or any Commission of Inquiry.

5. **THAT,** she exhibited impressive knowledge of topical and legal issues touching on the docket of Public Service, Youth and Gender Affairs and has the requisite abilities, qualifications and experience. Therefore, the Committee found the nominee suitable for appointment as the Cabinet Secretary, Ministry of Public Service, Youth and Gender Affairs.

3.7 HON. DANIEL KAZUNGU - MINISTRY OF MINING

Hon. Daniel Kazungu Muzee, Cabinet Secretary nominee, Ministry of Mining appeared before the Committee on Friday, 11th December, 2015 at 6.00 pm and was orally interviewed under Oath pursuant to the provisions of the Constitution of Kenya, the Public Appointments (Parliamentary Approvals) Act, Cap. 136 and the Standing Orders of the National Assembly.

The nominee presented as follows, both orally and in writing: -

Date and Place of Birth

1. The nominee is a Kenyan citizen born on 2nd June, 1970 at Langobaya, Malindi in Kilifi District.

Academic and Professional Qualifications

2. He attended Marikoni and Langobaya Primary Schools where he emerged as the best student with a score of 65 points out of 72. He thereafter proceeded to Kwale Secondary School where he attained a Kenya Certificate of Secondary Education in 1989.

3. He holds a Bachelor's degree in Information Science, majoring in Information and Media Technology from Moi University in Eldoret. He also holds an Executive Master of Arts degree in Diplomacy and Foreign Policy from the same University.

Work Experience

4. Hon. Kazungu has vast experience in the ICT sector having started his career in 1995 as an intern at the Institute of Advanced Technology. He has also worked as a manager at Computech Group, Manager at Fintech Group in charge of Microsoft Products, Channel Development Manager at Mustek Electronics based in Johannesburg, South Africa, International Business Machines (IBM) Country Representative for Ethiopia and Kenya and East Africa Regional Manager Lenovo Africa, based in Johannesburg, South Africa.

5. Prior to his nomination as Cabinet Secretary, he served as Member of Parliament for Malindi Constituency since the year 2013 where he served as a Member of Energy, Information and Communication Committee and the Committee on Regional Integration.

Net Worth

6. He estimated his net worth to be Kshs. 100 Million as at December, 2015.

Potential Conflict of Interest

7. He declared that he currently does not have any persons that would present a potential conflict of interest should he assume the position of Cabinet Secretary, Ministry of Mining. Should a conflict of interest arise, the nominee stated that he would adhere to the Mining Act, Policy and guidelines.

Pro-Bono/Charity Work

8. The nominee is involved in charity work through supporting Muslim School in Malindi, preparing for a Kshs. 500,000 anti-drug campaign in Malindi, visiting children homes and paying school fees for needy students in institutions of higher learning.

Honours and Awards

9. He has received the following honours and awards:

   a) *100% Club of Global Achievers within IBM (2012);*

   b) *Special mention on Ethiopia at the New York Stock Exchange as an example of the success of the IBM Africa Strategy (2012);*

   c) *Single-handedly established Lenovo in East Africa from scratch and developed the brand and won market share in key market segments to position Lenovo as a leading brand in the region (2006-2009);*

   d) *Compaq East Africa Top Business Executive in East Africa (2000);*

   e) *SDAL Top Microsoft Business Executive in East Africa with (1999);*

   f) *Admitted to the Faculty of Information Sciences at Moi University where only the top 40 national school students got admission (1990);*

   g) *Award for top student in Kwale District (1986)*

h) Top student KCPE Exams – Langobaya Primary School (1985)

Integrity

10. The nominee has neither been charged in a court of law nor mentioned in any investigatory report of Parliament or any Commission of Inquiry in the last three years. He has also never been dismissed or otherwise removed from office for contravention of the provisions of Article 75 of the Constitution.

11. He has fully complied with his tax obligations to the State as confirmed by the Commissioner General, Kenya Revenue Authority in a letter to the Clerk of the National Assembly Ref. CDT/HQ/81 dated 9th December 2015 and Tax Compliance Certificate No. KRASON2853332015 dated 8th December 2015.

12. He has also cleared his Higher Education Loans Board (HELB) and was issued with a Certificate of Clearance dated 20th December 2012. The same position was confirmed by the Head of Research, Strategy and Planning of Higher Education Loans Board in a letter to the Clerk of the National Assembly, Ref. HELB/RD/56593 dated 8th December, 2015.

13. The Director of Criminal Investigations issued the nominee with a clean Police Clearance Certificate No. 221971/2015 dated 8th December 2015.

14. In a letter dated 7th December 2015 to the Clerk of the National Assembly, the Chief Executive Officer of the Ethics and Anti-Corruption Commission informed the Committee that the nominee was adversely mentioned in an unsubstantiated complaint regarding the misuse of CDF funds in Malindi Constituency. In a subsequent letter dated 10th December, 2015, the Commission confirmed that it had verified information it had received on the nominee and found no evidence to warrant an adverse recommendation on his appointment.

15. The nominee has also been cleared by the TransUnion Credit Reference Bureau via CRB Certificate No. 9187724 dated 4th December 2015.

GENERAL AND SECTOR SPECIFIC QUESTIONS TO THE NOMINEE

The Committee posed several questions to the nominee on his past work experience and knowledge of the Mining sector and he responded as follows: -

Challenges facing the Mining Sector

16. He responded that indeed Kenya's mining sector contributes less than one per cent (1%) to the Gross Domestic Product yet it is referred to as a gold mine. To reverse this trend and given that only four per cent (4%) of Kenya's natural resources have been explored, there is need for a legal framework to guide the sector and an extensive survey on the county's natural resource including geophysical data. He also added that the Country ought to improve infrastructure in areas where mining is being undertaken to encourage investment. While concluding on why the mining sector is under performing, the nominee indicated that given that mining activities are high energy consumers, reducing cost of energy in the County should be a priority.

Mining and Community Benefits

17. He indicated that the Mining Bill still pending in Parliament seeks to address the challenge of community benefits among other challenges affecting communities with mineral deposits.

Multinationals and Royalties vis-à-vis Community Benefits

18. He informed the Committee that Kenya has pegged its royalties returns at 2.5% of investment while the global average is 10%. If appointed to the position of the Cabinet secretary he plans to work closely with the various stakeholder, in a bid to revisit the issue on royalties so as to balance investment in the mining sector and community benefits.

Corruption Allegations against him by EACC

19. The nominee distanced himself from any corruption allegations against him and informed the Committee that he is not aware of any such allegations since he has not been contacted by EACC to respond to the same.

His position on leaving elective politics for appointment as Cabinet Secretary

20. He informed the Committee that having served his constituents as a Member of Parliament, he believes that time has come for him to serve the nation in a higher capacity as Cabinet Secretary. He pledged to work with the Jubilee Government in fulfilling its manifesto.

Plans to address smuggling challenge in the Mining Sector

21. He reiterated that the Mining Bill, 2015 currently at the mediation stage in Parliament once enacted into law will be key in addressing challenges associated with smuggling, sharing of resources with communities and value addition.

Committee Observations on Suitability of Hon. Daniel Kazungu for Appointment as Cabinet Secretary, Ministry of Mining

The Committee having considered the nominee's filled Questionnaire pursuant to Section 6 (8) of Public Appointments (Parliamentary Approval) Act, his Curriculum Vitae and having heard his oral submission during the vetting exercise/interview, made the following observations on his suitability for appointment as Cabinet Secretary, Ministry of Mining:-

1. **THAT**, he satisfies the requirements of Chapter 6 of the Constitution of Kenya on leadership and integrity having been cleared by the Kenya Revenue Authority, Higher Education Loans Board (HELB), Ethics and Anti-Corruption Commission and the Credit Reference Bureau.
2. **THAT**, he has not been charged in a Court of Law in the last three (3) years.
3. **THAT**, he has no potential conflict of interest.
4. **THAT**, he has never been dismissed from office for contravention of the provisions of Article 75 of the Constitution which deals with conduct of state officers and has not been adversely mentioned in any investigatory report of Parliament or any Commission of Inquiry.
5. **THAT**, he exhibited impressive knowledge of topical and legal issues touching on the docket of Mining and has the requisite abilities, qualifications and experience. Therefore, the Committee found the nominee suitable for appointment as the Cabinet Secretary, Ministry of Mining.
6. **THAT,** the nominee was not involved either directly or indirectly in the issues raised by the Auditor General in respect of misuse of CDF funds for Malindi Constituency in the Auditor General's Report for financial year 2013/2014. In the Report, the Auditor General observed that "*in respect of the CDF funds for Malindi Constituency, the statements of financial assets as at 30th June, 2014 reflects bank balance of Kshs. 32, 405, 597.10. However, an examination of the bank reconciliation statement for the month of June, 2014 revealed unpresented cheques amounting to Kshs. 4,514, 507 but some of the cheques have remained unpresented since year 2005 and no explanation has been provided for not reversing the amounts to the cashbook. Consequently, the accuracy and validity of the*

cash and bank balance of Kshs. 32, 405, 597 as at 30th June, 2015 could not be confirmed."

7. **THAT,** page 3 of the Auditor General's Report states that "the Fund Account Manager in charge of Malindi CDF accepts responsibility for the Constituency's financial statements...".

4.0 COMMITTEE'S GENERAL OBSERVATIONS

The Committee having considered the nominees' filled Questionnaires pursuant to Section 6 (8) of Public Appointments (Parliamentary Approval) Act, their Curricula Vitae and having heard their oral submissions during the vetting exercise/interview, made the following observations:

1. **THAT**, all the nominees satisfy the requirements of Chapter Six of the Constitution of Kenya on leadership and integrity having been cleared by the Ethics and Anti-Corruption Commission (EACC), Directorate of Criminal Investigations (DCI), Kenya Revenue Authority (KRA), Higher Education Loans Board (HELB) and the Credit Reference Bureau (CRB).

2. **THAT**, the nominees have not been charged in a Court of Law in the last three (3) years except Hon. Festus Kiunjuri who has since been discharged of the incitement to violence charges following withdrawal of Criminal Case No. 278 of 2000 vide a court order by the Chief Magistrate at Milimani Courts dated 14th December, 2015 pursuant to section 87(a) of the Criminal Procedure Code.

3. **THAT**, the nominees do not have a potential conflict of interest save for Mrs. Sicily Kariuki who declared that she has a relative who is an official of the Union of Kenya Civil Servants. She however stated that she will adhere to Article 73 of the Constitution in carrying out her duties.

4. **THAT**, none of the nominees has ever 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.

5. **THAT, all the nominees exhibited impressive knowledge of topical and legal issues touching on the respective dockets and have the requisite abilities, qualifications and**

experience. Therefore, the Committee found ALL the nominees suitable for appointment as Cabinet Secretaries.

5.0 COMMITTEE'S RECOMMENDATIONS

Pursuant to Article 152(2) of the Constitution and Standing Order 204 (4), the Committee recommends that the National Assembly approves the nomination of the following persons for appointment by His Excellency the President: -

1) **Hon. Festus Mwangi Kiunjuri,** Cabinet Secretary, Ministry of Devolution and Planning.
2) **Hon. Charles Cheruiyot Keter,** Cabinet Secretary, Ministry of Energy and Petroleum.
3) **Dr. Cleopa Kilonzo Mailu,** Cabinet Secretary, Ministry of Health.
4) **Mr. Willy Kipkorir Bett,** Cabinet Secretary, Ministry of Agriculture, Livestock and Fisheries.
5) **Mr. Joseph Wakaba Mucheru,** Cabinet Secretary, Ministry of Information, Communication and Technology.
6) **Mrs. Sicily Kanini Kariuki,** Cabinet Secretary, Ministry of Public Service, Youth and Gender Affairs.
7) **Hon. Daniel Kazungu Muzee,** Cabinet Secretary, Ministry of Mining.

6.0 APPENDICES

6.1 Appendix 1- Correspondence

1. Kenya Revenue Authority
2. Higher Education Loans Board
3. Ethics and Anti-Corruption Commission

6.2 Appendix 2– Vetting Questionnaire, Curricula Vitae and Other Testimonials

6.3 Appendix 3 – Memoranda

6.4 Appendix 4 - Minutes

We, the Honourable Members of the Committee on Appointments, do hereby affix our signatures to this REPORT ON THE VETTING OF SEVEN (7) NOMINEES FOR APPOINTMENT TO THE POSITION OF CABINET SECRETARY to affirm our approval and confirm its accuracy, validity and authenticity:- 14th December 2015.

	HON. MEMBER	SIGNATURE
1.	The Hon. Justin Muturi, E.G.H, MP **Speaker, National Assembly (Chairperson)**	
2.	The Hon. (Dr.) Joyce Laboso, MGH, MP **Deputy Speaker**	
3.	The Hon. Aden Duale, EGH, MP **Leader of the Majority Party**	
4.	The Hon. Francis Nyenze, EGH, MP **Leader of the Minority Party**	
5.	The Hon. (Dr.) Naomi Shaban, EGH, MP **Deputy Leader of the Majority Party**	
6.	The Hon. Jakoyo Midiwo, MGH, MP **Deputy Leader of the Minority Party**	
7.	The Hon. Katoo Ole Metito, EGH, MGH, MP **Chief Whip, Majority Party**	
8.	The Hon. Chrisantus Wamalwa, CBS, MP **Deputy Chief Whip, Minority Party**	
9.	The Hon. Amina Abdalla, CBS, MP	
10.	The Hon. Gideon Konchella, EGH, OGW, MP	
11.	The Hon. Cecily Mbarire, MGH, MP	
12.	The Hon. Moses Cheboi, MP	
13.	The Hon. Jamleck Kamau, EGH, MP	

	HON. MEMBER	SIGNATURE
14.	The Hon. Nelson Gaichuhie, MP	
15.	The Hon. Jackson Kiptanui, MP	
16.	The Hon. Isaak Ali Shaban, MP	
17.	The Hon. Esther Murugi, EGH, MP	
18.	The Hon. Manson Nyamweya, MP	
19.	The Hon. Boniface Gatobu, MP	
20.	The Hon. David Wafula, MP	
21.	The Hon. Ibrahim Sane, MP	
22.	The Hon. Abass Ahmed Ibrahim, MP	
23.	The Hon. Maj. (Rtd) Marcus Muluvi, MP	
24.	The Hon. Stephen Mule, MP	
25.	The Hon. Mishi Juma Khamis, MP	
26.	The Hon. Roselinda Soipan, MP	

CORRESPONDENCE

REPUBLIC OF KENYA

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'Bunge', Nairobi
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Fax: 2243694
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National Assembly
Clerk's Chambers
Parliament Buildings
P. O. Box 41842 -00100
NAIROBI, Kenya

When replying please quote

NA/COMM/APPT/ 2015

2nd December, 2015

Halakhe Dida Waqo
Secretary/Chief Executive
Ethics and Anti-corruption Commission
Integrity Centre
Milimani /Valley Road Junction
NAIROBI

Dear Halakhe,

RE: VETTING OF NOMINEES FOR APPOINTMENT AS CABINET SECRETARIES BY THE COMMITTEE ON APPOINTMENTS

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 Committee on Appointments is established pursuant to Standing Order 204 and is mandated to consider for approval by the House, appointments under Article 152(2) of the Constitution (Cabinet Secretary).

The Committee will be conducting the vetting of the following persons for appointment as Cabinet Secretaries for their respective ministries on Friday 11th December, 2015.

	MINISTRY	NOMINEEE	ID No.
1	Devolution and Planning	Festus Mwangi Kiunjuri	9075393
2.	Energy and Petroleum	Charles Cheruiyot Keter	10012180
3.	Mining	Daniel Kazungu Muzee	10831431
4.	Agriculture, Livestock & Fisheries	Willy Kipkorir Bett	3448933
5.	Information, Communication & Technology	Joseph Mucheru	10088486
6.	Public Service, Youth & Gender Affairs	Sicily Kanini Kariuki	7806180
7.	Health	Dr. Cleopha Kilonzo Mailu	4829569

This is to request you to provide the Committees with any information touching on the integrity of the said nominees that may be in possession of the Commission. Such information will assist the Committees to undertake theirmandate more effectively. We will appreciate if the information is received by Tuesday 8thDecember, 2015.

Yours

JUSTIN BUNDI, CBS
CLERK OF THE NATIONAL ASSEMBLY

ETHICS AND ANTI-CORRUPTION COMMISSION

INTEGRITY CENTRE (Valley Rd. /Milimani Rd. Junction) P.O. Box 61130 -00200, NAIROBI, Kenya
TEL.: 254 (020) 2717318/ 310722. MOBILE: 0729 888881/2/3
Fax: 254 (020) 2719757 Email: eacc@integrity.go.ke Website: www.eacc.go.ke

When replying please quote:

Our Ref: EACC.7/10/5 Vol.II (3)

7th December, 2015

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

Dear Mr Bundi,

REF: VETTING OF NOMINEES FOR APPOINTMENT AS CABINET SECRETARIES AND PRINCIPAL SECRETARIES BY THE DEPARTMENTAL COMMITTEES

We acknowledge receipt of your letters dated 2nd December 2015 referenced NA/COMM/APPT/2015 and a subsequent letter ref. No. NA/GN.CORR/2015 dated 7th December 2015 on the above matter.

The Commission confirms that there are no outstanding issues or ongoing investigations against the following nominees.

(a) **Cabinet Secretaries**

S/No	Ministry	Nominee	ID No
1.	Energy and Petroleum	Charles Cheruiyot Keter	10012180
2.	Information, Communication & Technology	Joseph Mucheru	10088486
3.	Public Service, Youth & Gender Affairs	Sicily Kanini Kariuki	7806180
4	Devolution and Planning	Festus Mwangi Kiunjuri	9075393
5	Agriculture Livestock and Fisheries	Willy Kipkorir Bett	3448933
6	Health	Dr. Cleopha Kilonzo Mailu	4829569

(b) Principal Secretaries

S/No	Ministry	Nominee
1.	**Devolution & Planning**	Saitoti Torome
	PS- Planning & Statistics	
2.	**Interior & Coordination of National Government**	Micah Powon
	PS-Correctional Services	
3.	**Public Service Youth & Gender Affairs**	
	PS-Youth and Public Service	Lillian Omollo
	PS-Gender Affairs	Zeinab W. Hussein
4.	**Defence**	Amb. Peter K. Kaberia
5.	**Education, Science & Technology**	
	PS- Vocational and Technical Training	Dr. Dinah Jerotich Mwinzi
6.	**Health**	Dr. Nicholas Muraguri
7.	**Transport & Infrastructure**	
	PS- Housing & Urban Development	Aidah Munano
	PS- Public Works	Dr. Paul Maringa Mwangi
	PS- Transport	Wilson Nyakera Irungu
8.	**Environment & Mineral Resources**	
	PS- Environment	Charles Sunkuli
	PS- Natural Resources	Dr. Margaret Mwakima
9.	**Information, Communication & Technology**	
	PS- Broadcasting & Telecommunications	Sammy Itemere
10.	**Sports, Culture and the Arts**	Joseph Okudo
11.	**Energy and Petroleum**	
	PS- Petroleum	Andrew Kamau Ng'ang'a
12.	**Agriculture, Livestock & Fisheries**	
	PS- Livestock	Dr. Andrew K. Tuimur
13.	**Industrialization & Enterprise Development**	Julius Korir
14.	**Tourism**	
	PS- Tourism	Fatuma Hersi
	PS- International Trade	Dr. Chris Kiptoo
15.	**Water & Irrigation**	Patrick Nduati Mwangi
16.	**Labour & East African Affairs**	
	PS- Social Security and Services	Susan Mochache
	PS- East African Community Integration	Betty Chemutai Maina

The Commission confirms that there are allegations in which the following persons are adversely mentioned and we are in the process of verifying the same.

S/No	Ministry	Nominee
	Cabinet Secretaries	
1	**Mining**	Daniel Kazungu Muzee
	Principal Secretaries	
1.	**Transport & Infrastructure**	
	PS- Maritime Commerce	Nancy Karigithu
2.	**Information, Communication & Technology**	
	PS- ICT & Innovation	Eng. Victor Kyalo

Please note that the absence of records in our database is not a guarantee of absolute integrity of the nominees.

Yours sincerely

HALAKHE D. WAQO ACIArb
SECRETARY/CHIEF EXECUTIVE OFFICER
EKI/tm

Telegraphic Address
'Bunge', Nairobi
Telephone 2848000
Fax. 2718894
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National Assembly
Clerk's Chambers
Parliament Buildings
P. O. Box 41842 -00100
NAIROBI, Kenya

When replying please quote

KNA/COMM/APPT/2015/

9th December, 2015

Mr. Halakhe D.Waqo, ACIArb
Secretary/Chief Executive Officer
Ethics and Anti-Corruption Commission
P.O. Box 61130-00200
NAIROBI

URGENT

Dear Sir,

RE: VETTING OF NOMINEES FOR APPOINTMENT AS CABINET SECRETARIES AND PRINCIPAL SECRETARIES: REQUEST FOR ADDITIONAL INFORMATION AND INVITATION TO ATTEND BEFORE THREE COMMITTEES

Reference is made to your letter Ref. EACC.7/10/5/ VOL. II(3) dated 7th December, 2015. We wish to thank you for your prompt response in response to our request for information touching on the integrity of the nominees for the position of Cabinet Secretary and Principal Secretaries.

We observe that the Commission indicates that there are allegations in which three nominees namely *Hon. Daniel Kazungu Muzee, Ms. Nancy Karigithu* and *Eng. Victor Kyalo* are adversely mentioned and that the Commission is in the process of verifying the allegations. In this regard-

(i) please confirm whether the information the Commission has on the two (2) Principal Secretary nominees was presented to the Public Service Commission at the time of recruitment of Principal Secretaries pursuant to Article 155(3)(a) of the Constitution of Kenya;

(ii) based on the extent and nature of the said allegations in possession of the Commission please advice, unequivocally, whether each of the said three persons are suitable for appointment to the positions they have been nominated or not;

In view of the oral vetting process scheduled to take place on December 11, 2015 kindly submit the requested information latest Thursday, 10th December 2015 by 9.30 am to enable the Committee make a determination on the matter before the vetting exercise commences.

Further, you are invited to appear before the three Committees undertaking the vetting exercise to adduce information on the matter on Friday, December 11, 2015 as follows:-

Serial No.	Committee	Time	Venue
(i)	Departmental Committee on Energy, Information & Communication	10.00 am	Committee Room on the 4th Floor, Continental House, Parliament Buildings
(ii)	Committee on Appointments	11.00 am	Committee Room No. 7, Main Parliament Buildings
(iii)	Departmental on Transport, Public Works and Housing	12.00 noon	Mini Chamber, County Hall, Parliament Buildings

You are at liberty to seek appearance *in camera* should the information you wish to adduce require such confidentiality.

Yours

SAMUEL NJOROGE
DEPUTY DIRECTOR, LEGISLATIVE AND PROCEDURAL SERVICES
FOR: CLERK OF THE NATIONAL ASSEMBLY

CONFIDENTIAL

ETHICS AND ANTI-CORRUPTION COMMISSION

INTEGRITY CENTRE (Valley Rd. /Milimani Rd. Junction) P.O. Box 61130 -00200, NAIROBI, Kenya
TEL.: 254 (020) 2717316/ 310722, MOBILE: 0729 688881/2/3
Fax: 254 (020) 2719757 Email: eacc@integrity.go.ke Website: www.eacc.go.ke

When replying please quote:
EACC. 7/10/5 VOL II (23)

10th December, 2015

Director - Comm.
Pls deal
JN
10/12/15

CLERK
NATIONAL ASSEMBLY
P.O.Box 41842-00100
NAIROBI

URGENT

Attention: Mr. Samwuel Njoroge

Dear Mr Njoroge,

RE. VETTING OF NOMINEES FOR APPOINTMENT AS CABINET SECRETARIES AND PRINCIPAL SECRETARIES

1. **DANIEL KAZUNGU MUZEE- NOMINEE FOR CABINET SECRETARY**
2. **Ms. NANCY KARIGITHU- NOMINEE FOR PRINCIPAL SECRETARY**
3. **ENG. VICTOR KYALO- NOMINEE FOR PRINCIPAL SECRETARY**

I acknowledge receipt of your letter REF: KNA /COMM/APPT/2015 dated 9th December, 2015 on the above subject.

The Commission has undertaken verification of the information received on the above nominees and our findings are that there is no evidence currently to warrant an adverse recommendation on their appointments. However, should any other report come to the Commission, it shall be investigated and appropriate recommendations made on each case as they arise.

Yours sincerely

HALAKHE D. WAQO, ACIArb
SECRETARY/CHIEF EXECUTIVE OFFICER

NATIONAL ASSEMBLY
RECEIVED
10 DEC 2015
CLERK'S OFFICE
P. O. Box 41842, NAIROBI

CONFIDENTIAL

REPUBLIC OF KENYA

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E-mail: clerk@parliament.go.ke

National Assembly
Clerk's Chambers
Parliament Buildings
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NAIROBI, Kenya

When replying please quote

NA/COMM/APPT/ 2015

2nd December, 2015

Charles M. Ringera
Chief Executive
Higher Education Loans Board
Anniversary Towers, 18th Floor
University way
NAIROBI

Dear Charles,

RE: VETTING OF NOMINEES FOR APPOINTMENT AS CABINET SECRETARIES BY THE COMMITTEE ON APPOINTMENTS

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 Committee on Appointments is established pursuant to Standing Order 204 and is mandated to consider for approval by the House, appointments under Article 152(2) of the Constitution (Cabinet Secretary).

The Committee will be conducting the vetting of the following persons for appointment as Cabinet Secretaries for their respective ministries on **Thursday 10th December, 2015.**

	MINISTRY	NOMINEEE	ID No.
1	Devolution and Planning	Festus Mwangi Kiunjuri	9075393
2.	Energy and Petroleum	Charles Cheruiyot Keter	10012180
3.	Mining	Daniel Kazungu Muzee	10831431
4.	Agriculture, Livestock & Fisheries	Willy Kipkorir Bett	3448933
5.	Information, Communication & Technology	Joseph Mucheru	10088486
6.	Public Service, Youth & Gender Affairs	Sicily Kanini Kariuki	7806180
7.	Health	Dr. Cleopha Kilonzo Mailu	4829569

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 nominees. Such information will assist the Committee to undertake its mandate more effectively. We will appreciate if the information is received by **Tuesday 8th December, 2015.**

Yours

JUSTIN BUNDI, CBS
CLERK OF THE NATIONAL ASSEMBLY

HIGHER EDUCATION LOANS BOARD

Tel: 0711052000, 2278000, 0722205292, 0733205292,
0704333035, 0704 333036, 0737205292, 0754556899
Fax: 2252330
E-mail:ceo@helb.co.ke
Website: www.helb.co.ke

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

HELB/RD/56593/POV/180

8TH December, 2015

Justin N. Bandi CBS,
Clerk, National Assembly
P.O Box 41842-00100
NAIROBI.

Dear Justin,

RE: VETTING OF NOMINEES FOR APPOINTMENT AS CABINET SECRETARIES BY THE COMMITTEE ON APPOINTMENTS, NATIONAL ASSEMBLY

We acknowledge with thanks the receipt of your letter NA/COMM/APPT/2015 regarding the vetting of nominees for appointment as Cabinet Secretaries by the Committee on Appointments, National Assembly.

Please find a list confirming the loan status of the applicant with the Board.

S/NO	NAME	ID NO.	STATUS	YEAR OF CLEARANCE
1	Festus Mwangi Kiunjuri	9075393	Cleared cert no. 2271	Jun-2002
2	Charles Cheruiyot Keter	10012180	Cleared cert no. 88437	Jun-2003
3	Daniel Kazungu Muzee	10831431	Cleared cert no. 43498	Dec-2012
4	Willy Kipkorir Bett	3448933	Cleared cert no. 88243	Jun-2007
5	Joseph Mucheru	10088486	Non-Beneficiary	N/A
6	Sicily Kamini Kariuki	7806180	Cleared cert no 6945	May-2006
7	Dr. Cleopha Kilonzo Mailu	4829569	Cleared cert no. 10077	Oct-2007

We urge you to encourage the applicants to seek their clearance and compliance certificates from HELB as part of testimonials and conformity to Chapter Six of the Constitution of Kenya.

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

Yours sincerely

MARY W. MUCHEE (MRS)
HEAD OF RESEARCH, STRATEGY & PLANNING
FOR: CHIEF EXECUTIVE OFFICER & BOARD SECRETARY

REPUBLIC OF KENYA

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

When replying please quote

NA/COMM/APPT/ 2015

2nd December, 2015

Mr. John Njiraini, MBS
Commissioner General
Kenya Revenue Authority
P O Box 62345 – 00200
NAIROBI

Dear Mr. Njiraini

RE: VETTING OF NOMINEES FOR APPOINTMENT AS CABINET SECRETARIES BY THE COMMITTEE ON APPOINTMENTS

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 Committee on Appointments is established pursuant to Standing Order 204 and is mandated to consider for approval by the House, appointments under Article 152(2) of the Constitution (Cabinet Secretary).

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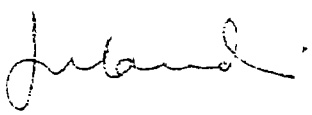
4.	Agriculture, Livestock & Fisheries	Willy Kipkorir Bett	3448933
5.	Information, Communication & Technology	Joseph Mucheru	10088486
6.	Public Service, Youth & Gender Affairs	Sicily Kanini Kariuki	7806180
7.	Health	Dr. Cleopha Kilonzo Mailu	4829569

This is to request you to provide a report on tax compliance by the said nominees. Such information will assist the Committee to undertake its mandate more effectively. We will appreciate if the information is received by Tuesday 8thDecember, 2015.

Yours



JUSTIN BUNDI, CBS
CLERK OF THE NATIONAL ASSEMBLY

KENYA REVENUE AUTHORITY

ISO 9001:2008 CERTIFIED

8th December, 2015

Ref: CDT/HQ/54

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

Dear Sir,

RE: VETTING OF NOMINEES FOR APPOINTMENT AS PRINCIPAL SECRETARIES

Reference is made to your letter dated 2nd December, 2015, referenced NA/GE.CORR/2015.

This letter confirms the tax compliance status for the nominees listed below:

NO	MINISTRY	NAME	PIN NUMBER	TAX STATUS
1	Devolution & Planning	Saitoti Torome	A001245716V	Compliant
2	Interior & Coordination of National Government	Micah Powon	A001237326M	Compliant
3	Public Service, Youth & Gender Affairs	Lillian Muthoni Mbogo - Omollo	A002771120E	Compliant
4	Public Service, Youth & Gender Affairs	Zeinab Hussein (*Beth Wanjiru Kinuthia*)	A002494424Z	Compliant
5	Defence	Amb. Peter Kirimi Kaberia	A002662705N	Compliant
6	Education, Science & Technology	Dr. Dinah Jerotich Mwinzi	A001846267J	Compliant
7	Health	Dr. Nicholas Muraguri	A003260217W	Compliant
8	Transport & Infrastructure	Aidah Munano	A000229516L	Compliant
9	Transport & Infrastructure	Dr. Paul Maringa Mwangi	A003101190X	Compliant

Julius Ushuru, Tufitsgeneral

ISO 9001:2008 CERTIFIED

10	Transport & Infrastructure	Wilson Nyakera Irungu	A004407956E	Compliant
11	Transport & Infrastructure	Nancy Karigithu	A001118680S	Compliant
12	Environment & Mineral Resources	Charles Sunkuli	A001550445K	Compliant
13	Environment & Mineral Resources	Dr. Margaret Mwakima	A001550445K	Compliant
14	Information, Communication & Technology	Eng. Victor Kyalo	A001098663A	Compliant
15	Information, Communication & Technology	Sammy Itemere	A000138462P	Compliant
16	Sports, Culture, and the Arts	Joseph Okudo	A001217588 5Z	Compliant
17	Energy and Petroleum	Andrew Kamau Nganga	A001158640M	Compliant
18	Agriculture, Livestock, & Fisheries	Dr. Andrew K. Tuimur	A001114089L	Compliant
19	Industrialization & Enterprise Development	Julius Korir	A002220639E	Compliant
20	Tourism	Fatuma Hersi	A001278352W	Compliant
21	Tourism	Dr Christopher Kiptoo	A001791736T	Compliant
22	Water & Irrigation	Patrick Nduati Mwangi	A001493605K	Compliant
23	Labour & East African Affairs	Susan Mochache	A002714896K	Compliant
24	East African Community Integration	Betty Chemutai Maina	A002659381M	Compliant

Yours faithfully,

Alice Owuor, OGW.
COMMISSIONER,
DOMESTIC TAXES DEPARTMENT

10424

KENYA REVENUE AUTHORITY

ISO 9001:2008 CERTIFIED

D.D. Wanyiri
This reaches to
Mashaka
Committee
appointments
Mandela's
9/12

9th December, 2015

Ref: CDT/HQ/S1

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

URGENT

Susan Mwaka
PSR TNA
9/12

Dear Sir,

RE: VETTING OF NOMINEE FOR APPOINTMENT AS CABINET SECRETARY

Further to my letter dated 7th December 2015, referenced CDT/HQ/54; this letter confirms that the nominee listed below has been issued with a tax compliance certificate after submission of requisite documents to the Authority.

NO	MINISTRY	NAME	ID.NO.	PIN NUMBER	TAX STATUS
1	Mining	Daniel Kazungu Muzee	108314431	A002481727K	Compliant

Yours faithfully,

Alice Owuor, OGW.
COMMISSIONER OF DOMESTIC TAXES

RECEIVED
CLERK'S OFFICE

Tulipe Ushuru, Tujitegemee!

SGS UKAS
ISO 9001:2008 CERTIFIED

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

ELEVENTH PARLIAMENT - THIRD SESSION

NOTIFICATION FOR VETTING OF PERSONS NOMINATED FOR APPOINTMENT AS CABINET SECRETARIES BY THE COMMITTEE ON APPOINTMENTS

Pursuant to Article 152(2) of the Constitution and Section 6(9) of the Public (Parliamentary Approval) Act, 2011, the National Assembly invites the following persons nominated for appointment as Cabinet Secretaries for their respective ministries for vetting by the **Committee on Appointments.**

Pursuant to provisions of Article 118 of the Constitution, Section 6(4) of the Public Appointments (Parliamentary Approval) Act (No.33 Of 2011) and Standing Order 45(3), the general public is hereby notified that the **Committee on Appointments** shall conduct the vetting of the following persons for appointment as Cabinet Secretaries for their respective ministries on **Friday 11th December, 2015 in the Mini Chamber, County Hall, Parliament Buildings** as indicated below:-

	MINISTRY	NOMINEE	TIME
1.	**Devolution and Planning**	**Festus Mwangi Kiunjuri**	**9.00 am**
2.	**Energy and Petroleum**	**Charles Cheruiyot Keter**	**10.00 am**
3.	**Mining**	**Daniel Kazungu Munzee**	**11.00 am**
4.	**Agriculture, Livestock & Fisheries**	**Willy Kipkorir Bett**	**12.00 noon**
5.	**Information, Communication & Technology**	**Joseph Mucheru**	**2.00 pm**
6.	**Public Service Youth & Gender Affairs**	**Sicily Kanni Kariuki**	**3.00 pm**
7.	**Health**	**Dr. Cleopa Kilonzo Mailu**	**4.00 pm**

The nominees should bring the originals of their identity card, academic and professional certificates and other relevant testimonials. In addition, the nominees should bring letters/certificate of clearance/compliance from the following:-

(i) Ethics and Anti-Corruption Commission;
(ii) Kenya Revenue Authority;
(iii) Higher Education Loans Board;
(iv) Criminal Investigations Department; and
(v) Any of the Credit Reference Bureaus.

JUSTIN BUNDI, CBS
CLERK OF THE NATIONAL ASSEMBLY

CURRICULA VITAE

CA

KENYA NATIONAL ASSEMBLY

COMMITTEE ON APPOINTMENTS
VETTING OF CABINET SECRETARIES NOMINEES

General Questions

Introduction

1. Tell us about yourself and why you think you are suitable and qualified to head the Ministry for which you have been nominated (Educational background, experience)
2. What would you consider as your most significant achievement in your career? And how did it impact on the people you were serving?
3. What would you say is your most significant strength and how do you intend to maximize on it while serving in your Ministerial docket for the benefit of all Kenyans?
4. How do you plan to optimize on the available resources (financial, human) within your Ministry to ensure that your Ministry contributes to the achievement of Vision 2030?
5. With the austerity measures being implemented across all government Ministries, how do you intend to ensure this is effected in your Ministry?

Challenges

1. What do you see as the immediate issue that ought to be addressed within the Ministry you have been nominated to and how are you planning to tackle it?
2. Public participation is among the many national values and principles of governance as outlined in Article of 10 of the Constitution. How do you intend to ensure this is upheld while serving in the Ministry?

Integrity

1. Have you been adversely mentioned in any integrity related report or investigation? If yes, give details.

2. Corruption in this country is short of being declared a national disaster. What is your position on misuse of public resources for individual gain?

3. As the highest ranking public servant in the Ministry, How do you intend to show yourself as a role model to the rest of the Ministry staff on matters integrity in line with Chapter six of the Constitution?

Sector Specific Questions

A. Devolution and Planning – Hon. Festus Mwangi Kiunjuri

1. Share with us your key priority areas for the Ministry?

2. Planning forms an integral part in the development agenda of any Country. What plans do you have to ensure that planning in this country is informed by research evidence?

3. Devolution is the key to the successful implementation of the Constitution as overwhelmingly passed by Kenyans in 2010. What mechanisms do you intend to utilize (whether existing or otherwise) to ensure there is Consultation and cooperation between the two levels of Government as is the spirit throughout Constitution?

4. Devolution is a key component of the Constitution yet the public remains uninformed on numerous issues including their expectations. What is your view on the need to give priority to extensive civic education on the Constitution?

5. Your Ministry is key to the success of devolution. Share with us your plans to ensure this happens.

B. Energy and Petroleum – Sen. Charles Cheruiyot Keter

1. Petroleum exploration and distribution is one of the key programs in the Energy sector. According to the Economic Survey 2015 petroleum consumption is on the increase in this country. Share with us some thoughts on how you would leverage

on the discovery of oil in Turkana to ensure that the Country becomes self-reliant in crude oil supply in the near future.

2. Following the discovery of oil, how do you think Kenya can balance between the economic gains derived from the resource and environmental protection for sustainable development?

3. State Corporations in the energy sector e.g Geothermal Development Company, Kenya Electricity Generating Company and Kenya Pipeline Company to mention but a few have been riddled with corruption. Which measures do you intend to put in place to ensure that the energy sector is a corruption-free zone?

4. One of the challenges facing the energy sector is inadequate sea port facilities for handling imported coal and natural gas, which are cheaper primary energy resources than petroleum oil-based fuels for power generation. Share with the Committee your thoughts on how this challenge can be addressed.

C. Mining - Hon. Daniel Kazungu Muzee

1. Kenya's mining sector contributes a paltry 0.8 percent to GDP while at the same time reports show that Kenya's mining sector is a gold mine. What do you think is ailing this sub sector? And how do you intend to leverage on these to spur the sector to growth?

2. Investment in the mineral sector is risky and capital intensive. How do you see yourself intervening to ensure investors feel secure to invest?

3. Reports have indicated that mining in this country equally takes place at small-scale or artisanal levels, for example, gold miners of Kakamega and Migori Counties. How do you intend to ensure that such small scale miners and many others are mainstreamed so as to contribute to creation of mineral wealth in this Country?

4. Community participation and benefits remain a key success in maximizing resource wealth arising from the mining sector. How do you see yourself balancing between economic wealth and community benefits?

5. The Mining Act as passed recently is an important piece of legislation expected to give impetus to the mining Sub sector? What is your opinion of this legislation? And do you view it as a game changer in the sub-sector?

D. Agriculture, Livestock and Fisheries - Mr. Willy Kipkorir Bett

1. You have been in the Sector for a while particularly following the implementation of the AFFA Act in 2014. In your opinion how would you describe the impact of the AFFA Act on the sector?

2. Agriculture is one of the functions that was overwhelmingly devolved. How do you plan to work with County governments to ensure increased productivity and competitiveness in the sector?

3. We have seen reports showing rapid increase in cancer cases in the Country, some of it attributed to the quality of food consumed among them use of excessive pesticides among other practices throughout the food chain. How do you see yourself in collaboration with other complementing government agencies addressing this issue?

4. What is your view on the strategic direction the country is taking in relation to irrigation projects and capacity for crop production particularly in the ASALs?

5. The sugar sector is the key mainstay for over 30% of the resident of Western Kenya. You are aware that the sub sector is in dire need of revamping. What are your plans for this sector?

E. Information, Communication Technology - Mr. Joseph Mucheru

1. ICT has been the main driver of Kenya's economic growth over the last decade. How do you intend to ensure this is sustained?

2. ICT can be a curse and a blessing at the same time. What is your take on e-waste? Enumerate ways you will ensure that Kenya is safe from e-waste, if appointed.

3. Some of the challenges facing the ICT sector include the challenges of cable theft, shortfalls in cyber security, a lack of data protection policy, and the prevalence of piracy of software, counterfeit electronics and computer hardware. If appointed to the post of CS, how do you intend to address these challenges?

4. The success of the tablet project for schools is dependent on this Ministry given its capacity to provide the technical backstopping for the project. How do you intend to ensure this happens?

5. We are seeing a situation where postal communication is being overtaken and almost being rendered redundant in the wake of growth ICT in this Country. Is this a good thing? What is your view?

F. Public Service, Youth and Gender Affairs - Ms. Sicily K. Kariuki

1. The Constitution bestows to the National government, the function of capacity building and technical assistance to. Do you think your Ministry has a role to play in building capacity of the County Service Boards? If yes, what mechanisms would you consider?

2. Huduma Kenya has been rated as one of the successful service delivery concepts in the recent past. What are some of the lessons that can be borrowed from the program that are likely to improve service delivery in the mainstream public service?

3. In your opinion, what do you think is the best way to address the problem of youth unemployment in Kenya?

4. What is your assessment on participation of women, youth and persons with disabilities in the 30% preferential Government tenders earmarked for these groups? What do you think should be done to increase the uptake of their participation?

5. What is your opinion on operating several funds e.g. the Women fund, the youth fund and the Uwezo fund all geared toward the same objective?

G. Health - Dr. Cleopa Kilonzo Mailu

1. In your opinion, having served the private sector for a long time, what do you think is ailing the Country's public health sector? and what do you think can be done to reverse the current trend?

2. How do you think the provisions in the Constitution that "every Kenyan is entitled to emergency medical treatment" can be effectively operationalised?

3. For the last two and a half years, the Ministry has been implementing a Managed Equipment Service program (*leasing as opposed to buying of health equipment – for specialized services*) in the Kenya's public health facilities. What is your take on leasing of equipment vis-à-vis buying of high end equipment? How do you intend to leverage on the already existing program to ensure value for money and more so enhanced service delivery?

4. Vision 2030 envisions the provision of Universal Health Coverage to all Kenyans. What will you do differently to ensure this becomes not only a Vision but a reality to all Kenyans?

5. The health sector is one of the sectors with the highest number of cadres of health professionals regulated under different regulatory bodies. As the senior most official in charge of the sector, how do you intend to work with such existing and elaborate mechanisms to improve service delivery.

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) ..... KIUHJURI FELTUS MWATHI .....

2. **Position:** (State office to which you have been nominated).
..... CABINET SECRETARY, MINISTRY OF DEVOLUTION AND PLANNING .....

3. **Sex:** ..... MALE .....

4. **Date of Birth:** (State year and place of birth) ..... 18/01/1968 ; MYERI .....

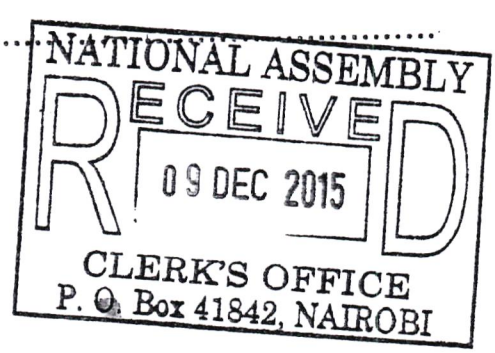
5. **Marital Status:** ..... MARRIED .....

6. **Daytime phone number:** ..... 0703 101303 .....

7. **Mobile phone number:** ..... 0721 600305 .....

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

9. **ID Number:** ..... 9075393 .....



10. **PIN Number:** A002601069H

11. **Nationality:** KENYAN

12. **Postal Address:** P.O BOX 610-00618 NAIROBI

13. **Town/City:** NAIROBI

14. **Knowledge of Languages:** (Specify Languages): KISWAHILI, ENGLISH, KIKUYU

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).

2014-2015 → UNITED STATES INTERNATIONAL UNIVERSITY-AF.
→ MASTER OF BUSINESS ADMINISTRATION (MBA)
2001 to 2002 → UNIVERSITY OF NAIROBI
→ BACHELOR OF LAW (INCOMPLETE)
1991 to 1994 → MOI UNIVERSITY
→ BACHELOR OF EDUCATION (2ND CLASS, LOWER DIVI
1988 to 1989 → KANGEMA HIGH SCHOOL
→ ADVANCED LEVEL (A-LEVEL)
1987 → DR. KIAMO SECONDARY SCHOOL
→ O LEVEL CERTIFICATE (2nd division)

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)

2015 → ATHI WATER SERVICES BOARD
→ WHE ENTERPRISES CO. LTD.
→ MINISTRY OF PUBLIC WORKS
→ MINISTRY OF WATER & IRRIGATION
→ MINISTRY OF ENERGY
→ PUBLIC INVESTMENTS COMMITTEE (PARLIAMENT OF KENYA)
→ LAIKIPIA EAST CONSTITUENCY
→ KIARITHA-IHI SECONDARY SCHOOL

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).

MORAH OF THE ORDER OF THE GOLDEN HEART ON THE 12TH DECEMBER 2008 BY THE REPUBLIC OF KENYA

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).

N/A

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).

N/A

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.

N/A.

(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.

2015 → CHAIRMAN → 4TH WATER SERVICES BOARD (APPOINTED)
→ ASSISTANT MINISTER → MINISTRY OF PUBLIC WORKS (APPOINTED
→ ASSISTANT MINISTER → MINISTRY OF WATER & IRRIGATION (APPOINT
→ ASSISTANT MINISTER → MINISTRY OF ENERGY (APPOINTED)
→ VICE CHAIR PERSON → PUBLIC INVESTMENTS COMMITTEE (APPOINTED)
→ MP → LAIKIPIA EAST CONSTITUENCY (ELECTED)

(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.

* GNU PARTY → PARTY LEADER POSITION → GOVERNOR (2013-2012
* PNU PARTY → MEMBER POSITION → MP (2007)
* NARC PARTY → MEMBER POSITION → MP (2002)
* DP PARTY → MEMBER POSITION → MP (1997)

(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

21. **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).

* INVESTMENT INCOME (UNCOMPLETED CONTRACTS OF KES 4M PER MONTH FOR THE NEXT 6 MONTHS.
* RENT INCOME OF APPROXIMATELY KES 1.7M PER MONTH.

22. **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). NO

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

	2014 (KES)	2015 (KES)
* RENTAL INCOME	20.4M	18.7M
* INVESTMENT INCOME	35M	49M

24. **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). YES

25. **Statement of Net Worth:** (State your financial net worth)

* LAND AND BUILDINGS IN MATIYUKI ARE APPROXIMATELY KES 400,000,000;
* LAND AND INDUSTRIAL PLANTS IN GACHIA APPR. KES 270,000,000,
* LAND AND BUILDINGS IN NAIROBI APPR. KES 200,000,000;
* VEHICLES IN NAIROBI APPROXIMATELY KES 18,000,000;
* LIABILITIES KES 90,000,000

TOTAL ESTIMATED VALUE KES 798,000,000

26. **Potential Conflict of Interest:**

(a) Identity the family members or other persons, parties, categories of litigation 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.

AS FAR AS I KNOW NONE BUT SHOULD IT ARISE I UNDERTAKE TO DECLARE IT UPFRONT

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

I WOULD DECLARE IN WRITING TO THE APPOINTING AUTHORITY ANY CONFLICT OF INTEREST IN ACCORDANCE WITH THE LAW.

27. **Pro-Bono/Charity Work/donation 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)

EDUCATING DISADVANTAGED STUDENTS AT APPROXIMATELY KES 600,000 PER YEAR IN:

* UNIVERSITY OF NAIROBI
* MASINDE MULIRO UNIVERSITY
* EGERTON UNIVERSITY.
* KENYA HIGH SCHOOL
* DEDAN KIMATHI UNIVERSITY OF TECHNOLOGY
* MATHEIGE TECHNICAL TRAINING INSTITUTE

28. 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.

HO

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

HO

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

HO.

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

① PROF GEORGE ACHOKI
DEAN OF CHANDARIA SCHOOL OF BUSINESS, UKILI
TEL: 0722 289245.
EMAIL: gachoki@ukili.ac.ke.

② PETER GICHIGO
JAMBO ENTERPRISES
TEL: 0722 774799
EMAIL: jamboenterprise@yahoo.com.

③ PATRICK GAKURU MUTHEE
P.O BOX 2374 - 00100 NAIROBI
TEL: 0722 251913
EMAIL: patrick.mutnee@yahoo.com.

...ted States International University-Africa

...he Trustees of the University, upon recommendation of the University ...faculty and by virtue of the Authority in them vested, have conferred on

Kiunjuri Festus Mwangi

...who has satisfactorily pursued the studies and passed the examinations required therefor, the degree of

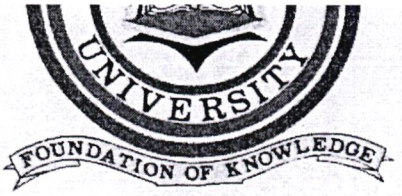
Global Executive Master of Business Administration

with all the rights, privileges and honors thereunto appertaining

Given at Nairobi, Kenya
this twenty-second day of August, two thousand and fifteen.

Freida A. Brown
Vice Chancellor

Chancellor and Chair, Board of Trustees



MOI UNIVERSITY

Upon the recommendation of Senate
and on authority of the Council
hereby confers upon

Festus Mwangi Kiunjuri

the degree of

Bachelor of Education
(in Arts)

Second Class Honours (Lower Division)

with all the rights and privileges
thereunto appertaining in witness whereof
we have hereunto affixed our signatures
and the seal of the University

on the 2nd day of December 1994.

This is to certify that the candidate named below sat for the Examination for the Kenya Advanced Certificate of Education and qualified for the award of a

KENYA

ADVANCED CERTIFICATE OF EDUCATION

The candidate passed at the level shown (Principal or Subsidiary) in the subject(s) named and attained the Grade(s) as indicated.

MWANGI KIUNJURI FESTUS 24008/543

KANGEMA HIGH SCHOOL

		Grade
HISTORY	PRINCIPAL	B
CHRISTIAN REL EDUCATION	PRINCIPAL	C
GEOGRAPHY	SUBSIDIARY	

SUBJECTS RECORDED THREE

EXAMINATION OF NOVEMBER/DECEMBER 1989

Philip M. Mbithi

Secretary
Kenya National Examinations Council

Chairman
Kenya National Examinations Council

KENYA REVENUE AUTHORITY

Tax Compliance Certificate

For General Tax Questions
Contact KRA Call Centre
Tel: +254 (020) 4999 999
Cell: +254(0711)099 999
Email: callcentre@kra.go.ke

www.kra.go.ke

Taxpayer PIN : A002601069N

Name and Address :

FESTUS MWANGI KIUNJURI
JABAVU COURT, NAIROBI CITY (SOUTH), Kasarani District,
PO Box:610,
Postal Code:00618

Certificate Date: 02/12/2015

Certificate Number:

KRANON2828582015

This is to confirm that FESTUS MWANGI KIUNJURI, Personal Identification Number A002601069N has filed relevant tax returns and paid taxes due as provided by Law.

This Certificate will be valid for twelve (12) months up to 01/12/2016.

Caveat: This certificate is issued on the basis of information available with the authority as at the certificate date mentioned above. The Authority reserves the right to withdraw the certificate if new evidence materially alters the tax compliance status of the recipient.

Disclaimer : This certificate is system Generated and therefore does not require signature.You may confirm validity of this certificate on the iTax Portal by using the TCC Checker.

LEADERSHIP AND INTEGRITY ACT, 2012 /KIFUNGU CHA SHERIA CHA UONGOZI NA UADILIFU, 2012

FIRST SCHEDULE (S.13) /TARATIBU YA KWANZA (S.13)

SELF-DECLARATION FORM / FOMU YA KUJITANGAZA

1. GENERAL INFORMATION / *TAARIFA YA JUMLA*

Title / *Cheo*	Surname / *Jina la ukoo*	First Name / *Jina la Kwanza*	Middle Name / *Jina la Katikati*	Other Names / *Majina Mengine*
Mr/Mrs/Prof/ Miss/Ms/Dr Bw/Bi/Prof/ Binti/Bibi/Dkt	IKIUNGURI	FESTUS	MWANGI	

ID CARD No. *Na. ya Kitambulisho*	PASSPORT NO. *NA. ya PASIPOTI*	EXPIRY DATE OF PASSPORT *TAREHE YA MUDA WA PASIPOTI KUISHA*	PIN NO. *NA. ya PIN*
9075393	A1553769	29TH NOV. 2020	A002601069N

SEX (Tick)
JINSIA (Weka Alama)

Male *Kiume* ☑

Female *Kike* ☐

Occupation: *Kazi:* BUSINESS MAN / CHAIRMAN ATHI WATER SERVICE BOARD

E-Mail Address: *Anwani ya Baruapepe:* MWANGIKIUNJUM@GMAIL.COM

Postal Address: PO Box 610-00618 Code:
Anwani ya Posta: SL Posta: *Msimbo:*

Other Addresses:
Anwani Nyingine:

Telephone No. *Na. ya Simu*	Mobile No. *Na. ya Rununu*	Other Numbers Nambari Nyingine
	0721600305	

RESIDENCE *MAKAZI*

ESTATE/TOWN/LOCATION *MTAA/MJI/LOKESHENI*	NAIROBI
DISTRICT *WILAYA*	
COUNTY *KAUNTI*	NAIROBI
TOWN/CITY *MJI/JIJI*	NAIROBI
COUNTRY *NCHI*	KENYA

2. BIRTH INFORMATION / *TAARIFA YA KUZALIWA*

DATE OF BIRTH /*TAREHE YA KUZALIWA*	29/04/65

ETHICS AND ANTI-CORRUPTION COMMISSION
03 DEC 2015
RECEIVED

BIRTH CERTIFICATE NO. / *NA. YA CHETI CHA KUZALIWA*	
PLACE OF BIRTH / *MAHALI PA KUZALIWA*	NYERI (KIAMA DOGORO)
DISTRICT OF BIRTH / *WILAYA YA KUZALIWA*	NYERI
COUNTY OF BIRTH / *KAUNTI YA KUZALIWA*	NYERI
COUNTRY OF BIRTH / *NCHI YA KUZALIWA*	KENYA

3. NATIONALITY /*UTAIFA*

Kenyan ☑ *Mkenya*	Dual ☐ *Kotekote* (Provide details_____) (*Toa maelezo*_____)

4. MARITAL STATUS / *HALI YA NDOA*

SINGLE ☐ *NINGALI SIJAOA/ SIJAOLEWA*

MARRIED ☑ *NIMEOA/NIMEOLEWA*

SEPARATED ☐ *NIMETENGANA*

DIVORCED ☐ *NIMETALAKIANA*

WIDOWED ☐ *NIMEFIWA*

IF MARRIED GIVE NAMES OF THE SPOUSE(S) (Surname, First Name, middle name, others)
KAMA UMEOA TOA MAJINA YA MUME/MKE(Wa) WAKO (Jina la ukoo, Jina la Kwanza, jina la kati, mengine)

WANGUI KIMATHI

NATIONALITY OF SPOUSE *UTAIFA WA MKE/MUME*	KENYAN
NAME OF CHILDREN UNDER THE AGE OF 18 YEARS *JINA LA WATOTO WALIO CHINI YA UMRI WA MIAKA 18*	STACY MWANGI KIMATHI MWANGI WITHY MWANGI KIHUNJURI MWANGI

5. EDUCATIONAL QUALIFICATIONS / *KUFUZU KWA KIELIMU*

PRIMARY CERTIFICATE ☐ *CHETI CHA MSINGI*

SECONDARY ☐ *SHULE YA UPILI*

'A' LEVEL ☐ *KIWANGO CHA 'A'*

DIPLOMA ☐ *STASHAHADA*

DEGREE ☐ *SHAHADA*

MASTERS ☑ *UZAMILI*

PHD ☐ *UZAMIFU*

OTHERS
VINGINE

HIGHEST ACADEMIC QUALIFICATION OBTAINED *KUFUZU KWA JUU ZAIDI KWA KIAKADEMIA ULIKOPATA*		
Qualification / *Kufuzu*	Institution / *Taasisi*	Year /*Mwaka*
MASTERS	USIU	2014-2015

6. LANGUAGE SPOKEN / *LUGHA UNAZOZUNGUMZA*

First Language *Lugha ya Kwanza*	Second Language *Lugha ya Pili*	Others *Nyingine*
KIKUYU	ENGLISH	KISWAHILI

7. MEMBERSHIP OF PROFESSIONAL ORGANISATION(s) (If any)
UANACHAMA WA SHIRIKA(MA) YA KITAALAMU (Kama yapo)

Name of Organization *Jina la Shirika*	Date of Admission *Tarehe ya Kuandikishwa*	Membership No. *Na. ya Uanachama*

8. REASON(S) FOR DECLARATION / *SABABU ZA KUJITANGAZA*

Purpose for which declaration is required / *Kusudio la kuhitajika kwa kujitangaza huku*

Election ☐ *Upigaji kura* Employment ☐ *Kuajiriwa*

Others (Specify) Appointment
Nyingine (Bainisha)

State office for which the declaration is being submitted *Ofisi ya serikali ambayo kujitangaza huku kunawasilishwa*	Parliament

9. MORAL AND ETHICAL QUESTIONS / *MASWALI YA NIDHAMU NA KIMAADILI*

Answers to the following questions are mandatory. If YES to any question you must provide additional information on a supplementary sheet.
Majibu kwa maswali yafuatayo ni lazima. Kama NDIYO katika swali lolote lazima utoe taarifa ya ziada kwenye karatasi nyingine.

	YES	NO
a) Have you ever engaged in any form of dishonesty in the conduct of public affairs *a) Umewahi kujihusisha na hali yoyote ya kutokuwa mwaminifu katika kazi zako na shughuli za umma*		✓
b) Have you ever abused a public office? *b) Umewahi kutumia vibaya ofisi ya umma?*		✓
c) Have you ever misrepresented information to the public? *c) Umewahi kuwakilisha kwa njia isiyofaataarifa kwa umma?*		✓
d) Have you ever engaged in wrongful conduct whilst in the furtherance of personal benefit?		✓

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d) Umewahi kujihusisha katika tabia mbaya huku ukitaka kujinufaisha kibinafsi?		
e) Have you ever misused public resources? *e) Umewahi kutumia vibaya rasilimali za umma?*	✓	
f) Have you ever discriminated against anyone of any grounds other than as provided for under the Constitution or any other law? *f) Umewahi kubagua yeyote kwa misingi yoyote mbali na vile ilivyoelezwa katika Katiba au sheria yoyote nyingine?*		✓
g) Have you ever falsified official or personal records? *g) Je, umewahi kudanganya katika rekodi rasmi au za kibinafsi?*		✓
h) Have you ever been debarred or removed from the Register of Members of your professional organization? *h) Umewahi kupigwa teke au kuondolewa kutoka kwenye Rejista ya Wanachama wa shirika lako la kitaalamu?*		✓
i) Have you ever had any occupational or vocational license revoked and/or otherwise subjected to any other disciplinary action for cause in Kenya or any other country *i)Umewahi kujipata katika hali ya leseni yako ya kikazi au ya kiufundi kutupiliwa mbali na/au vinginevyo kuchukuliwa hatua nyingine ya kinidhamu katika nchi ya Kenya au nchi yoyote nyingine*		✓
j) Have you ever dismissed from employment on account of lack of integrity? *j) Umewahi kufutwa kazi katika ajira kutokana na ukosefu wa uadilifu?*		✓
k) If you have been a public officer, have you ever failed to declare your Income, Assets and Liabilities as required under the Public Officer Ethics Act, 2003? *k) Kama umewahi kuwa ofisa wa umma, umewahi kushindwa kutangaza Mapato yako, Mali na Gharama kama unavyohitajika katika Kifungu cha sheria cha Maadili ya Ofisa wa Umma, 2003?*		✓
l) Have you ever been the subject of disciplinary or criminal proceedings for breach of the Public Officer Ethics Act, 2003 or a Code prescribed thereunder? *l) Umewahi kuwa mada katika taratibu za kinidhamu au kihalifu kwa kuvunja kifungu cha sheria cha Maadili ya Ofisa wa Umma 2003, au Msimbo ulioainishwa hapo chini?*		✓
m) Have you ever been convicted of any offence and sentenced to serve imprisonment for a period of at least six months? *m) Umewahi kushtakiwa kwa kosa lolote na kuhukumiwa kifungo gerezani kwa kipindi kipatacho miezi sita?*		✓
n) Have you ever had an application for a Certificate of Clearance or a Certificate of Good Conduct or for a visa or other document authorizing work in a public office denied and/or rejected for cause in Kenya or any other country?		✓

n) Umewahi kutuma ombi la Cheti cha kuondolewa Hatia au Cheti cha Kinidhamu au cha visa au nyaraka nyingine zinazoidhinisha kazi katika ofisi ya umma na hivyo basi wewe kunyimwa na/ au kukataliwa kwa sababu yoyote nchini Kenya au nchi yoyote nyingine?			

10. EMPLOYMENT INFORMATION / TAARIFA YA KUAJIRIWA

NAME OF EMPLOYER *JINA LA MWAJIRI*	POSITION/RANK *CHEO/WADHIFA*	DATE OF FIRST APPOINTMENT *TAREHE YA KUAJIRIWA KWA KWANZA*	DATE OF PRESENT APPOINTMENT *TAREHE YA KUAJIRIWA KWA SASA*
AWSB	Chairman		

WORKSTATION *KITUO CHA KAZI*	**NATURE OF EMPLOYMENT** (Constitutional/Elective/Permanent/Contractual/Other) ***AINA YA KUAJIRIWA*** *(Kikatiba/Kuteuliwa/Kudumu/Kikandarasi/Nyingine)*

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OATH AND AFFIRMATION / KIAPO NA UTHIBITISHWAJI

I solemnly swear (or affirm) and certify, under penalty of false declaration under the Oaths and Statutory Declarations Act (Cap 15 of the Laws of Kenya), that all the foregoing statements in this declaration are true and correct to the best of my knowledge.

Ninaapa ya kwamba (ninathibitisha) na kuidhinisha, katika adhabu ya kujitangaza kwa uongo chini ya kifungu cha sheria cha Viapo na Kujitangaza Kisheria(Ibara 15 ya Sheria za Kenya), kwamba kauli zote zilizotajwa katika kujitangaza huku ni za kweli na sahihi kwa kadri ninavyojua.

Dated at / Mnamo tarehe ....1-12-2015....., this / kwenye.....

day of / siku hii ya .....

SIGNATURE OF DECLARANT: .....
SAINI YA ANAYEJITANGAZA:

SWORN/DECLARED BEFORE ME / ALIYELISHWA KIAPO/TANGAZWA MBELE YANGU

This / Mnamo .....1ST..... day of / siku hii ya .....DECEMBER....., 20 ...15....,

at / katika mahali hapa.....NAIROBI.....

COMMISSIONER FOR OATHS/ MAGISTRATE/ ADVOCATE
KAMISHNA WA KIAPO/ HAKIMU

COMMISSIONER FOR OATHS
P.O. Box 51649-00200 NAIROBI

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C. 24A

Nº 485860

NATIONAL POLICE SERVICE

DIRECTORATE OF CRIMINAL INVESTIGATIONS

DIRECORATE OF CRIMINAL INVESTIGATIONS
P. O. Box 30036–00100 GPO
NAIROBI, KENYA

Ref. No. 223707/ 2015 Date 09/12/2015

POLICE CLEARANCE CERTIFICATE

I hereby certify that the fingerprints recorded from **FESTUS MWANGI KIUNJURI**

holder of ID/Passport No. **9075393** *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) INCITEMENT TO VIOLENCE

RESULTS OF TRIAL PENDING BEFORE COURT SINCE 2000

DATE 21/3/2000

This Certificate has been issued without any alteration or erasure.

(J.M.Magambo)

For: Director of Criminal Investigations

(P.T.O.)

GPK ISO 7518—125m—5/2013

0570440 11-

KENYA POLICE

FULL NAME KHUNDURI TEITUS MWANGI

ALIAS

IDENTITY CARD NO. 9075393

CHARGE REGISTER NO.

CLASS

DOCKET NO.

DATE 07/12/15 Ruiru

APEHS

RIGHT HAND

THUMB	FOREFINGER	MIDDLE FINGER	RING FINGER	LITTLE FINGER

Fold

LEFT HAND

THUMB	FOREFINGER	MIDDLE FINGER	RING FINGER	LITTLE FINGER

Fold

LEFT HAND

Plain impressions of the Four Fingers taken simultaneously

RIGHT HAND

Plain impressions of the Four Fingers taken simultaneously

Fold

Plain Impress Left Thumb

FINGERPRINTS TAKEN BY

RANK

POLICE STATION

CRIMINAL IDENTIFICATION BUREAU
RECEIVED
08 DEC 2015
CID HEADQUARTERS
NAIROBI

Plain Impress Right Thumb

FINGERPRINTS CLASSIFIED BY DATE

TESTED BY DATE

SEARCHED BY DATE

SEARCHED IN S. OF C. BY DATE

223707

TransUnion

CRN No. 08656723

CRB Certificate

Date of issue: 04 Dec 2015

S/No. 8515

We hereby confirm, having searched Credit Reference Bureau Africa records, that;

FESTUS MWANGI KIUNJURI

of National ID No 9075393

Has a Credit Report with status as:

☑ No adverse listing ☐ Paid ☐ Paying ☐ Not paid

This Certificate has been issued without any alteration or erasure. The validity of the information on this certificate is as at the date of issue.

Prosperity House,
Westlands Road, Off Museum Hill
P. O. Box 46405 - 00100
Nairobi
Tel; +254203751799/ 3713603/2/4
Mobile; 0722205072/ 0724253296

TransUnion Authorised Signatory

TransUnion Authorised Signatory

D39492E04C {F1D6DAC8-A58D-4247-B2DE-061DD154930C}

he conclusions herein are based on information obtained from public record and other third-party sources. TransUnion makes no representation as to the accuracy of this nformation and shall not be liable for any loss, damage or claim whatsoever, howsoever arising following the use of or reliance upon the opinions expressed herein.

For verification, kindly call our office on 020 2021299 | 020 2021432

HIGHER EDUCATION LOANS BOARD

CERTIFICATE OF CLEARANCE

002271

UNIVERSITY STUDENTS' LOAN

This Certificate is awarded to FESTUS KIUNJURI MWANGI

ID NO 9075393 University Registration No. ED/705/90 who underwent a

THREE year course at MASENO UNIVERSITY

From 1990 To 1993 In the faculty of EDUCATION

For having repaid in full the Principal Loan of Kshs 67,304.00 (SIXTY SEVEN THOUSAND THREE HUNDRED & FOUR).

together with interest thereon.

This certificate is issued without erasures, alterations or cancellation

Signature BOARD SECRETARY Date 18/6/04

Signature MANAGER LOANS DISBURSEMENT & RECOVERY Date 16/6/2004

Paper Laid

REPUBLIC OF KENYA

IN THE CHIEF MAGISTRATE'S COURT AT MILIMANI

CRIMINAL CASE NO. 278 OF 2000

CENTRAL P/STATION..... PROSECUTOR

VERSUS

MWANGI KIUNJURI.....ACCUSED

IN COURT ON 14TH DAY OF DECEMBER, 2015

BEFORE THE HON. DANIEL OGEMBO(MR) – CHIEF MAGISTRATE

O R D E R

UPON HEARING the application presented to this honourable court by the counsel of the accused in the presence of the prosecutor and the accused.

IT IS ORDERED:-

1. **THAT** the case be marked as Withdrawn U/S 87(a) CPC.
2. **THAT** accused be accordingly discharged.

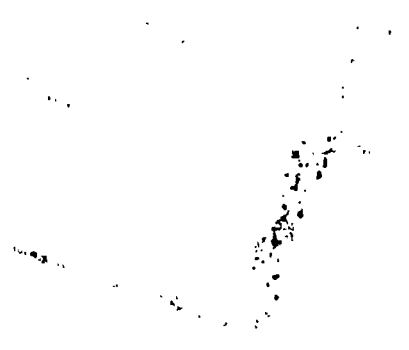
GIVEN under my hand and the seal of this Honourable Court at Nairobi on the 14th day of December, 2015.

ISSUED at Nairobi 14th day of December, 2015.

.....

CHIEF MAGISTRATE

CHIEF MAGISTRATE
MILIMANI LAW COURTS
14/12/15



Detailed Curriculum Vitae
Mwangi Kiunjuri

PERSONAL DETAILS

NAME:	Mwangi Kiunjuri
DATE OF BIRTH:	1969
ADDRESS:	P. O. Box 610– 00618 Nairobi. Kenya
TELEPHONE:	0721 – 600305
E-MAIL ADDRESS:	mwangikiunjuri@gmail.com
MARITAL STATUS:	Married

PERSONAL STATEMENT

I am a self driven, independent and dependable person with excellent leadership skills. I have experience both in the public and private sector.

ACADEMIC QUALIFICATIONS

2014 to 2015 - United States International University -Africa
Master of Business Administration (MBA)

2001 to 2002 - Nairobi University
Bachelor of Law (Incomplete)

1991 to 1994 - Moi University
Bachelor of Education.
Attained *Second Class Honors Lower Division*

1988 – 1989 Kangema High School
Advanced Level ('A')

1987 - Dr. Kiano Secondary School
'O' level Certificate
Attained: 2nd Division

WORKING EXPERIENCE & POSITIONS HELD

2015 to date Chairman
Athi Water Services Board

2011 to 2013 – Assistant Minister
Ministry of Public Works

2008 to 2011 – Assistant Minister
Ministry of Water & Irrigation

2003 to 2008 – Assistant Minister
Ministry of Energy

2001 to 2002 – Vice Chair Person
Public Investments Committee (Parliament of Kenya)

1997 to 2002 – Member of Parliament
Laikipia East Constituency

1996 to 1997 – Teacher
Kiaritha–ini Secondary School

KEY RELEVANT SKILLS AREA

- Strong Leadership Skills
- Reliable and Good Team Player
- Self Driven and independent
- Good public speaker
- Fast Learner

REFEREES

To be provided upon request.

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) CHARLES CHERUIYOT KETER
2. **Position:** (State office to which you have been nominated). CABINET SECRETARY FOR ENERGY AND PETROLEUM
3. **Sex:** MALE
4. **Date of Birth:** (State year and place of birth) 1969 KERICHO.
5. **Marital Status:** MARRIED
6. **Daytime phone number:** 0722530555
7. **Mobile phone number:** 0722530555
8. **Email Address:** cc Keter@yahoo.com
9. **ID Number:** 10012180

10. **PIN Number:** A 002217375W

11. **Nationality:** KENYAN

12. **Postal Address:** P.O. BOX 51439-00200 NAIROBI

13. **Town/City:** NAIROBI

14. **Knowledge of Languages:** (Specify Languages): ENGLISH, KISWAHILI, KIPSIGIS

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) GLOBAL EXECUTIVE MASTER OF BUSINESS ADMINISTRATION
U.S.I.U 2015

(2) CURTAILING ECONOMIC FRAUD - CROWN AGENTS, UNITED KINGDOM
1995 - 1996.

(3) BACHELOR OF SCIENCE ED. (DOUBLE MATHS) KENYATTA UNIVERSITY
1989 - 1992

(4) K-A-C-E KERICHO HIGH SCHOOL 1987 - 1988

(5) K-C-E LITEIN HIGH SCHOOL 1985 - 1986

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. THE SENATE, SENATOR KERICHO COUNTY AND DEPUTY MAJORITY LEADER. 2013 - TO DATE.
2. THE GOVERNMENT OF KENYA - ASSISTANT MINISTER FOR ENERGY 2008 - 2010.
3. THE NATIONAL ASSEMBLY - M.P. BELGUT CONSTITUENCY 2002-2012
4. TELKOM KENYA - MANAGER ANTI FRAUD SECTION 1996-2002
5. TELKOM KENYA LTD - SYSTEM ANALYST 1993 - 1995.

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).

MORAN OF THE ORDER OF THE GOLDEN HEART OF KENYA (M.G.H.) 2009

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).

NONE.

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).

KERICHO CLUB

PUBLIC SERVICE CLUB.

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.

NONE.

(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. SENATOR KERICHO COUNTY 2013 TO DATE. – ELECTED.
2. THE SENATE DEPUTY MAJORITY LEADER – APPOINTED.
3. MEMBER OF PARLIAMENT FOR BELGUT CONSTITUENCY 2002 – 2012 – ELECTED.
4. ASSISTANT MINISTER FOR ENERGY 2008 TO 2010 APPOINTED

(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.

CHAIRMAN MOMUL FACTORY 2001 – 2003

(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.

21. **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).

KSHS. 1,419,943.00

22. **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).

NO.

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

	2015	2014
1. SALARY AND ALLOWANCES	12,794,900.00	13,370,175.00
2. RENTAL INCOME	3,707,000.00	4,044,000.00
3. MIGINON FARM	7,525,000.00	9,000,000.00
4. DIVIDEND INCOME	361,400.00	295,000.00
	24,398,300.00	26,709,175.00

24. **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).

FULLY COMPLIED.

25. **Statement of Net Worth:** (State your financial net worth)

TOTAL ASSETS = 369,771,701.00.
LESS TOTAL LIABILITES = 16,898,685.00
NET WORTH = 352,873,016.00

26. **Potential Conflict of Interest:**

(a) Identity the family members or other persons, parties, categories of litigation 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.

NO POTENTIAL CONFLICT OF INTEREST.

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

BY MAKING DECLARATION OF INTEREST.

27. **Pro-Bono/Charity Work/donation 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).

INSTRUMENTAL IN ESTABLISHING SOCIAL ECONOMIC EMPOWERMENT WOMEN ORGANIZATION (SEEWO), AN ORGANIZATION WHICH EMPOWERS WOMEN SOCIALLY, ECONOMICALLY THROUGH TABLE BANKING, AGRIBUSINESS AND SME'S

28. 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.

NO.

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

NO.

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

NO.

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

(1) SEN. EKWEE ETHURO,
SPEAKER OF THE SENATE,
P.O. BOX 41842 - 00100
NAIROBI

(2) PROF. GEORGE ACHOKI
UNITED STATES INTERNATIONAL UNIVERSITY - AFRICA
P.O. BOX 14634 - 00800
NAIROBI

(3) BENARD K. SANG
UJENZI CONSULTANTS
NHIF CAR PARK, 5TH FLOOR
RAGAT RD, NAIROBI

FIRST SCHEDULE (S.13) / *TARATIBU YA KWANZA (S.13)*

SELF-DECLARATION FORM / FOMU YA KUJITANGAZA

1. GENERAL INFORMATION / *TAARIFA YA JUMLA*

Title / *Cheo*	Surname / *Jina la ukoo*	First Name / *Jina la Kwanza*	Middle Name / *Jina la Katikati*	Other Names / *Majina Mengine*
~~Mr/Mrs/Prof/ Miss/Ms/Dr Bw/Bi/Prof/ Binti/Bibi/Dkt~~	KETER	CHARLES	CHERUIYOT	

ID CARD No. *No. ya Kitambulisho*	PASSPORT NO. *NA. ya PASIPOTI*	EXPIRY DATE OF PASSPORT *TAREHE YA MUDA WA PASIPOTI KUISHA*	PIN NO. *NA. ya PIN*
10012180	C0300057	20. OCT. 2024	A002217375W

SEX (Tick) / *JINSIA (Weka Alama)*

Male / *Kiume* ☑

Female / *Kike* ☐

Occupation: *Kazi:* SENATOR, KERICHO COUNTY

E-Mail Address: *Anwani ya Baruapepe:* ccketer@yahoo.com

Postal Address: PO Box 51439 Code: 00200
Anwani ya Posta: SL Posta: *Msimbo:*

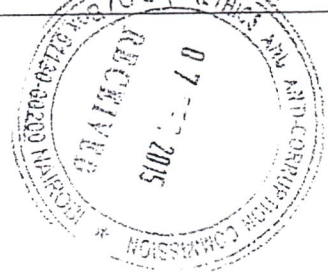
Other Addresses: 41842 - 00100 NAIROBI
Anwani Nyingine:

Telephone No. *Na. ya Simu*	Mobile No. *Na. ya Rununu*	Other Numbers *Nambari Nyingine*
0722530555	0722530555	N/A

RESIDENCE *MAKAZI*		
	ESTATE/TOWN/LOCATION *MTAA/MJI/LOKESHENI*	NEAR BOMAS OF KENYA, MUIRI RD.
	DISTRICT *WILAYA*	KAREN
	COUNTY *KAUNTI*	NAIROBI
	TOWN/CITY *MJI/JIJI*	NAIROBI
	COUNTRY *NCHI*	NAIROBI

2. BIRTH INFORMATION / *TAARIFA YA KUZALIWA*

DATE OF BIRTH / *TAREHE YA KUZALIWA*	23/8/1969



BIRTH CERTIFICATE NO. / *NA. YA CHETI CHA KUZALIWA*	
PLACE OF BIRTH / *MAHALI PA KUZALIWA*	KERICHO.
DISTRICT OF BIRTH / *WILAYA YA KUZALIWA*	KERICHO.
COUNTY OF BIRTH / *KAUNTI YA KUZALIWA*	KERICHO.
COUNTRY OF BIRTH / *NCHI YA KUZALIWA*	KENYA.

3. NATIONALITY /*UTAIFA*

Kenyan ☑ *Mkenya*	Dual ☐ *Kotekote* (Provide details_____) (*Toa maelezo*_____)

4. MARITAL STATUS / *HALI YA NDOA*

SINGLE ☐ *NINGALI SIJAOA/ SIJAOLEWA*

MARRIED ☑ *NIMEOA/NIMEOLEWA*

SEPARATED ☐ *NIMETENGANA*

DIVORCED ☐ *NIMETALAKIANA*

WIDOWED ☐ *NIMEFIWA*

IF MARRIED GIVE NAMES OF THE SPOUSE(S) (Surname, First Name, middle name, others)
KAMA UMEOA TOA MAJINA YA MUME/MKE(Wa) WAKO (Jina la ukoo, Jina la Kwanza, jina la kati, mengine)

CHOBOS PRISCILLAH CHELANGAT.

NATIONALITY OF SPOUSE *UTAIFA WA MKE/MUME*	KENYAN.

NAME OF CHILDREN UNDER THE AGE OF 18 YEARS
JINA LA WATOTO WALIO CHINI YA UMRI WA MIAKA 18

DAISY CHERETICH KETER

EMMANUEL KIPNGETICH KETER.

5. EDUCATIONAL QUALIFICATIONS / *KUFUZU KWA KIELIMU*

PRIMARY CERTIFICATE ☑ *CHETI CHA MSINGI*

SECONDARY ☑ *SHULE YA UPILI*

'A' LEVEL ☑ *KIWANGO CHA 'A'*

DIPLOMA ☑ *STASHAHADA*

DEGREE ☑ *SHAHADA*

MASTERS ☑ *UZAMILI*

PHD ☐ *UZAMIFU*

OTHERS
VINGINE

HIGHEST ACADEMIC QUALIFICATION OBTAINED *KUFUZU KWA JUU ZAIDI KWA KIAKADEMIA ULIKOPATA*		
Qualification / *Kufuzu*	Institution / *Taasisi*	Year /*Mwaka*
GLOBAL EXECUTIVE MBA	U.S IU	2015/2014

6. LANGUAGE SPOKEN / *LUGHA UNAZOZUNGUMZA*

First Language *Lugha ya Kwanza*	Second Language *Lugha ya Pili*	Others *Nyingine*
ENGLISH	KISWAHILI	KIPSIGIS

7. MEMBERSHIP OF PROFESSIONAL ORGANISATION(s) (If any)
UANACHAMA WA SHIRIKA(MA) YA KITAALAMU (Kama yapo)

Name of Organization *Jina la Shirika*	Date of Admission *Tarehe ya Kuandikishwa*	Membership No. *Na. ya Uanachama*
N/A	N/A	N/A

8. REASON(S) FOR DECLARATION / *SABABU ZA KUJITANGAZA*

Purpose for which declaration is required / *Kusudio la kuhitajika kwa kujitangaza huku*

Election *Upigaji kura* ☐ Employment *Kuajiriwa* ☑

Others (Specify) *Nyingine (Bainisha)* CABINET SECRETARY VETTING.

State office for which the declaration is being submitted *Ofisi ya serikali ambayo kujitangaza huku kunawasilishwa*	NATIONAL ASSEMBLY

9. MORAL AND ETHICAL QUESTIONS / *MASWALI YA NIDHAMU NA KIMAADILI*

Answers to the following questions are mandatory. If YES to any question you must provide additional information on a supplementary sheet.
Majibu kwa maswali yafuatayo ni lazima. Kama NDIYO katika swali lolote lazima utoe taarifa ya ziada kwenye karatasi nyingine.

	YES	NO
a) Have you ever engaged in any form of dishonesty in the conduct of public affairs *a) Umewahi kujihusisha na hali yoyote ya kutokuwa mwaminifu katika kazi zako na shughuli za umma*		✓
b) Have you ever abused a public office? *b) Umewahi kutumia vibaya ofisi ya umma?*		✓
c) Have you ever misrepresented information to the public? *c) Umewahi kuwakilisha kwa njia isiyofaataarifa kwa umma?*		✓
d) Have you ever engaged in wrongful conduct whilst in the furtherance of personal benefit?		✓

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d) Umewahi kujihusisha katika tabia mbaya huku ukitaka kujinufaisha kibinafsi?		
e) Have you ever misused public resources? *e) Umewahi kutumia vibaya rasilimali za umma?*		✓
f) Have you ever discriminated against anyone of any grounds other than as provided for under the Constitution or any other law? *f) Umewahi kubagua yeyote kwa misingi yoyote mbali na vile ilivyoelezwa katika Katiba au sheria yoyote nyingine?*		✓
g) Have you ever falsified official or personal records? *g) Je, umewahi kudanganya katika rekodi rasmi au za kibinafsi?*		✓
h) Have you ever been debarred or removed from the Register of Members of your professional organization? *h) Umewahi kupigwa teke au kuondolewa kutoka kwenye Rejista ya Wanachama wa shirika lako la kitaalamu?*		✓
i) Have you ever had any occupational or vocational license revoked and/or otherwise subjected to any other disciplinary action for cause in Kenya or any other country *i)Umewahi kujipata katika hali ya leseni yako ya kikazi au ya kiufundi kutupiliwa mbali na/au vinginevyo kuchukuliwa hatua nyingine ya kinidhamu katika nchi ya Kenya au nchi yoyote nyingine*		✓
j) Have you ever dismissed from employment on account of lack of integrity? *j) Umewahi kufutwa kazi katika ajira kutokana na ukosefu wa uadilifu?*		✓
k) If you have been a public officer, have you ever failed to declare your Income, Assets and Liabilities as required under the Public Officer Ethics Act, 2003? *k) Kama umewahi kuwa ofisa wa umma, umewahi kushindwa kutangaza Mapato yako, Mali na Gharama kama unavyohitajika katika Kifungu cha sheria cha Maadili ya Ofisa wa Umma, 2003?*		✓
l) Have you ever been the subject of disciplinary or criminal proceedings for breach of the Public Officer Ethics Act, 2003 or a Code prescribed thereunder? *l) Umewahi kuwa mada katika taratibu za kinidhamu au kihalifu kwa kuvunja kifungu cha sheria cha Maadili ya Ofisa wa Umma 2003, au Msimbo ulioainishwa hapo chini?*		✓
m) Have you ever been convicted of any offence and sentenced to serve imprisonment for a period of at least six months? *m) Umewahi kushtakiwa kwa kosa lolote na kuhukumiwa kifungo gerezani kwa kipindi kipatacho miezi sita?*		✓
n) Have you ever had an application for a Certificate of Clearance or a Certificate of Good Conduct or for a visa or other document authorizing work in a public office denied and/or rejected for cause in Kenya or any other country?		✓

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~~n) Umewahi kutuma ombi la Cheti cha kuondolewa Hatia au Cheti cha~~ *Kinidhamu au cha visa au nyaraka nyingine zinazoidhinisha kazi katika ofisi ya umma na hivyo basi wewe kunyimwa na/ au kukataliwa kwa sababu yoyote nchini Kenya au nchi yoyote nyingine?*		

10. EMPLOYMENT INFORMATION / *TAARIFA YA KUAJIRIWA*

NAME OF EMPLOYER *JINA LA MWAJIRI*	POSITION/RANK *CHEO/WADHIFA*	DATE OF FIRST APPOINTMENT *TAREHE YA KUAJIRIWA KWA KWANZA*	DATE OF PRESENT APPOINTMENT *TAREHE YA KUAJIRIWA KWA SASA*
THE SENATE, KERICHO COUNTY	SENATOR	MARCH 2013	
THE GOVERNMENT OF KENYA	ASSISTANT MINISTER FOR ENERGY	2008	
THE NATIONAL ASSEMBLY	M.P BELGUT CONSTITUENCY	2002 – 2012	
TELKOM KENYA LTD	MANAGER ANTI FRAUD SECTION	1996 – 2002	
TELKOM KENYA LTD	SYSTEM ANALYST	1993 – 1995	
WORKSTATION *KITUO CHA KAZI*	**NATURE OF EMPLOYMENT** (Constitutional/Elective/Permanent/Contractual/Other) ***AINA YA KUAJIRIWA*** *(Kikatiba/Kuteuliwa/Kudumu/Kikandarasi/Nyingine)*		

OATH AND AFFIRMATION / *KIAPO NA UTHIBITISHWAJI*

I solemnly swear (or affirm) and certify, under penalty of false declaration under the Oaths and Statutory Declarations Act (Cap 15 of the Laws of Kenya), that all the foregoing statements in this declaration are true and correct to the best of my knowledge.

Ninaapa ya kwamba (ninathibitisha) na kuidhinisha, katika adhabu ya kujitangaza kwa uongo chini ya kifungu cha sheria cha Viapo na Kujitangaza Kisheria(Ibara 15 ya Sheria za Kenya), kwamba kauli zote zilizotajwa katika kujitangaza huku ni za kweli na sahihi kwa kadri ninavyojua.

Dated at / *Mnamo tarehe* ....7TH....., this / *kwenye*.....DECEMBER.....

day of / *siku hii ya* .....2015.....

SIGNATURE OF DECLARANT: .....
SAINI YA ANAYEJITANGAZA:

SWORN/DECLARED BEFORE ME / *ALIYELISHWA KIAPO/TANGAZWA MBELE YANGU*

This / *Mnamo* .....7TH..... day of / *siku hii ya* .....December....., 20 15.....,

at / *katika mahali hapa*.....NAIROBI.....

COMMISSIONER FOR OATH/MAGISTRATE
KAMISHNA WA KIAPO/ HAKIMU

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07 2015
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United States International University-Africa

The Trustees of the University, upon recommendation of the University Faculty and by virtue of the Authority in them vested, have conferred on

Charles Cheruiyot Keter

who has satisfactorily pursued the studies and passed the examinations required therefor, the degree of

Global Executive Master of Business Administration

with all the rights, privileges and honors thereunto appertaining

Given at Nairobi, Kenya
this eleventh day of December, two thousand and fifteen.

Freda A. Brown
Vice Chancellor

Chancellor and Chair, Board of Trustees

"On the Frontline in Quality Assessment"

KNEC is ISO 9001:2008 Certified

All official correspondence should be addressed to:
The Council Secretary/Chief Executive

OUR REF: KNEC/GEN/ARCH/ST/KACE/15/012/001/051 11th December, 2015

The Chairman
Parliamentary Vetting Committee
NAIROBI

STATEMENT OF EXAMINATIONS RESULTS
CONFIDENTIAL

The following are particulars of ***Keter Charles Cheruiyot*** who sat for **KACE 1988** at Kericho High School.

Index No.	-	52004509
Name:	-	Keter Charles Cheruiyot
Centre:	-	Kericho High School.
KACE	-	1988

SUBJECT NAME	**GRADE**	
GENERAL PAPER	**4**	**SUBSIDIARY**
MATHEMATICS (ALT S)	**B**	**PRINCIPAL**
CHEMISTRY	**E**	**PRINCIPAL**
BIOLOGY	**7**	**SUBSIDIARY**

2 SUBSIDIARIES
2 PRINCIPALS

SUBJECTS NAMED: 4 **RESULT: 5 (FIVE)** **PASS**

FRANCES KWEDHO
FOR: COUNCIL SECRETARY/CHIEF EXECUTIVE OFFICER

NB: This Statement of examination results should strictly not be given or copied to the candidate. The statement is issued without alteration, erasure or tear. The Kenya National Examinations Council is not responsible for the identity of the candidate.

HUMAN·RESOURCE·DEVELOPMENT

Crown Agents

INTERNATIONAL·TRAINING·CENTRE

This is to certify that

C C KETER

has successfully completed a course of training in Great Britain

3 - 28 April 1995

in

CURTAILING ECONOMIC CRIME

The course involved the study of the following topics:

* **Destabilisation of Economies**
* **International Cooperation**
* **Internal Audit**
* **Money Laundering**
* **Fraud in State Owned Enterprises**
* **Computerised Approach to Investigation**
* **Skills training in:**
  - **Intelligence gathering**
  - **Investigative Interviewing**
  - **Surveillance Techniques**
* **Controlling Fraud**
* **Contracts and Purchasing Fraud**
* **Corruption Prevention**
* **Seizure of Assets**
* **Management of Major Enquiries**
* **Prosecutorial Considerations**
* **Action Plan**

Visits to: **Post Office Investigation Department, Croydon**
National Criminal Intelligence Service, London

K. G. White, M.A., F.R.S.A.

Director of Professional Services

KENYA REVENUE AUTHORITY

Tax Compliance Certificate

For General Tax Questions
Contact KRA Call Centre
Tel: +254 (020) 4999 999
Cell: +254(0711)099 999
Email: callcentre@kra.go.ke

www.kra.go.ke

Taxpayer PIN : A002217375W

Name and Address :

Charles Cheruiyot Keter
KILELESHWA, NAIROBI CITY (WEST), Starehe District,
PO Box:51439,
Postal Code:00200

Certificate Date: 04/12/2015

Certificate Number:

KRAWON2894212015

This is to confirm that Charles Cheruiyot Keter, Personal Identification Number A002217375W has filed relevant tax returns and paid taxes due as provided by Law.

This Certificate will be valid for twelve (12) months up to 03/12/2016.

Caveat: This certificate is issued on the basis of information available with the authority as at the certificate date mentioned above. The Authority reserves the right to withdraw the certificate if new evidence materially alters the tax compliance status of the recipient.

Disclaimer : This certificate is system Generated and therefore does not require signature.You may confirm validity of this certificate on the iTax Portal by using the TCC Checker.

No. 0088437

HIGHER EDUCATION LOANS BOARD

FINANCING HIGHER EDUCATION

Certificate of Clearance

STUDENTS' LOANS

This is to confirm that KETER CHARLES CHERUIYOT

ID No. 10012180 Registration No. E37/1072/89

attended KENYATTA UNIVERSITY

has fully repaid his/her UNDERGRADUATE Principal Loan and interest thereon.

Signature CEO & BOARD SECRETARY Date 04 Dec 2015

Signature HEAD OF OPERATIONS Date 04 Dec 2015

C. 24A

Nº 491785

NATIONAL POLICE SERVICE

DIRECTORATE OF CRIMINAL INVESTIGATIONS

DIRECORATE OF CRIMINAL INVESTIGATIONS
P. O. Box 30036–00100 GPO
NAIROBI, KENYA

Ref. No. 223073 /2015 Date 07/12/2015

POLICE CLEARANCE CERTIFICATE

I hereby certify that the fingerprints recorded from .....

CHARLES CHERUIYOT KETER

.....

holder of ID/Passport No. 10012180 ..... *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).....

RESULTS OF TRIAL ..... NIL .....

DATE .....

This Certificate has been issued without any alteration or erasure.

(J.M.Magambo)

.....

For: Director of Criminal Investigations

(P.T.O.)

GPK (SF) 7515—125m—5/2013

4 D 1164

ATTACHED IN CRIMINAL INDEX

KENYA POLICE

CRIMINAL RECORDS OFFICE C.G. MAIN HEADQUARTERS

FULL NAME CHARLES CHERUIYOT

ALIAS

IDENTITY CARD NO. 10012180

CHARGE REGISTER NO.

CLASS 07 ARIS

DATE

DOCKET NO.

RIGHT HAND

THUMB	FOREFINGER	MIDDLE FINGER	RING FINGER	LITTLE FINGER

Fold

LEFT HAND

THUMB	FOREFINGER	MIDDLE FINGER	RING FINGER	LITTLE FINGER

Fold

LEFT HAND
Plain impressions of the Four Fingers
taken simultaneously

RIGHT HAND
Plain impressions of the Four Fingers
taken simultaneously

CRIMINAL INVESTIGATION DEPARTMENT
CID HEADQUARTERS

Fold

Plain Impress Left Thumb

Plain Impress Right Thumb

FINGERPRINTS TAKEN BY

RANK

DATE

POLICE STATION

FINGERPRINTS CLASSIFIED BY DATE

TESTED BY DATE

SEARCHED BY DATE 22/2/23

SEARCHED IN S. OF C. BY DATE

To verify this certificate visit:www.metropol.co.ke/verification

Serial No.MCRB/C27944

METROPOL
reach new heights

Metropol Credit Reference Bureau Limited

Certificate of Clearance

CHARLES CHERUIYOT KETER

National ID Number: 10012180

This is to certify that the above named person has No negative listing as at the date below.

Managing Director's Signature

04/12/2015

Date

M-26

Curriculum Vitae

Personal Information

Name	CHARLES C. KETER
Date of Birth	22nd Nov 1969
Gender	Male
Marital Status	Married
Contact Address	P.O BOX 51439-00200
Cell Phone	NAIROBI +254722530555
Email	ccketer@yahoo.com
Nationality	Kenyan
Languages spoken	English, Kiswahili, Kipsigis

Skills and proficiencies

- Excellent writing, communication and negotiation skills
- Excellent computer proficiency.
- Good editing, reporting and presentation skills
- High knowledge in corporate governance.
- Self driven and can work effectively with a team.
- Posses' high integrity and Ethical behavior.
- Building and maintaining good business relations.
- Good planning, organizational and complaints handling skills
- Ability to capitalize on opportunities.

Educational Background

2014 to 2015 : United States International University Africa (USIU – A)
Course: Global Executive MBA.
Case Study : ***The Challenges in Tapping Geothermal Energy in Kenya***

1995 to 1996 : Crown Agents, United Kingdom
Course: Curtailing Economic Fraud

1989 to 1992 : Kenyatta University
Course: Bachelor of Science Ed. (Double Maths)
Second Class honors – Upper division

1987 - 1988: Kericho High School
Examination: Kenya Advanced Certificate of Education (**KACE**)

1983 - 1986: Litein High School
Examination: Kenya Certificate Education (**KCE**)

Work Experience

The Senate – 2013 to date
Position: **The Senate Deputy Majority Leader and Kericho County Senator**

Committees:

- Roads and Transportation Committee.
- Energy Committee

The Government of Kenya – 2008 to 2010
Position: **Assistant Minister for Energy**

The National Assembly – 2002 to 2007
Position: **Member of Parliament for Belgut Constituency**

Committees

- Social and Welfare Committee
- Public Accounts Committee

Telkom Kenya Ltd – 1996 to 2002
Position: **Manager Anti-fraud Section**

Responsibilities:

- Monitoring of Telecommunication network.
- System Analysis of call data usage.
- Providing periodical reports to various departments.
- Preparation of Management Reports to be used by the Management.
- Providing the Managing Director with confidential reports regarding the organization's network.
- Liaising with Government Law enforcement agents in carrying out investigations.

Telkom Kenya Ltd – 1993 to 1995
Position: **System Analyst**

Responsibilities:

- Drafts out the requirements of the system clearly as per the Client's needs.
- Apart from the client interactions, translate the practical needs of client into a more technical requirement.
- Provides the right translation of customer's terms into a programmer's idea.
- Prepares the technical documents of the System from the "Use cases" derived from the customer interactions or marketing documents and take in all considerations of technical feasibility and programming aspects/technologies.
- With interactions with the programmers, ensures the feasibility of solution.
- Cooperates with the development team right through the development phase and makes periodic validation/verification possible.
- Checking for conformance to use case requirements, standards of development and guiding the entire team together forward towards the goal.

- Acts as the Information access point for the client and the marketers. From the design of the system to deployment, keeps track of all the information in perspective of both the customer and the programming team.
- Drafts out the user manuals and other data sheets for the clients.

Bills Sponsored

- Sponsored the Constitution of Kenya Amendment bill popularly known as ***'Keter bill'***. This was aimed at making Kenya's Parliament autonomous

Awards/Prizes/Achievements

- Awarded Moran of the order of the Golden Heart of Kenya (M.G.H) by His Excellency The President Mwai Kibaki, EGH, M.P in 2009
- Belgut Constituency rated the best in CDF Management by National Taxpayers Association (NTA) in a sample of Twenty Eight (28) Constituencies. The Survey was carried out in the year 2012.

Seminars/ Workshops Attended

- Internet intrusion in South Korea
- World Parliament e - conference in South Korea

Interests

- Participate in community development projects
- Helping the needy in the society
- Football
- Gymnasium
- Athletics

Referees

- Prof. Munyoki,
  Kenyatta University,
  P.o.Box 43844 - 00100,
  Nairobi.
- Bernard K. Sang,
  Ujenzi Consultants,
  NHIF Car Park, 5th Floor, Ragati Road
  Nairobi.
  Tel. 0722782395
- Sen. Ekwee Ethuro,
  Speaker of The Senate,
  P.o.Box 41842 - 00100
  Nairobi.
  Tel. +254 (20) 2221291

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): **.....Dr. Cleopa Kilonzo Mailu.....**

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

   .....Cabinet Secretary, Ministry of Health.....

3. **Sex: .....Male.....**

4. **Date of Birth:** (State year and place of birth):**.....29th April 1956.....**

5. **Marital Status: .....Married.....**

6. **Daytime phone number: .....+254 724 582 822.....**

7. **Mobile phone number: .....+254 724 582 822.....**

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

9. **ID Number: .....4829569.....**

10. **PIN Number: .....A000114568K.....**

11. **Nationality: .....Kenyan.....**

12. **Postal Address: .....P.O. Box 1210-00621 .....**

13. **Town/City: .....Nairobi.....**

14. **Knowledge of Languages:** (Specify Languages...**Kiswahili,Kikamba, English**

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).

i. **Strathmore Business School/ - 2007 - Dip Advanced Management Programme (Amp).**
ii. **IESE University of Navara/ Barcelona Spain - 1989 - University Of Glasgow, UK MSC Medical Services (Genetics).**
iii. **University Of Nairobi, Kenya - 1984 - MB,ChB.**

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:

i. **The Nairobi Hospital, Nairobi Kenya - 2003-Present - Chief Executive Officer.**
ii. **Unicef, India Country Office, Delhi, India - Feb 2003 - Nov 2003 - Projects Officer**
iii. **Unicef/NY-Hq and Who/Geneva - Mar 2001-Jan 2003 - Consultant.**
iv. **International Charity Ngo-Nairobi - Jan 2000 - Feb 2003 - Reproductive Health Advisor.**
v. **Ministry Of Health, Kenya - Feb 1997- April 1999 - Director, Health Sector Reform Programme.**
vi. **Ministry Of Health, Kenya - Jan 1995 - 1997 - Director/National Epi Manager**
vii. **Kenyatta National Hospital, Nairobi - June 1985 - 1992 - Casualty Manager/ Consultant Clinical Geneticist.**

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).

i.	1988 – 1989	-	**British Council Through Directorate of Personnel Management Office of President.**
		-	**Scholarship For Masters Degree In Genetics**
ii.	1991	-	**UNESCO Fellowship Scholarship -In Situ Ahybridization, Glasgow, UK.**
iii.	2004	-	**Moran of Order of the Burning Spear (MBS).**
iv.	2006	-	**Elder of the Order of the Burning Spear (EBS).**
v.	2008	-	**Distinguished Service Award - Kenya Medical Association.**
vi.	2009	-	**International Who Is Who of Professionals.**

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).

i.	**Kenya Medical Association**	-	**Member.**
ii.	**University of Nairobi Alumni Association**	-	**Gold Member.**
iii.	**University of Nairobi Alumni Association**	-	**Chairman, Medicine Chapter.**
iv.	**British Society, Human Genetics**	-	**Member.**

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).

i.	**2011-2013**	-	**Director/Governing Council Member, Kenya Private Sector Alliance (KEPSA).**
ii.	**2010- To Date**		**Kenya Red Cross Society, Life Member.**
iii.	**2009-2012**	-	**Council Member, Inoorero University, Nairobi.**
iv.	**2006-2007**	-	**Founding Chairman, Kenya Healthcare Federation Board (An Affiliate Member of the Kenya Private Sector Alliance).**

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.

i.	**2008**	-	**Cost Attainment: The Key to Running Public Hospitals.**
ii.	**2005**	-	**Skills Drain: Applying Sound Employment Imperatives to Retain Nurses and Doctors Hospitals.**
iii.	**1997**	-	**Lessons of the Bamako Initiative in Kenya.**
iv.	**1989**	-	**Female Surgical Contraception in Kenya - The Kenyatta National Hospital Experience.**

(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.

i.	**2013 - 2014**	**- Ag-Chairman, Global Fund, Kenya**
ii.	**2004 - 2014**	**- Director, Federation Of Kenya Employers**
iii.	**2010 - 2013**	**- Trustee, National Social Security Fund (NSSF).**
iv.	**2012 - 2013**	**- Council Chairman - Machakos University College.**
v.	**2012 - 2013**	**- National Chairman, Federation of Kenya Employers (FKE).**
vi.	**2010 - 2012**	**- Director, National Aids Control Council.**
vii.	**2010 - 2012**	**- Director, National Labour Board.**
viii.	**2007 - 2012**	**- Director, Consolidated Bank of Kenya.**

(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.

.....Not Applicable.....

.....

.....

(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).

.....Not Applicable.....

.....

.....

0

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).

.....NO.....

.....

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).

.....Salary From The Nairobi Hospital Employment .....

.....Kes.67,000,000/=.....

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).

.....Fully compliant.....

.....

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

.....Land and Buildings Kshs. 615,000,000 (as of December 2015).....
.....Shares 13 in number (as of December 2015).....

25. **Potential Conflict of Interest:**
(a) Identity the family members or other persons, parties, categories of litigation 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.

----------**Not Applicable**----------

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

----------**Not Applicable**----------

---

26. **Pro-Bono/Charity Work/donation 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).

i.	**2012-2013**	**- Member Board Of Governors – Friends School Kamusinga.**
ii.	**2005-2007**	**- Chairman Board Of Governors – Moi Girls Secondary School, Kibwezi.**
iii.	**2002-2004**	**- Member Of Board Of Governors – Moi Girls Secondary School, Kibwezi.**
iv.	**2001-2003**	**- Chairman And Member Of Board Of Governors, St. Mary's Girls High School, Kinyambu, Makueni.**

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.

----------**NO**----------

---

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

----------**NO**----------

---

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

----------**NO**----------

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

i. **Mr. Isaac Odundo Awuondo**
Group Managing Director
Commercial Bank of Africa
Upper Hill, Mara Road
Tel. 020-2884367
Email: Isaac.Awuondo@Cbagroup.Com

Ii. **Dr. Chris Obura**
Former Chairman
Kenya Hospital Association
Tel:02-6530952

Iii **Dr. (Mrs.). Eunice Muringo Kiereini, MBS**
Chairman
Flying Doctors Society of Africa
P. O. Box 27686 - 00506
Nairobi, Kenya Tel: (254 20) 602495/6994409

~~**FIRST SCHEDULE (S.13) / *TARATIBU YA KWANZA (S.13)***~~

SELF-DECLARATION FORM / FOMU YA KUJITANGAZA

1. GENERAL INFORMATION / *TAARIFA YA JUMLA*

Title / *Cheo*	Surname / *Jina la ukoo*	First Name / *Jina la Kwanza*	Middle Name / *Jina la Katikati*	Other Names / *Majina Mengine*
Mr/Mrs/Prof/ Miss/Ms/Dr *Bw/Bi/Prof/ Binti/Bibi/Dkt*	MAILU	CLEOPA	KILONZO	-

ID CARD No. **482956** *Na. ya Kitambulisho* **4829569**	PASSPORT NO. *NA. ya PASIPOTI* ***A1796029***	EXPIRY DATE OF PASSPORT *TAREHE YA MUDA WA PASIPOTI KUISHA:* ***17 JAN 2022***	PIN NO. *NA. ya PIN* ***A000114568K***

SEX (Tick) *JINSIA (Weka Alama)*	Occupation: MEDICAL PRACTITIONER *Kazi:*
Male *Kiume* [√]	E-Mail Address: drcmailu@gmail.com *Anwani ya Baruapepe:*
Female *Kike* [ ]	Postal Address: **PO Box 1210** Code: **00621 NAIROBI KENYA** *Anwani ya Posta: SL Posta:*
	Other Addresses: *Anwani Nyingine:*

Telephone No. - *Na. ya Simu*	Mobile No. **+254 724 582 822**	Other Numbers - *Nambari Nyingine*

RESIDENCE		
	ESTATE/TOWN/LOCATION	***RUNDA***
	MTAA/MJI/LOKESHENI DISTRICT	**WESTLANDS**
	WILAYA COUNTY	**NAIROBI**
	KAUNTI TOWN/CITY	**NAIROBI**
	MJI/JIJI COUNTRY	**KENYA**

2. BIRTH INFORMATION / *TAARIFA YA KUZALIWA*

DATE OF BIRTH /*TAREHE YA KUZALIWA*	***29 APRIL 1956***

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BIRTH CERTIFICATE NO. / *NA. YA CHETI CHA KUZALIWA*	***725109***
PLACE OF BIRTH / *MAHALI PA KUZALIWA*	***MUKAA***
DISTRICT OF BIRTH / *WILAYA YA KUZALIWA*	***MAKUENI***
COUNTY OF BIRTH / *KAUNTI YA KUZALIWA*	***MAKUENI***
COUNTRY OF BIRTH / *NCHI YA KUZALIWA*	***KENYA***

3. NATIONALITY /*UTAIFA*

Kenyan [√] *Mkenya*	Dual [ ] *Kotekote* (Provide details_____) *(Toa maelezo_____)*

4. MARITAL STATUS / *HALI YA NDOA*

SINGLE [ ] *NINGALI SIJAOA/ SIJAOLEWA*

MARRIED [√] *NIMEOA/NIMEOLEWA*

SEPARATED [ ] *NIMETENGANA*

DIVORCED [ ] *NIMETALAKIANA*

WIDOWED [ ] *NIMEFIWA*

IF MARRIED GIVE NAMES OF THE SPOUSE(S) (Surname, First NVame, middle name, others)
KAMA UMEOA TOA MAJINA YA MUME/MKE(Wa) WAKO (Jina la ukoo, Jina la Kwanza, jina la kati, mengine) ***THERESA WAMBUI MAILU***

NATIONALITY OF SPOUSE *UTAIFA WA MKE/MUME*	**KENYAN**

NAME OF CHILDREN UNDER THE AGE OF 18 YEARS
JINA LA WATOTO WALIO CHINI YA UMRI WA MIAKA 18 ***NONE***

5. EDUCATIONAL QUALIFICATIONS / *KUFUZU KWA KIELIMU*

PRIMARY CERTIFICATE [√] *CHETI CHA MSINGI*

SECONDARY [√] *SHULE YA UPILI*

'A' LEVEL [√] *KIWANGO CHA 'A'*

DIPLOMA [√] *STASHAHADA*

DEGREE [√] *SHAHADA*

MASTERS [√] *UZAMILI*

PHD [√] *UZAMIFU*

OTHERS
VINGINE

HIGHEST ACADEMIC QUALIFICATION OBTAINED

KUFUZU KWA JUU ZAIDI KWA KIAKADEMIA ULIKOPATA

Qualification / *Kufuzu*	Institution / *Taasisi*	Year /*Mwaka*
MSc. Med Sci	***GLASGOW UNIVERSITY***	***1989***

6. LANGUAGE SPOKEN / *LUGHA UNAZOZUNGUMZA*

First Language	Second Language	Others
Lugha ya Kwanza: ***LUKAMBA***	*Lugha ya Pili:* ***ENGLISH***	*Nyingine* ***KISWAHILI***

7. MEMBERSHIP OF PROFESSIONAL ORGANISATION(s) (If any)

UANACHAMA WA SHIRIKA(MA) YA KITAALAMU (Kama yapo)

Name of Organization *Jina la Shirika*	Date of Admission *Tarehe ya Kuandikishwa*	Membership No. *Na. ya Uanachama*
KENYA MEDICAL ASSOCIATION		

8. REASON(S) FOR DECLARATION / *SABABU ZA KUJITANGAZA*

Purpose for which declaration is required / *Kusudio la kuhitajika kwa kujitangaza huku*

Election — *Upigaji kura*

Employment: √ — *Kuajiriwa*

Others (Specify) — *Nyingine (Bainisha)*

State office for which the declaration is being submitted — **CABINET SECRETARY**

Ofisi ya serikali ambayo kujitangaza huku kunawasilishwa

9. MORAL AND ETHICAL QUESTIONS / *MASWALI YA NIDHAMU NA KIMAADILI*

Answers to the following questions are mandatory. If YES to any question you must provide additional information on a supplementary sheet.

Majibu kwa maswali yafuatayo ni lazima. Kama NDIYO katika swali lolote lazima utoe taarifa ya ziada kwenye karatasi nyingine.

	YES	NO
a) Have you ever engaged in any form of dishonesty in the conduct of public affairs *a) Umewahi kujihusisha na hali yoyote ya kutokuwa mwaminifu katika kazi zako na shughuli za umma*		√
b) Have you ever abused a public office? *b) Umewahi kutumia vibaya ofisi ya umma?*		√
c) Have you ever misrepresented information to the public? *c) Umewahi kuwakilisha kwa njia isiyofaataarifa kwa umma?*		√
d) Have you ever engaged in wrongful conduct whilst in the furtherance of personal benefit?		√

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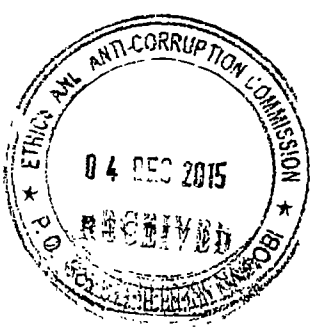
d) Umewahi kujihusisha katika tabia mbaya huku ukitaka kujinufaisha kibinafsi?		√
e) Have you ever misused public resources? *e) Umewahi kutumia vibaya rasilimali za umma?*		√
f) Have you ever discriminated against anyone of any grounds other than as provided for under the Constitution or any other law? *f) Umewahi kubagua yeyote kwa misingi yoyote mbali na vile ilivyoelezwa katika Katiba au sheria yoyote nyingine?*		√
g) Have you ever falsified official or personal records? *g) Je, umewahi kudanganya katika rekodi rasmi au za kibinafsi?*		√
h) Have you ever been debarred or removed from the Register of Members of your professional organization? *h) Umewahi kupigwa teke au kuondolewa kutoka kwenye Rejista ya Wanachama wa shirika lako la kitaalamu?*		√
i) Have you ever had any occupational or vocational license revoked and/or otherwise subjected to any other disciplinary action for cause in Kenya or any other country *i)Umewahi kujipata katika hali ya leseni yako ya kikazi au ya kiufundi kutupiliwa mbali na/au vinginevyo kuchukuliwa hatua nyingine ya kinidhamu katika nchi ya Kenya au nchi yoyote nyingine*		√
j) Have you ever dismissed from employment on account of lack of integrity? *j) Umewahi kufutwa kazi katika ajira kutokana na ukosefu wa uadilifu?*		√
k) If you have been a public officer, have you ever failed to declare your Income, Assets and Liabilities as required under the Public Officer Ethics Act, 2003? *k) Kama umewahi kuwa ofisa wa umma, umewahi kushindwa kutangaza Mapato yako, Mali na Gharama kama unavyohitajika katika Kifungu cha sheria cha Maadili ya Ofisa wa Umma, 2003?*		√
l) Have you ever been the subject of disciplinary or criminal proceedings for breach of the Public Officer Ethics Act, 2003 or a Code prescribed thereunder? *l) Umewahi kuwa mada katika taratibu za kinidhamu au kihalifu kwa kuvunja kifungu cha sheria cha Maadili ya Ofisa wa Umma 2003, au Msimbo ulioainishwa hapo chini?*		√
m) Have you ever been convicted of any offence and sentenced to serve imprisonment for a period of at least six months? *m) Umewahi kushtakiwa kwa kosa lolote na kuhukumiwa kifungo gerezani kwa kipindi kipatacho miezi sita?*		√
n) Have you ever had an application for a Certificate of Clearance or a Certificate of Good Conduct or for a visa or other document authorizing work in a public office denied and/or rejected for cause in Kenya or any other country?		√

n) Umewahi kutuma ombi la Cheti cha kuondolewa Hatia au Cheti cha Kinidhamu au cha visa au nyaraka nyingine zinazoidhinisha kazi katika ofisi ya umma na hivyo basi wewe kunyimwa na/ au kukataliwa kwa sababu yoyote nchini Kenya au nchi yoyote nyingine?			*V*

10. EMPLOYMENT INFORMATION / *TAARIFA YA KUAJIRIWA*

NAME OF EMPLOYER *JINA LA MWAJIRI*	POSITION/RANK *CHEO/WADHIFA*	DATE OF FIRST APPOINTMENT *TAREHE YA KUAJIRIWA KWA KWANZA*	DATE OF PRESENT APPOINTMENT *TAREHE YA KUAJIRIWA KWA SASA*
The Nairobi Hospital	**Chief Executive Officer**		**24 November 2003**
UNICEF, India Country Office	**Project Officer**		**February 2003**
Ministry of Health, Kenya	**Director**		**February 1997**
WORKSTATION *KITUO CHA **KAZI** **NAIROBI***	**NATURE OF EMPLOYMENT: CONSTITUTIONAL** (Constitutional/Elective/Permanent/Contractual/Other) ***AINA YA KUAJIRIWA*** *(Kikatiba/Kuteuliwa/Kudumu/Kikandarasi/Nyingine)*		



OATH AND AFFIRMATION / *KIAPO NA UTHIBITISHWAJI*

I solemnly swear (or affirm) and certify, under penalty of false declaration under the Oaths and Statutory Declarations Act (Cap 15 of the Laws of Kenya), that all the foregoing statements in this declaration are true and correct to the best of my knowledge.

Ninaapa ya kwamba (ninathibitisha) na kuidhinisha, katika adhabu ya kujitangaza kwa uongo chini ya kifungu cha sheria cha Viapo na Kujitangaza Kisheria(Ibara 15 ya Sheria za Kenya), kwamba kauli zote zilizotajwa katika kujitangaza huku ni za kweli na sahihi kwa kadri ninavyojua.

Dated at / *Mnamo tarehe* ..... 2nd ....., this / *kwenye*..... December .....

day of / *siku hii ya* ...2015.....

SIGNATURE OF DECLARANT: .....
SAINI YA ANAYEJITANGAZA:

SWORN/DECLARED BEFORE ME / *ALIYELISHWA KIAPO/TANGAZWA MBELE YANGU*

This / *Mnamo* ..... 4th ..... day of / *siku hii ya* ..... December ....., 2015.....,

at / *katika mahali hapa*..... Nairobi .....

COMMISSIONER FOR OATH/MAGISTRATE
KAMISHNA WA KIAPO/HAKIMU

ETHICS & ANTI-CORRUPTION COMMISSION
04 DEC 2015
RECEIVED
P.O. Box 61130-00200 NAIROBI

UNIVERSITY OF NAIROBI

This is to certify that

Cleopa Kisonzo Mailu

having satisfied the requirements
for the award of the degree of the

BACHELOR OF MEDICINE
AND
BACHELOR OF SURGERY

was admitted to the degree
at a Congregation held at
this University on the

SEVENTEENTH DAY OF DECEMBER
1984

VICE - CHANCELLOR

DEPUTY VICE - CHANCELLOR (ACADEMIC AFFAIRS)

IESE

UNIVERSITY OF NAVARRA

Strathmore Business School
Strathmore University

This is to certify that

Cleopa Mailu

has successfully completed the

AMP
Advanced Management Program

March - November 2007

Dean IESE
Jordi Canals

Dean SBS
George Njenga

OMNIBVS HAS LITTERAS VISVRIS

VNIVERSITATIS GLASGVENSIS SENATVS

SALVTEM

Noueritis omnes Almam Vniuersitatem Glasguensem alumnum suum

Cleopa Kilonzo Mailu

Scientiae Magistrum

ita creasse ut omnibus priuilegiis quae ad hunc gradum pertinent iure uteretur. In quorum fidem his litteris commune Vniuersitatis sigillum apponendum curabamus. Dabamus Glasguae in aedibus academicis anno salutis mcmlxxxix die ii mensis decembris.

This document attests that the person named hereon has satisfied the requirements of the Senate of the University of Glasgow for the award on 2nd December, 1989 of the degree of Master of Science (M.Sc.) (Medical Science).

Ld. Ker Fraser.

Principalis

Andreas S. Steinn

Senatus Academici Scriba

MEDICAL PRACTITIONERS AND DENTISTS BOARD

(The Medical Practitioners and Dentists Act, Cap. 253)

CERTIFICATE OF CURRENT PROFESSIONAL STATUS (GOOD STANDING)

I hereby certify that **Dr. CLEOPA KILONZO MAILU** is registered with The Medical Practitioners and Dentists Board of Kenya and that the following is a true extract from the register relating to him:

Name : **Dr. CLEOPA KILONZO MAILU**

Address : **P.O.Box 1210-00621 NAIROBI** Licence No : **25860**

RegNo : **A2431** Reg Date : **10-Jan-1986**

Qualifications : **MBChB(Nairobi) 1984, MSc(Glasgow) 1989**

Specialties : **CLINICAL MEDICAL GENETICS**

Sub-specialties : **NONE**

I further certify that no disciplinary proceeding under the Medical Practitioners and Dentists Board Act (Cap. 253) are in progress against the practitioner named above and that he is not subject of an inquiry by the Medical Practitioners and Dentists Board of Kenya.

Dated at Nairobi this 1st day of December 2015.

Note:This certificate is valid for six (6) months from the date hereof. Therefore it is valid until the **1st day of June 2016**.

KENYA MEDICAL PRACTITIONERS AND DENTISTS BOARD

Dr. Nicholas M. Muraguri ,OGW,MBChB,MPH,MBA
Registrar
Medical Practitioners and Dentists Board

This is to certify that the candidate named below sat for the Examination for the East African Advanced Certificate of Education and qualified for the award of an

EAST AFRICAN

ADVANCED CERTIFICATE OF EDUCATION

The candidate passed at the level shown (Principal or Subsidiary) in the subject(s) named and attained the Grade(s) as indicated.

MAILU CLEOPA K6202 54

FRIENDS' SCHOOL, KAMUSINGA

	E.A.A.C.E. STANDARD	GRADE
GENERAL PAPER	SUBSIDIARY	
MATHEMATICS	SUBSIDIARY	
PHYSICS	PRINCIPAL	D
CHEMISTRY	PRINCIPAL	E
BIOLOGY	PRINCIPAL	B

SUBJECTS RECORDED FIVE

EXAMINATION OF NOVEMBER/DECEMBER 1976

B P Kiwanuka

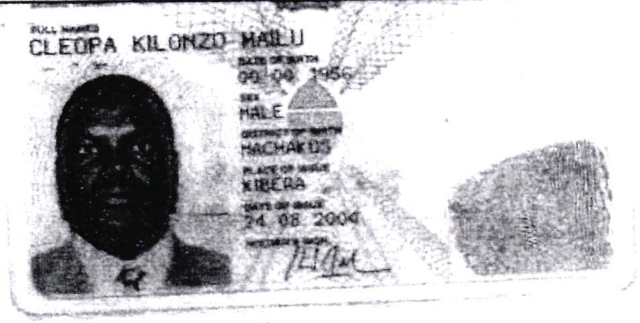
Secretary
East African Examinations Council

J. N. Karanja

Chairman
East African Examinations Council

JAMHURI YA KENYA REPUBLIC OF KENYA

216590485 4829569



I Certify this to be a true Copy of the Original

KAMAU MAINA ADVOCATE

DISTRICT
MAKUENI
DIVISION
MAKINDU
LOCATION
MAKINDU
SUB-LOCATION
MANYATTA

N. B0048295692

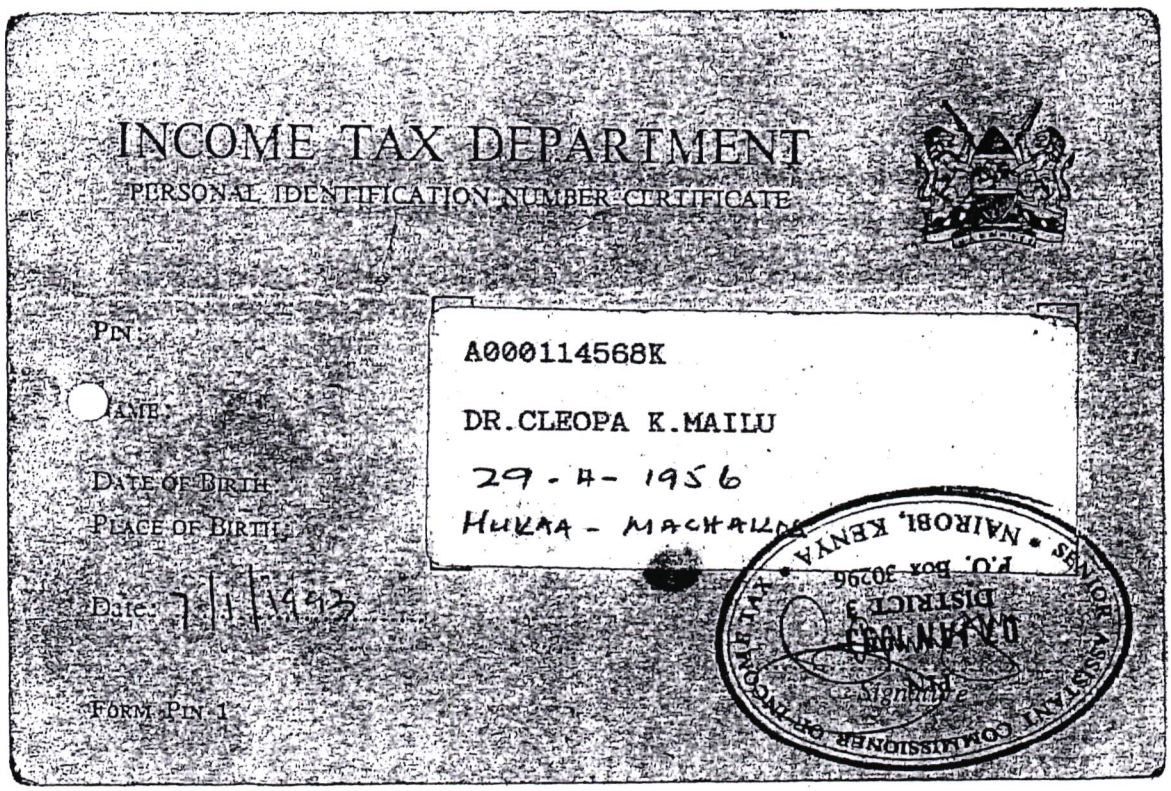
PRINCIPAL REGISTRAR'S SIGN.

0015049955

I certify that this is a true
Copy of the Original

KAMAU MINIRE ADVOCATE

IDKYA216590485 2<<3A9<<<<<<<431
56<<<<3M0408248<B004829569Z<<3
CLEOPA<KILONZO<MAILU<<<<<<<<<<



INCOME TAX DEPARTMENT

PERSONAL IDENTIFICATION NUMBER CERTIFICATE

PIN:

A000114568K

NAME:

DR.CLEOPA K.MAILU

DATE OF BIRTH:

29-4-1956

PLACE OF BIRTH:

HUKAA - MACHAKOS

Date: 7/1/1993

Signature

FORM PIN 1

SENIOR ASSISTANT COMMISSIONER OF INCOME TAX • NAIROBI, KENYA • P.O. Box 30296

DISTRICT 3

KENYA REVENUE AUTHORITY

Tax Compliance Certificate

For General Tax Questions
Contact KRA Call Centre
Tel: +254 (020) 4999 999
Cell: +254(0711)099 999
Email: callcentre@kra.go.ke

www.kra.go.ke

Taxpayer PIN : A000114568K

Name and Address :

CLEOPA KILONZO MAILU
Nairobi Hospital, Nairobi, Westlands District,
PO Box:8007,
Postal Code:00200

Certificate Date: 02/12/2015

Certificate Number:

KRASON2844412015

This is to confirm that CLEOPA KILONZO MAILU, Personal Identification Number A000114568K has filed relevant tax returns and paid taxes due as provided by Law.

This Certificate will be valid for twelve (12) months up to 01/12/2016.

Caveat: This certificate is issued on the basis of information available with the authority as at the certificate date mentioned above. The Authority reserves the right to withdraw the certificate if new evidence materially alters the tax compliance status of the recipient.

Disclaimer : This certificate is system Generated and therefore does not require signature.You may confirm validity of this certificate on the iTax Portal by using the TCC Checker

No. 010077

HIGHER EDUCATION LOANS BOARD

Certificate of Clearance

UNIVERSITY STUDENT LOAN

This Certificate is awarded to MAILU CLEOPA

ID No. 4829569 University Registration No. H31/1168/77

University attended UNIVERSITY OF NAIROBI

For having repaid in full the Principal Loan and interest thereon.

Signature CEO/ BOARD SECRETARY Date 10/11/07

Signature HEAD OF LENDING, REPAYMENT AND RECOVERY Date 15/11/07

This certificate is issued without erasures, alterations or cancellation

C. 24A

Nº 260589

NATIONAL POLICE SERVICE

DIRECTORATE OF CRIMINAL INVESTIGATIONS

DIRECTORATE OF CRIMINAL INVESTIGATIONS
P. O. BOX 30036–00100 GPO
NAIROBI, KENYA

Ref. No. 18272 /2015 Date 13/07/2015

POLICE CLEARANCE CERTIFICATE

I hereby certify that the fingerprints recorded from .....

CLEOPA KILONZO MAILU

.....

4829569

holder of ID/Passport No. ..... *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).....

RESULTS OF TRIAL .....

DATE .....

This Certificate has been issued without any alteration or erasure.

(P.M.Ndunda)

.....

For: Director, Directorate of Criminal Investigations

(P.T.O.)

GPK (LP) 5318—200m Bks.—05/2015

Shelter Afrique Center, Longonot Road, Upper Hill
P.O Box 35331 - 00200, Nairobi, Kenya
Email: creditbureau@metropol.co.ke
Mobile: +254 727-413733, +254 732 774666
Landline: 020-2689881
www.metropolcorporation.com

Customer Credit Report
Identity [###9569]

REF# NVY06Y1033U41Y1E

MAILU

Requested By	Requesting Organization	Report Date	Reference Number
Cleopa Mailu		Sun, 6th Dec 2015	#REF NVY06Y1033U41YE

Metro-Score©

N/R
NOT RATED

PPI©

N/R
NOT RATED

Identity Document	Date of Birth	Gender	Nationality	Marital Status
National ID: ###9569	July 7, 1952	MALE	KENYA	UNKNOWN
Phone Number(s)	Website	Email Address		
737600502				

Address

	Postal Address	Postal Code	Town	Country
	3 MAKINDU		MAKINDU	KENYA
	Physical Address	Plot Number	Town	Country
	MAKINDU		MAKINDU	KENYA

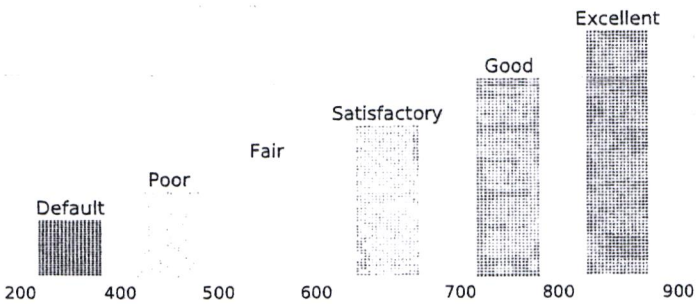
	Postal Address	Postal Code	Town	Country
	1210-00621 NAROBI KENYA		MAKINDU	Unknown
	Physical Address	Plot Number	Town	Country
	MAKINDU		MAKINDU	KENYA

Key
Latest Record
Previous / Other Record
Verified Detail

RATING ANALYSIS

Metro-Score©

The Metro-Score ranges from 200 to 900 with higher scores indicating better credit quality than lower scores. A high score means that you can have favorable terms from your lender.



The Metro-Score indicates credit quality

Monthly Score Performance

Score Trend

STABLE

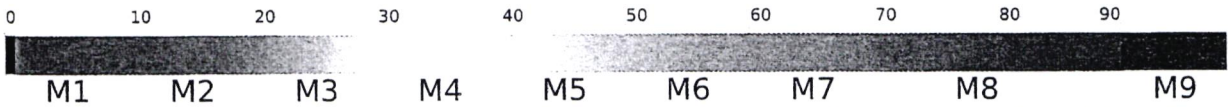
The Score has remained the same at **0** in the current period compared to the last scoring period.

Metro-Score© Comparatives

Average Score		**Score Spread**	
Last 3 Months	**0**	Best Score	**0**
Last 6 Months	**0**	Worst Score	**0**
Last 12 Months	**0**	Standard Deviation	**0.0**

PPI©

The PPi© ranges from M1 to M9 with lower digits indicating better payment performance.
The PPI© indicates the average delays beyond terms in meeting payment obligations and is often used to determine terms.



The metropol PPI© of indicates an average late payment of **days** beyond terms based on **credit experiences** over the last 12 months.

Number of Reporting Institutions

Current	Last 3 Months	Last 6 Months	Last 12 Months
0	0	0	0

Credit Performance

Account Status	Bank	Other	Amount Outstanding	Amount Overdue
Non Performing Accounts	0	0	0.00	0.00
Performing Accounts with Default History	0	0	0.00	0.00
Performing Accounts without Default History	0	0	0.00	0.00
Account Totals	**0**	**0**	**0.00**	**0.00**

Total Outstanding Balance
0.00

Total Accounts
0

***Disputed Account(s)**

CREDIT EVENTS

CREDIT APPLICATIONS

Date	Lender Type	Facility Type	Amount	Status

INQUIRIES

Date	Lender Type	Inquiry Reason	Inquiries History	
			Last 30 days	0
			Last 60 days	0
			Last 90 days	0
			Last 180 days	0

BOUNCED CHEQUES

Date	Lender Type	Bounce Cheque Reason	Bounced Cheque History	
			Last 30 days	0
			Last 60 days	0
			Last 90 days	0
			Last 180 days	0

DISCLAIMER
The information provided in this report is for the purposes of decision making as stipulated in the **Banking (Credit Reference Bureau) Regulations, 2013** only. It is not in any way **METROPOL CREDIT REFERENCE BUREAU's** opinion of the financial capability, solvency, integrity or intentions of any persons mentioned herein. It therefore cannot be used to inform any level of decision making, positive or adverse, on any and all persons mentioned herein, whether regarding current or potential credit lines. All parties given access to this information are bound to keep any and all information, whether intentionally or accidentally accessed, strictly confidential. **METROPOL CREDIT REFERENCE BUREAU** does not warrant or guarantee any use of the information contained herein.

Dr. Cleopa K. Mailu, EBS

Nationality:
Kenyan

Gender:
Male

Address:
P.O. Box 1210-00621
Village Market
Nairobi
Kenya

Telephone
Tel : 254-724-582 822 (mobile)

E-mail: drcmailu@gmail.com
cmailu@nbihosp.org

SUMMARY OF QUALIFICATIONS

Management Experience

- Chief Executive Officer/Administrator
- Project Officer, Health
- Reproductive Health adviser
- Director, Health Sector Reform Programme
- Manager, Expanded Programme on Immunization
- Assistant Director of Medical Services
- Clinical Geneticist
- Director, Division of Family Health (CDD/ARI, Nutrition, MCH/FP,EPI Programmes)
- National drug needs assessment coordinator
- Quality Assurance manager
- General outpatient manager
- Casualty/Emergency Medicine manager

Areas of Expertise/Process Skills

- Hospital Administration
- Health Sector Reforms
- EPI and Primary Health care
- Programme and project formulation
- Systems and operational research
- Clinical and medical research
- Genetics/Genome mapping
- Emergency/Disaster management
- Medical audit
- General management
- Strategy and Policy formulation
- Organizational re-engineering & development
- Programme/ Project Monitoring and evaluation
- Total Quality management
- Capacity building and Mentoring
- Donor Management and coordination
- Team building and leadership
- Corporate Governance

Education

Diploma - Advanced Management Programme (AMP) School University of Navara, Barcelona, Spain	2007	Strathmore Business School, Nairobi/IESE Business
MSc. Medical Sciences (Genetics)	1989	University of Glasgow, Glasgow, UK
MB;ChB	1984	University of Nairobi, Nairobi, Kenya

Professional Qualifications

Jan-July '10:	Fast-Forward Leadership Development Programme (Modular Course), Nairobi, Kenya.
Sept '95:	EPI Managers Programme Management Course, WHO/AFRO, Nairobi
Aug '94:	Quality Assurance/TQM in health care attachment, Wales, UK
May '94:	Manager Trainer (MT) in Quality Assurance Course, Kenyatta National Hospital, Nairobi
Apr '94:	Trainer of Trainers (TOT) Course, Kenyatta National Hospital, Nairobi
Sept-Nov '92:	Quality Assurance/Improvement of Health Care attachment, Boston, U.S.A.
Sept-Nov '91:	Fellowship course in In Situ hybridization "Chromosome Painting" Glasgow, U.K
Apr '91:	Effective Management Seminar, Kenya Institute of Administration, Nairobi
Nov '90:	Management in Health Seminar, International Health Federation, Nairobi
Sept '90:	Management of Public Enterprises Seminar, Kenya Institute of Administration, Nairobi
May '89:	Post Graduate course in Clinical Genetics, Institute of Child Health, London, U.K.
July '87:	Sports Medicine Seminar, Medical commission of the International Olympic Committee, Gigiri, Nairobi
July '86:	Vasectomy Techniques and Family Planning Programme Management Course, Marie-Stopes International, London (UK).
Nov-Dec '85:	Regional up-date Course in Human Reproductive Health (JHPIEGO), Nairobi

EXPERIENCE

Nov 2003 - present: **Chief Executive Officer, The Nairobi Hospital, Nairobi, Kenya**

Position summary:

Reporting to the Board of Management; the job entails:

- The day to day management of the hospital
- Protecting the reputation of the Hospital by engendering public, staff, doctors and regulatory confidence through provision of sound strategic leadership and the timely implementation of policies designed to improve service delivery and encourage further development of the Hospital to benefit all stakeholders
- Overseeing the overall clinical and financial performance of the hospital
- The development and strategic positioning of the hospital on the market
- Optimization of the surplus generating capacity of the hospital
- Development and maintenance of appropriate internal controls over the operations of the hospital
- Acting as the secretary to the Board of Management and Medical Advisory Committee
- Ensuring good corporate governance and corporate social responsibility

Feb 2003 - Nov 2003: **Project Officer, UNICEF, India Country Office, Delhi**

Position Summary:

- Provide general technical guidance to India Country Office in health-related policy/programme development issues
- Provide technical advice and assistance to Government Officials and other partners in planning, implementation, monitoring and evaluation of RI and health-related activities
- Monitoring Programme Implementation and Quality Assurance of health and RI-related activities
- Ensure compliance to specific assigned objectives
- Liaise and coordinate with the Government of India (GOI) and strategic partners, including

WHO, NGOs and bilateral donors to ensure sound partnerships and resource mobilisation
- Prepare proposals, briefs and other materials that highlight ICO experiences and issues/concerns on the programme
- Ensure timely computerization of project information and issuance of status reports
- Oversee and monitor fund utilization, expenditure, GAG, etc.

Mar 2001 - Jan 2003: **Part-time consultancy with UNICEF/NY-HQ and WHO/GENEVA**

Field: Maternal and Neonatal Tetanus Elimination. This entails:
- Support to countries in planning and implementation of TT SIAs
- Rapid assessment of activities during TT SIAs
- Coverage (Validation) Surveys
- Development of Plans of Action on MNTE, etc.
- Countries so far supported include: **Malawi, Sudan, The Gambia and Zambia**

Jan 2000 - Feb 2003: **Reproductive Health Adviser**

With a local NGO affiliated to an International Charity dealing in Reproductive Health
- Advise on strategies and viability of new projects and programmes
- Advise on creation of linkages between Adolescent health programmes with the organizations' Centres
- Provide advice on outreach programmes
- Provide advice on approaches to Donor and Government Agencies
- Write and review project proposals for funding
- Translate Government policies into action
- Conduct training to improve quality of clinical care

Feb '97 - Apr '99: **Director**

Health Sector Reform Programme
Ministry of Health, Kenya

Reported to the Permanent Secretary and Director of Medical Services on all matters of the Reform Programme:
- Ensured that the various reform activities are implemented within the broad Terms of Reference of the reform programme
- Ensured that objectives, strategies adopted by Ministry are compatible with the aspirations and intentions of the various Government instruments and Policy Papers on reform
- Assigned various tasks and responsibilities to the personnel working in the Programme Secretariat
- Liaised with the Ministerial Reform Committee, Departmental Heads and Donor Agencies
- Ensured timely production and circulation of annual, biannual, quarterly and monthly progress reports
- Ensured adherence to implementation and Action Plans of the programme by various implementers and actors
- Mobilized, acquired, and rationalized support to the various reform activities

- Devised various ways and means to ensure that the Programme secretariat functions efficiently and effectively
- Identified tasks and assignments that required consultancy inputs and prepared the Terms of Reference, budgets, letters of invitation, short listed potential firms for the respective assignments
- Developed and evaluated proposals, prepared contract agreements and constantly evaluated the performance of the various firms doing different assignments

Jul '96 – Feb '97:

Director,
Division of Family Health
National EPI Manager,
Kenya Expanded Programme on Immunization (KEPI)
Ministry of Health, Kenya.

- Supervised and managed the activities of the National Nutrition Programme, CDD/ARI Programme, MCH/FP Programme, and KEPI
- Managed Donor Coordination in support of the Programmes
- Ensured evaluation and monitoring of the programmes
- Ensured introduction of new concepts and developed policy documents e.g. the Reproductive Health Strategy
- Conducted the first successful National Immunization Days (NIDs) for the eradication of Polio in Kenya

Jan-Jul '96:

National EPI Manager
Kenya Expanded Programme on Immunization (KEPI)
Ministry of Health, Kenya
Position Summary:

- Co-ordinated the activities of the Programme
- Formulated guidelines and policies for improvement of performance and achievement of objectives/goals
- Planned and allocated resources
- Provided leadership and guidance to District Public Health Nurses (DPHNs) through their respective Medical Officers of Health (MOHs)
- Ensured maintenance of cold chain and adequate vaccines and other related supplies
- Maintained collaboration of KEPI with other Programmes in the Division of Family Health
- Developed systems to ensure sustainability of the Programme
- Developed efficient Management Information and Disease Surveillance systems
- Maintained donor co-ordination within the Programme

Jul '95 – Jan '96:

Ag. Director,
Division of Family Health
National EPI Manager,
Kenya Expanded Programme on Immunization (KEPI)
Ministry of Health, Kenya

- Supervised and managed the activities of the National Nutrition Programme, CDD/ARI Programme, MCH/FP Programme, and KEPI
- Managed Donor Coordination in support of the Programme
- Ensured evaluation and monitoring of the programmes

Ensured introduction of new concepts and developed policy documents e.g. the Reproductive Health Strategy

Jan-Jun '95: **National EPI Manager**
Kenya Expanded Programme on Immunization (KEPI)
Ministry of Health, Kenya

- Co-ordinated the activities of the Programme
- Formulated guidelines and policies for improvement of performance and achievement of objectives/goals
- Planned and allocated resources
- Provided leadership and guidance to District Public Health Nurses (DPHNs) through their respective Medical Officers of Health (MOHs)
- Ensured maintenance of cold chain and adequate vaccines and other related supplies
- Maintained collaboration of KEPI with other Programmes in the Division of Family Health
- Developed systems to ensure sustainability of the Programme
- Developed efficient Management Information and Disease Surveillance systems
- Maintained donor co-ordination within the Programme

Dec '92-Jan '95: **Quality Assurance Manager/Consultant Clinical Geneticist**
Kenyatta National Hospital, Nairobi

- Conceptualized and established a Quality Assurance Department
- Coordinated the functions of the Quality Assurance Unit
- Formulated policies, procedures and guidelines for implementation
- Developed a multi-disciplinary and team effort in delivery of health care
- Developed protocols to identify, track and solve problems and incidents affecting patient care processes and outcomes
- Developed criteria to measure compliance to hospital policies/procedures
- Ensured appropriate allocation of hospital resources for the delivery of quality patient care in the most efficient and effective manner
- Addressed issues pertaining to over-utilization, under-utilization and inefficient scheduling of resources
- Provided internal consultative and technical support for quality assurance/improvement initiatives

Jun '91-Sept '92: **Casualty Manager/Consultant Clinical Geneticist**
Kenyatta National Hospital, Nairobi

- Developed and supervised staff in the department (189 persons)
- Coordinated all clinical services both within the department and in relation to the rest of the hospital
- Planned and implemented strategies in mass accident in disaster anticipation

- Restructured the department for quality clinical care to patients
- Supervised postgraduate students and other cadres of staff rotating through the department
- Established the Genetic Consultant Clinic to offer clinical care to patients
- Instituted clinical evaluation to patients in need of definitive surgical procedures in pediatric surgery
- Counseled patients and individuals at risk of genetic illnesses
- Set up a genetic unit
- Trained personnel in genetic diagnostic procedures
- Taught undergraduate and postgraduate students of the University of Nairobi

Oct '89-Jun '91: **Casualty Manager/Clinical Geneticist**
Kenyatta National Hospital

Oct '88-Sept '89: On study leave in Scotland, UK

June '87-Sept '88: **Manager**
Casualty Department,
Kenyatta National Hospital, Nairobi

May '87: **Ag. Manager**
General Out-Patient Clinics,
Kenyatta National Hospital, Nairobi

Oct '85-May '87: **Medical Officer I**
General Out-Patient Clinics and the Casualty Department,
Kenyatta National Hospital, Nairobi

Oct '84-Oct '85: **Medical Officer (intern)**
Kenyatta National Hospital, Nairobi

CONSULTANCIES/RESEARCH

- Consultancy (SSA) with UNICEF/SCO on MNT Elimination in the Sudan (**Aug-Dec '02**).
- Consultancy with WHO/HQ for Re-validation of NT Elimination in The Gambia (**Sept '02**).
- Assessment of NT Elimination Consultancy with WHO/AFRO in Malawi (**Mar '02**)
- MNT Elimination Consultancy with UNICEF/Sudan to conduct a coverage (Validation) Survey for TT SIAs and make recommendations of good practices and lessons learned for future campaigns (**Oct 18-9 Nov '01**)
- MNT Elimination Consultancy with UNICEF/Malawi to design an approach to MNTE in Malawi and activities to maintain NNT Elimination (**Sept 23-6 Oct '01**)
- MNT Elimination Consultancy with UNICEF/Zambia to provide Technical Assistance for second round of TT SIAs and carry out a rapid Assessment of the outcome, Zambia (**Sept 9-22 '01**)
- MNT Elimination Consultancy with UNICEF/Zambia to provide Technical Assistance for first round of TT SIAs and carry out a rapid Assessment of the outcome, Zambia (**Jul 29-18 Aug '01**)
- MNT Elimination Consultancy with UNICEF/Zambia to provide Technical Assistance to carry out micro-planning and review surrogate data for SIAs in 5 selected districts in Zambia (**May 27-2 Jun '01**)
- Joined UNICEF/WHO Team involved in the planning process for MNT Elimination in the Africa Region and gathered up-to-date background information for consultancy assignments, Bamako, Mali (**13-18 Mar '01**)

- Temporary WHO/AFRO EPI Consultant to the National EPI Programme of Swaziland. Introduced the WHO "Guide for the Preparation of A National EPI Plan of Action" in Swaziland (**Nov. '95**)
- Assessment of efficiency and quality of services in Kenyatta National Hospital: Pharmacy (**Aug '92**); laboratory (**Apr- May '91**); Theatre (**Jan – Feb '91**); Casualty emergency department (**Jun '90**)
- "The Joint Project Machakos Integrated MCH/FP" whose main aim was to integrate maternal child health and family planning and assess acceptance levels. A pilot study for introduction of Norplant in Kenya (**1982-1984**)
- The Nairobi Birth Survey
- Depo-provera Cross Sectional Survey
- Pharmacokinetics of DMPA in male infants of mothers on depo-provera

WORKSHOPS/MEETINGS

Mar 23-26 '15 Attended the 3rd Medical Devices & HIT Conference, Tel-Aviv Convention Center, Tel Aviv, Israel

Mar 22 '15 Attended a Congress on New frontiers in integrated lifesaving care in combat. Soroka University, Biashiba Medical Center, Israel

Jan 31 '13 Attended an NSSF Board of Trustees Training on Risk Management by Deloitte at Farmont Mount Kenya Safari Club, Nanyuki, Kenya.

Jun 10-11 '10 : Attended 5th Annual Global Business Schools Network (GBSN) held at Washington, D.C., USA on special invitation by GBSN.

May 07-08 '10: Attended Strategic Leadership and Change Management Workshop for Directors of State Corporations held at Kenya Institute of Administration (KIA), Nairobi, Kenya.

Jul 27-31 '09: Attended Corporate Governance Course organized by the Centre for Corporate Governance, Serena Beach Hotel, Mombasa, Kenya

May 22-27 '09 Attended World Congress on Nephrology held in Milan, Italy.

Sept 12-17 '06 Attended Operational Hospital Management Conference (OHMC), Durban, Republic of South Africa.

May 27 '06 : Attended the Nairobi Hospital Medical Symposium: "Evidence Based Preventive Medicine", The Nairobi Hospital, Nairobi, Kenya.

Mar 21-24 '06: Attended a meeting on Social Dialogue on Migration of healthcare workers from developing to developed countries organized by ILO/WHO/IOM Geneva, Switzerland.

Aug 27-
01 Sept '01 : Attended Consultant Briefing meeting for EPI and Polio Eradication as a Temporary Adviser organized by Vaccines Preventable Diseases Unit WHO Africa Regional Office, Harare, Zimbabwe.

Nov 11-22 '98: 8th Common Wealth Health Ministers Meeting, Barbados.

Apr 21-24 '98: 8th Annual Public Health Forum on Reforming Health Sectors, London School of Hygiene and Tropical Medicine. Presented a Paper on Lessons of the Bamako Initiative in Kenya.

16-20 Feb '98: Regional Logistics Initiative Workshop organized by REDSO/ESAO (USAID), Mombasa, Kenya.

Nov 12 - 13 '97: Strategy meeting on Sector Wide Approaches to Health - Coming to a common understanding, Dublin, Ireland.

Nov 1 - 8 '97: Tropical Africa Inward Mission organized by the department of Trade and Industry of United Kingdom, London, UK.

Sept 15 - 18 '97: Workshop on Health Service Contracting in Africa organized by HIV Management Services (Pty) Ltd, and the Centre for Health Policy, Sandton Park Hotel, Johannesburg,

Republic of South Africa.

Jun 26 - 27 '97: World Bank Training Workshop on Project Performance Assessment: Key concepts and Tools, The World Bank Resident Mission, Nairobi, Kenya.

Mar 25 - 27 '97: World Bank Human Development week, The Inn and Conference Center University of Maryland, USA.

Mar 16 - 21 '97: British Council International Seminar on "Health Service Reforms: Learning from the British experience", Birmingham University, Birmingham, United Kingdom.

Feb 23 - 28 '97: Regional senior policy seminar on Sustainable Health Care Financing organized by the Economic Development Institute (EDI), USAID, WHO/AFRO and the Commonwealth Regional Health Community Secretariat, Nairobi, Kenya.

Jun 12 - 14 '96: Meeting of the Scientific Advisory Group of Experts (SAGE) on GPV/CVI as a WHO Temporary Advisor, Geneva, Switzerland.

Sept 26 - 29 '95: Regional National EPI Managers' Meeting for English speaking countries of Eastern and southern Africa organized by WHO/AFRO, Mombasa, Kenya.

Jul 7 - 14 '95: 5th International Congress on the Impact of Viral Diseases in the Developing World, Johannesburg, Republic of South Africa.

Apr 26 - 30 '95: Meeting on Hepatitis B Programme for the Indian Ocean Countries and islands organized by the Italian Institute for Viral Diseases, Zanzibar, Tanzania.

ARTICLES/PUBLICATIONS

- Cost containment: The key to running public hospitals (**'08**)
- Skills drain: Applying sound employment imperatives to retain nurses and doctors in hospitals (The Nairobi Hospital proceedings Vol. 9 issue 3 May/June **'05**)
- Managing and developing regulations for the budding HMO Industry in Africa (The Nairobi Hospital Proceedings Vol. 9 issue 5 Sept/Oct **'05**)
- Lessons of the Bamako Initiative in Kenya Mwanzia JN., Mailu CK, Liambila WN (**'97**)
- Implementation of Health Sector Reforms in Kenya (**'97**)
- Curative Gap Study (**'93**)
- Soluble proteins of diagnostic value in the amniotic fluid (**'91**)
- Staff motivation in public enterprises and its impact on output (**'91**)
- Decongestion of the out-patient department of Kenyatta National Hospital (**'91**)
- Down's Syndrome: Cytogenetics, aetiology and opportunities for prevention (**'90**)
- Personnel and finance management of Nzoia Sugar Company (**'90**)
- X-linked muscular dystrophies: Clinical features, molecular pathology and carrier detection (**'90**)
- A biochemical and molecular investigation of Lesch-Nhyan syndrome (part fulfillment of MSc.) (**'89**)
- Female surgical contraception in Kenya - The Kenyatta National Hospital Experience (**'89**)
- A prospective study to determine the prevalence of malarial parastaemia in pregnant women, oral contraceptive users, and controls
- Prevalence of anemia of pregnancy and role of malaria in its aetiology in rural Kenya

AWARDS, DIRECTORSHIPS AND MEMBERSHIPS

Awards & Honours

2009 :	Member of **International WHO is WHO Historical Society, International WHO is WHO of Professionals.**
Aug. '08:	Awarded "**Distinguished Service Award 2008**" by the Kenya Medical Association.
Dec. '06:	Awarded the **Elder of the Order of the Burning Spear (EBS),** by H.E. the President and Commander-in-Chief of the Armed Forces of the Republic of Kenya.
Dec. '04	Awarded the **Moran of the Order of the Burning Spear (MBS)** by H.E. the President and Commander-in-Chief of the Armed Forces of the Republic of Kenya.

Past Directorships

Oct '10 – Aug '14:	Vice Chairman and member, Kenya Coordinating Mechanism (NOC), on Global Fund, Kenya.
April'13-May'14:	Ag. Chairman, Kenya Coordinating Mechanism (NOC) on Global Fund, Kenya
May'04-May'14:	Member, Board of Directors, Federation of Kenya Employers (FKE)
Oct '10 to Oct '13:	Trustee, National Social Security Fund (NSSF)
Sept '12- Aug '13:	Council Chairman, Machakos University College
May '11-May '13:	Director/Governing Council Member, Kenya Private Sector Alliance (KEPSA)
May '10 - Apr'12 :	National Chairman, Federation of Kenya Employers (FKE).
2010 - Apr 2012 :	Member, National Aids Control Council (NACC).
2010 - Apr 2012 :	Member, National Labour Board (NLB).
Oct'09 to Dec '12:	Council Member, Inoorero University, Nairobi.
Jan '07 – Dec '12:	Director, Consolidated Bank of Kenya
2006 to 2007 :	Founding Chairman, Kenya Healthcare Federation Board (an Affiliate Member of the Kenya Private Sector Alliance).

Memberships

2010 to date:	Life Member, Kenya Red Cross Society.
2010 to date:	Member, Fast-Forward Fraternity of Enlightened Business Leaders.
2007 to date:	Member of the Kenya Medical Association (KMA).
2006 to date:	Life 'Gold' Member of the University of Nairobi Alumni Association.

2006 to date:	Chairman, Medicine Chapter – University of Nairobi Alumni Association.
2001 to date:	Member of the National Geographic Society.
1989 to date:	Member of the British Society for Human Genetics.

Community Service and Social Responsibility

Apr '12 to Jan'13:		Member, Board of Governors, Friends School, Kamusinga, Kimilili, Kenya.
Jan. '05 to Jul '07:		Chairman & Member of the Board of Governors of Moi Girls Secondary School – Kibwezi, Kibwezi District.
2002-2004	:	Member of Board of Governors of Moi Girls Secondary School-Kibwezi, Kibwezi District.
Jun '01-2003	:	Chairman and Member of Board of Governors of St. Mary's Girls High School, Kinyambu, Makueni District.
Aug 02Feb'03	:	Member of Board of Governors of Ngakaa Secondary School, Makueni District.
1990 – 1992	:	Member of Board of Governors of Makindu Secondary School, Makueni District.

PERSONAL INTERESTS

Antiques collection, Architecture and Construction

REFEREES

Names and addresses available on request.

UNIVERSITY OF NAIROBI

This is to certify that

Cleopa Kisonzo Mailu

having satisfied the requirements
for the award of the degree of the

BACHELOR OF MEDICINE
AND
BACHELOR OF SURGERY

was admitted to the degree
at a Congregation held at
this University on the

SEVENTEENTH DAY OF DECEMBER
1984

VICE - CHANCELLOR

DEPUTY VICE - CHANCELLOR (ACADEMIC AFFAIRS)

This is true
of the Original.
ADVOCATE
Box 56057-00200, NAIROBI

OMNIBVS HAS LITTERAS VISVRIS

VNIVERSITATIS GLASGVENSIS SENATVS

SALVTEM

Noueritis omnes Almam Vniuersitatem Glasguensem alumnum suum

Cleopa Kilonzo Mailu

Scientiae Magistrum

ita creasse ut omnibus priuilegiis quae ad hunc gradum pertinent iure uteretur. In quorum fidem his litteris commune Vniuersitatis sigillum apponendum curabamus. Dabamus Glasguae in aedibus academicis anno salutis mcmlxxxix die ii mensis decembris.

This document attests that the person named hereon has satisfied the requirements of the Senate of the University of Glasgow for the award on 2nd December, 1989 of the degree of Master of Science (M.Sc.) (Medical Science).

I Certify That This is True Copy of the Original.

SARAH OMETA-ADVOCATE
P.O. Box 56057-00200, NAIROBI

W. Kerr Fraser.

Principalis

Andrew S. Skinner

Senatus Academici Scriba

Nicholas Campbell

Facultatis Medicinae Decanus

881225

IESE

UNIVERSITY OF NAVARRA

Strathmore Business School
Strathmore University

This is to certify that

Cleopa Mailu

has successfully completed the

AMP
Advanced Management Program

March - November 2007

I Certify That This is True
Copy of the Original
SARAH ONSYA-ADVOCATE
P.O. Box 56057-00200, NAIROBI

Dean IESE
Jordi Canals

Dean SBS
George Njenga

THE EAST AFRICAN EXAMINATIONS COUNCIL

This is to certify that the candidate named below sat for the Examination for the East African Advanced Certificate of Education and qualified for the award of an

EAST AFRICAN

ADVANCED CERTIFICATE OF EDUCATION

The candidate passed at the level shown (Principal or Subsidiary) in the subject(s) named and attained the Grade(s) as indicated.

[illegible] CLERP K6202 541

[illegible] SCHOOL, [illegible]USI [illegible]

	G.C.E. GRADE
[illegible]ERAL PAPER	STANDARD
[illegible]THEMATICS	SUBSIDIARY
[illegible]YSICS	SUBSIDIARY
[illegible]STRY	PRINCIPAL D
[illegible]	PRINCIPAL E
[illegible]LOGY	PRINCIPAL B

SU[illegible]JECTS REFERRED: FIVE

EXAMINATION OF NOVEMBER/DECEMBER 1976

B P Kiwanuka

Secretary
East African Examinations Council

J. N. Karanja

Chairman
East African Examinations Council

(See overleaf)

I Certify That This is True Copy of the Original.

[illegible]SAH ONKA ADVOCATE
P. O. Box 56057-00200, NAIROBI

THE EAST AFRICAN EXAMINATIONS COUNCIL

This is to certify that the candidate named below sat for the Joint Examination for the East African Certificate of Education and East African School Certificate and qualified for the award of an

EAST AFRICAN SCHOOL CERTIFICATE

DIVISION I

THE CANDIDATE REACHED THE GRADE SHOWN IN THE SUBJECTS NAMED.

CLEOPA NAILU K3109 003

KANGUNDO HIGH SCHOOL

	GRADE
ENGLISH LANGUAGE	5
LITERATURE IN ENGLISH	0
HISTORY	6
GEOGRAPHY	3
LUGHA YA KISWAHILI	2
MATHEMATICS 'B'	0
BIOLOGY TRAD	5
PHYSICAL SCIENCE	2

SUBJECTS NAMED EIGHT SUBJECTS PASSED EIGHT

EXAMINATION OF NOVEMBER/DECEMBER 1974

B P Kiwanuka. J. N Karanja

Secretary
East African Examinations Council

Chairman
East African Examinations Council

(See overleaf)

I Certify That This is true Copy of the Original.

SARAH G[illegible] ADVOCATE
P.O. Box 56057-00200, NAIROBI

REPUBLIC OF KENYA

MINISTRY OF EDUCATION

Kenya Junior Secondary Examination 1972

This is to Certify that:- CLEOPA MAILU

Index No. 31410110

KYULU SECONDARY

has passed the K.J.S.E. obtaining the gradings shown below:-

ENGLISH	B+	BIOLOGY	B-
SWAHILI	C+	GEOGRAPHY	B
MATHEMATICS	B+	HISTORY	C+
GENERAL SIENCE	A-	RELIGIOUS EDUCATION	A

A=Very Good B=Good C=Satisfactory D=Fail

Signed
3RD DEC.1972

Director of Education

This Certificate was issued without any alteration whatsoever and no duplicate will be issued under any circumstances.

I Certify That This is True Copy of the Original.

SARAH C[illegible] ADVOCATE
P. Box 56097-00200, NAIROBI

REPUBLIC OF KENYA

MINISTRY OF EDUCATION

Certificate of Primary Education

This is to certify that the candidate named below sat the Examination for C.P.E. in the year 1970 and reached the Grades shown in the Subjects named :-

MAKINDU

31053005 CLEOPA MAILI

ENGLISH	B
MATHEMATICS	C+
GENERAL SUBJECTS (History, Civics, Geography, Natural Science, Agriculture)	B

A=Very good B=Good C=Satisfactory D=Weak E=Very Weak

Date DEC. 1970

Chief Education Officer

This Certificate was issued without any alteration whatsoever.

I Certify That This is True Copy of the Original.

ADVOCATE

P.O. Box 56057-00200, NAIROBI

PHONE: KIMILILI 14

FRIENDS SCHOOL
KAMUSINGA
PRIVATE BAG
P.O. BRODERICK FALLS.

LEAVING TESTIMONIAL

MAILU CLEOPA

Joined Form Five in this School in 1975 and followed a course in Physics, Chemistry and Biology leading to the East African Advanced Certificate of Education in 1976. He had previously been a student of Kangundo High School.

He showed a keen interest in Rugby and Hockey. He was a member of the Philosophical and Photographical Clubs.

He is an excellent character, well disciplined and has the potential for leadership.

J.M. Wasike

JMW/Mmw. HEADMASTER.

22nd. Nov. 1976.

I Hereby That This is True
Copy of the Original.
ADVOCATE
P.O. Box 56057-00200, NAIROBI

The 15th Annual

AFRICAN HEALTH CARE CONGRESS

SANDTON CONVENTION CENTRE
JOHANNESBURG – SOUTH AFRICA

31ST JANUARY – 3RD FEBRUARY 2005

SKILLS DRAIN:

APPLYING SOUND EMPLOYMENT IMPERATIVES TO RETAIN DOCTORS AND NURSES IN HOSPITALS.

BY: Dr. Cleopa Mailu, *MChB, MSc (UK), MBS*
CHIEF EXECUTIVE OFFICER
THE NAIROBI HOSPITAL
P. O. Box 30026 – 00100,
Nairobi, Kenya

1. ABSTRACT

Africa is now at a cross roads in relation to health care with many governments struggling to cope with the burden of providing adequate health services to its people within very limited budgets. The continent is finding it increasingly harder to keep its health professionals, which it has trained at a great cost and who are difficult to replace. Increased international demand coupled with active recruitment set in a background of poor working conditions and low pay as well as political instability serve as driving factors for the migration of health workers within and outside of the continent. The magnitude of the problem is often not well understood with most countries having difficulty monitoring migration patterns due to insufficient data, related in part to registration and recording problems. Although there is no quick remedy for the loss of key workers through emigration, doing nothing is not an option. The problem must be tackled from two fronts, both in developing (sending) and the mostly developed countries that receive these health professionals. A new emphasis on adopting a more strategic approach to Human Resources reflects a developing consensus that human resources are the key source of competitive advantage because it is the skills, behavior and values of staff that are the paramount in sustaining high performance. Governments and other institutions need to build into their operations a capacity to adequately address the issues/concerns that skilled workers have in their various professions. Only then over time can they be able to stem the tide of migration of these skilled workers. This paper explores some of the approaches being taken to help stop and possibly reverse the migration of skilled health workers from the continent.

2. INTRODUCTION

Africa is now at a cross roads in relation to health care with many governments struggling to cope with the burden of providing adequate health services to its people within very limited budgets. Working within these difficult conditions are health workers who are finding it even more difficult to cope with the demands of providing services to the public for low pay and in difficult working conditions. Health workers form a critical part of any nation's health system and health systems are now faced with difficulties that have arisen due to the migration of many skilled health professionals.

How does one define skill? A major issue in regard to the mobility of skill is how to define skilled workers. Researchers have treated all tertiary educated migrants as among the skilled. Occupations or jobs currently or previously held by the migrant workers are also treated as indicators of acquired skills. Even further a distinction also is made between highly skilled and skilled persons. Middle level professionals such as nurses and teachers are difficult to regard in some mindsets as highly skilled (Wickramasekara, 2002) yet when you look at the significance of their contribution to the development goals of a country they are absolutely indispensable, because of the range of services that they offer.

The concept of "brain drain" in the context of developing countries generally refers to the permanent long-term international emigration of skilled people who have been the subject of considerable educational investment by their own societies (Wickramasekara, 2002). Africa is finding it increasingly harder to keep its health professionals, which it has trained at a great cost and who are difficult to replace. The loss of skilled professionals is thought to be costly for developing countries not only in terms of skills shortage but also in fiscal costs from educational subsidies when these are available (Stilwell et al). Ghana, between 1986 and 1995 lost an estimated US$ 5,960,000 in tuition costs alone from the 61% of medical graduates who emigrated from just one medical school (Dovlo, 2003).

On the opposite side of the coin the benefit of migration of skilled workers is regarded as a form of reverse subsidy to the mostly developed nations that acquire these professionals. The USA with its estimated total of 130,000 foreign medical graduates must have gained some $26 billion in training costs saved (Dovlo, 2003). Developed countries have not done all that they can to create a sustainable professional health work force -particularly nurses -that meet their needs, largely a symptom of failed policies and under-investment (Aiken et al) and so will continue at least in the short and near term to draw health workers from developing countries and increasingly so from African countries.

The emphasis on adopting a more strategic approach to Human Resources reflects a developing consensus that human resources are the key source of competitive advantage because it is the skills, behavior and values of staff that are the paramount in sustaining high performance (Bach, 2001).

It is therefore imperative that African governments and health care providers come up with solutions that will help stem the tide of migration that is greatly affecting our continent's ability to supply quality health care to its people.

2.1 Magnitude of the problem

The migration of skilled health professionals directly affects the health system, and in consequence also affects population health outcomes and health workers remaining in the country and although medical practitioners and nurses represent a small proportion of highly skilled workers who migrate, the loss of health human resources for developing countries can mean that the capacity of the health system to deliver health care equitably is compromised. (Stilwell et al).

Table 1: Doctor and Nurse to Patient Ratios in selected African countries

Country	Year	Physicians	Nurses	Midwives	Dentists
Angola	1997	7.7	114.5	4.3	0
Botswana	1994	23.8	219.1	0	2.2
Democratic Republic Of Congo	1996	6.9	44.2	n.a	1.1
Ghana	1996	6.2	72.0	53.2	0.2
Lesotho	1995	5.4	60.1	47.0	0.5
Namibia	1997	29.5	168.0	116.5	4.0
South Africa	1996	56.3	471.8	n.a	17.8
Swaziland	1996	15.1	...	n.a	n.a
Tanzania	1995	4.1	85.2	44.8	0.7
Zambia	1995	6.9	113.1	n.a	n.a
Zimbabwe	1995	13.9	128.7	28.1	1.3

SOURCE: WHO ESTIMATES OF HEALTH PERSONNEL: 1998

Fig: These country-level indicators conceal the considerable inequities in health personnel *within* African countries. This means that for large numbers of people, the availability of health personnel is worse even than the figures shown in the table (Padarath et al)

The magnitude of the problem is quite significant, with some countries loosing a large proportion of their health professionals, both newly trained and experienced. This is not a recent phenomenon; the Zambian public health system has retained only about 50 of the more than 600 doctors trained in the country since independence (Padarath et al). There are more than 21000 Nigerian doctors practicing in the United States alone while Nigeria's health system suffers from an acute lack of medical personnel (UN HDR, 1993). 60% of Ghanaian doctors trained in the 1980's had left the country, while in Sudan, 17% of doctors and dentists in 1978 had gone to work abroad (Wickramasekara, 2002).

Health personnel from South Africa appear to make up the bulk of the more recent migration out of the Africa, although smaller numbers lost from other African countries may represent a larger share of the overall personnel numbers from those countries. For example 10% of all staff leaving the Nairobi Hospital in 2003 were doctors, many of them specialists. South Africa is profiled as being on the high end of brain drain mainly affecting health workers but is seen as having the possibility to recruit from the region even with the low return of skilled professionals (Bhorat et al, 2002). Though South Africa has been traditionally a country that both sent and received migrants, its rate of export of human capital is now far higher than its rate of import (Stilwell et al, 2003)

Nurses are the most severely affected group of health professionals. In Ghana it is reported that more that 500 nurses left the country in the year 2001 (Zachary, 2001). These departures represent nearly three times the total recorded in 1999 and more than double the number of nursing graduates Ghana produced in 2000 (Kingma, 2001). 13% of all the staff leaving the Nairobi Hospital in 2003 were nursing staff and over 50% of these went to the UK and the USA. Most nurses who migrate are professionally qualified, so the pool of nurses in the sending country is likely to be more severely depleted than figures would suggest. (Stilwell et al). Nurse migration is thought to be less permanent than physician migration. The UK register of 1995 reports more than half of foreign nurses did not stay longer than three years and some 85% of departures occur within four years of entry to the UK (Padarath et al).

2.2 *Push and pull factors*

These work hand in hand to either attract health professionals to what they view as greener pastures or to encourage them to leave their countries and move to others. In poorer countries, such as Malawi, it is felt that it is not so much the pull factors that are attracting Malawian nurses to richer countries in the region or to Europe, as it is the push factors of poor remuneration and working conditions, which are driving them out of the country (Padarath et al).

2.2.1 Increasing income

Salary differentials around the world are a big driving factor in the migration of health workers. African countries are the lowest paying and even between African nations significant differences exist as illustrated in the table below. As opportunities in the labour market expand it is becoming increasingly difficult to attract workers (particularly at a professional level) in the health sector with this kind of pay (Martinez and Martineu, 2002).

Table 2 – Average monthly salary levels for junior doctors ($US equivalent -1999)

Country	*Salary*
Sierra Leone	$50
Kenya	$250
Ghana	$75

Zambia	$200
Lesotho	$1058
Namibia	$1161
South Africa	$1242

SOURCE: MARTINEAU ET AL: 2002, MARTINEZ AND MARTINEU 2002, DZVIMBO: 2003

Health personnel from Africa who join international agencies can expect to double their income. Nursing jobs in the United Kingdom offer US$ 41000-72000 a year, while in Saudi Arabia; nurses can earn a tax-free salary of US$ 37000-58000 per annum. In contrast, an experienced nurse in South Africa working in an intensive care unit or theatre would earn between US$ 13000 and 16000 per annum (Padarath et al). A medical doctor in Kenya earns approximately US$ 250 per month, when he/she migrates to South Africa, his/her salary increases up to 6 times (*Dzvimbo*). In their review of human resources management in health services, *Martinez and Martineau* point out that the reality for many health workers in developing countries is to be "underpaid, poorly motivated and increasingly dissatisfied and skeptical".

The global flow of nurses and doctors, from poor to rich lands, reflects the way talent today goes to the highest bidder, regardless of national borders' (Kingma, 2001). This insufficient supply of nursing personnel, especially in developing countries, is believed to be a consequence of the unstable and dwindling funding of health systems, coupled with low salaries and poor working conditions (*WHO 2001*). Poor remuneration is one of the chief reasons cited by those leaving the Nairobi Hospital in 2003, being mentioned by 17% of them.

2.2.2 Working Conditions

Working conditions that *reduce job satisfaction* act as push factors. Poor management, the lack of medicines and equipment, bureaucratic inefficiencies and inadequate support and communication with health personnel are all factors that contribute to dissatisfaction amongst public sector health workers, especially in rural areas where the health infrastructure is worse. A survey conducted in Zimbabwe in 1998 showed that a common cause of for health workers resigning from the public sector was the inability to offer effective care to patients due to inadequate resources in health facilities (Padarath et al).

The work-associated risks of being a health worker have grown in southern Africa, particularly with the rise in HIV prevalence. Nurses are subject to biological, chemical, physical, social and sensory hazards and yet there are often inadequate resources to provide necessary protective equipment/materials (Kingma, 2001). 8% of employees leaving the Nairobi Hospital in 2003 cited long working hrs as one of the reasons for leaving compared to only 2% in 2002. This is likely to get worse as more and more staff leave for greener pastures leaving gaps in the system.

In many countries, there is no occupational health legislation and in others, the means to monitor its implementation and the mechanisms to discipline the offending employers are ineffective or nonexistent.

2.2.3 International Demand:

The numbers of health professionals joining the brain drain has reached a peak in recent years in apparent response to huge demands emanating from the developed countries. The majority of member states of the world health organization report a shortage, maldistribution and misutilisation of nurses (WHO, 2000). The critical shortage of nurses experienced in industrialized countries leads to a stronger market demand globally. England estimates that some 250, 000 nurses will be needed above the 1997 levels by 2008 and current new registration of nurses show that some 45% of all new registrants come from international sources compared with about 12-15% in 1996/97. (Dovlo, 2003)

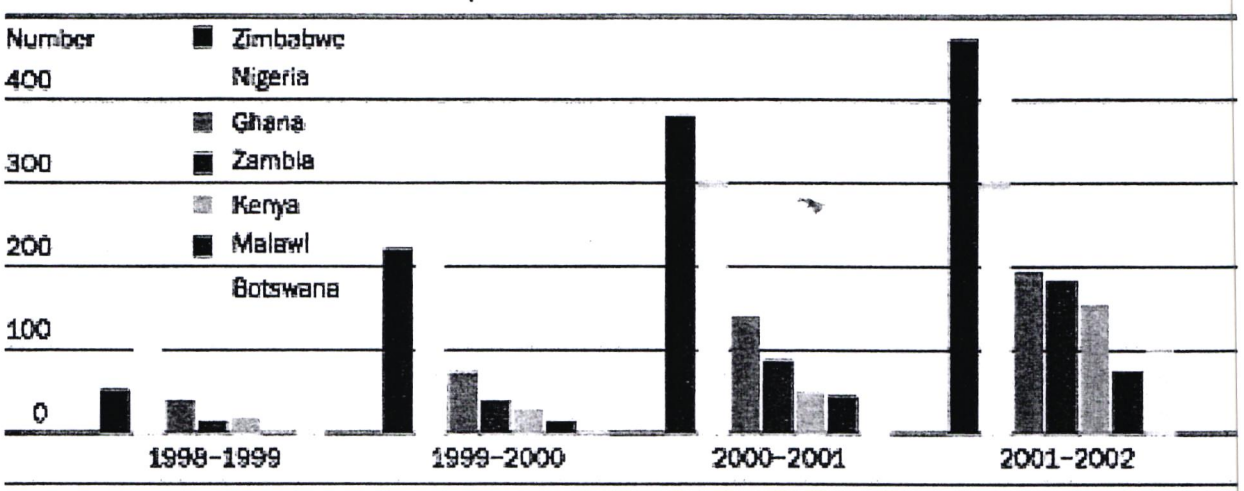
There have been continuing declines in the numbers of specialized nurses in the developed world. For example in the UK a survey of 220 midwifery units found that the overall and long term vacancy rates to be the highest ever recorded. According to the RCM, the Government target of supplying 2,000 extra midwives by 2004 and a total of 10,000 over the next seven years will not be met if the trend is allowed to continue. (Informer 2002)

In spite of higher nurse and doctor to population ratios, there is a demand for health personnel that out-strips their availability in the private sector and in rich countries. The United States, for example, will need a further one million nurses over the next 10 years to meet its shortfall. New-York State alone estimates that next year (2005), the shortfall of nurses will be 17,000 (New York State Board of Regents, 2001). This number can clearly take in all of Africa's new trainees. It has been said that part of the problem has been due to a flawed process of forecasting future staff needs. At the same time, while recruitment is possible and less costly than training it will continue to be a preferred method for countries with staff shortfalls (Padarath et al).

2.2.4 Active Recruitment

In relation to health care professionals, especially nurses, it is apparent in several countries that there are aggressive and targeted international recruitment initiatives (Stilwell et al). Recruiting nurses abroad to solve staff shortages has been a strategy used by many countries (Buchan and O'may 1999), including among developing countries in the same geographic region such as seen in the Caribbean and Southern Africa (Kingma 2001). The UK has a long tradition of recruiting permanent and temporary workers from overseas, and as a result of the need to combat staff shortages and meet the NHS Plan staffing targets, international recruitment of nurses and other health care staff has become a priority issue. (Stilwell et al). British and Dutch recruiting agencies, which operate within Africa, will offer high pay to Africans to bring them to Britain or the Netherlands (AUF). Over 50% of nurses leaving employment at the Nairobi Hospital in 2003 moved either to the UK or the USA.

Table 3: Number of New Registered Nurse (RN) Registrants in the United Kingdom Coming From Selected African Countries



Source: Buchan et al, 2003

2.2.5 Political Instability and Personal Safety

Volatile, unstable and repressive political conditions, high levels of poverty, unemployment and famine, coupled with a lack of business and economic opportunities operate as push factors. Zimbabwe is a point in case many professionals are leaving simply because of the existing political climate. The same has been seen over the years in countries such as Liberia and Sierra Leone. These professionals once they have settled in other countries have little incentive to come back even after the situations in their countries have stabilized.

Research internationally has confirmed that within the health sector, nurses are as much as three times more likely to be victims of violence than other categories of health personnel (NHS 1999). Violence occurring in nurses' external environment at times invades their personal lives. Amnesty International has repeatedly denounced cases where health personnel have been victimized in countries experiencing armed conflict or under oppressive regimes (ILO 1998). It is no surprise that nurses are attracted to countries where the work and social environment promises better personal safety.

2.2.6 Professional development

Doctors and nurses actively seek positive learning experiences, both theoretical and practical (Kingma, 2001). The application of newly acquired knowledge, skills and theory often require a physical move to a new unit, care setting, institution, and in some cases, another country (ICN 1993). At the global level, the need to migrate is likely to increase with specialization or advanced practice and higher levels of tertiary education.

The lack of career advancement paths in developing countries is illustrated with the case of pharmacists in Zimbabwe. Here 153 pharmacy technician posts exist but with limited career path or advancement possibility (Padarath et al).

Among the reasons given by many of the doctors leaving Ghana for other countries included the following (Kingma, 2001):

- Poor pay structure;
- Lack of incentives for hard work;
- Frustration of juniors by their seniors;
- Inadequate opportunities for entry into postgraduate-programs
- Ill-defined and poorly structured locally run postgraduate programs

So for many health professionals personal career advancement serves as a big incentive for them to leave for other countries as they see a greater opportunity to advance their careers in more developed nations.

2.2.7 Quality of Life

Poor housing, general isolation from social networks and lack of quality education for children have also been cited earlier as push factors. In South Africa, for example, approximately 96% of emigrants cited high crime rates as their reason for emigrating. South Africans quote the declining quality of life since the demise of apartheid, general dissatisfaction with the cost of living, taxation levels, the government's affirmative action policy and the standard of public services as primary reasons for their decision to emigrate (Padarath et al).

The *South African Medical Journal* describes physician immigration as 'a *medical carousel*, in which doctors seem to be continually moving to countries with a perceived higher standard of living. The US is often depicted as the final destination in the ever-present migration pattern of health professionals. Nurses and midwives were reported to be emigrating in vast numbers to countries offering better prospects. For example, the Global Advisory Group on Nursing/Midwifery noted that the number of nurses arriving in the UK from overseas had risen by 48% in the last 12 months.

2.3 Effects of skills drain

Those health workers who remain in public health systems with inadequate numbers of health workers experience added stress and greater workloads. Many of the remaining health workers are ill-motivated, not only because of their workload, but also because they are poorly paid, poorly equipped, inadequately supervised and informed and have limited career opportunities (Stilwell et al). *Mutizwa-Mangiza* reports that as a result of increased stress, staff were neglecting public sector responsibilities to work in the private sector, and there was a high turnover of staff. Because of the lower production volumes of doctors in the smaller and poorer African countries, the loss of even a small number of doctors can have a disproportionately large impact.

Losing part of the professional mix in the health workforce may result in either an absence of some services or in professionals' having to adapt their roles to deliver services commonly outside their scope of practice.

The education cycle of preparation for health workers is long, and response to loss of human capital from the health workforce is not usually fast or flexible. For example, in some developing countries the shortage of nurses and physicians is thought to have resulted in rural clinics being staffed by aides who are trained to deal only with uncomplicated conditions. Dovlo, in his 1998 survey of seven African countries, found vacancy levels in the public health sector to range between 7.6% (for doctors in Lesotho) and 72.9% (for specialists in Ghana). Malawi reported a 52.9% vacancy level for nurses. Such vacancy rates will inevitably lead to inadequate coverage, and some population health needs will remain unmet.

Remittances the portion of international migrant workers' earnings sent back from the country of employment to the country of origin play a central role in the economies of many labour-sending countries and have become a focal point in the ongoing debate concerning the costs and benefits of international migration for employment.

2.3.1 Stemming the tide

There is no quick remedy for the loss of key workers through emigration. Only a long-term effort to improve society, develop democracy and freedom, and upgrade schools and hospitals can create sustainable economies, says Commonwealth Deputy Secretary-General Winston Cox (2004). Although the health worker is considered a critical part of the health system and perhaps the most essential of the health sector's resources (Dovlo, 2003), the way development agencies and aid-recipient countries have traditionally approached human resource (HR) problems has been ambivalent. It has become commonplace for organizations to suggest that human resources are their most important assets (Bach, 2001) but this has often been in sharp contrast with the amount of attention or the volume of resources that would be required to develop institutional capacity and to address deep-rooted problems in the human resource domain. (Martinez and Martineu).

Governments and other institutions need to build into their operations a capacity to adequately address the issues/concerns that skilled workers have in their various professions. Bach (2001) notes that first, most governments which directly or indirectly fund the majority of health care expenditure, have been primarily concerned with macro-economic issues especially the size of health sector workforce rather than the micro-level focus of contemporary HR practice which concentrates on the motivation and performance of the workforce. Secondly the establishment of terms and conditions of employment in the health systems has usually formed part of a broader system of public sector employment regulation, characterized by centralized personnel policies. This type of approach is not at all suited to addressing the specific needs of health professionals.

On a broader level stemming the tide of migration of health workers requires an approach from both fronts, that is from both the sending and receiving nations and sound employment imperatives are applicable at both these two levels

2.3.2 Approaches at the source

Developing Competitive Incentive Packages That Will Attract and Retain Employees: Too much emphasis has been placed on the need to reform pay systems and pay levels of the health service staff and insufficient attention has been given to the equally important issues of improving non-pay benefits (Bach, 2001). African nations will never be able to compete with more developed nations on the issue of how much they pay their doctors and other health professionals hence the need to enhance the concept of a more inclusive package that caters for the various aspects that a health professional may consider when thinking about emigrating to another country.

Equitable distribution of health personnel and their retention is in turn related to the prospects of career progression and incentive packages associated with the posts (Martinez and Martineu, 2002). The relevance of motivation to migration is self-evident: there can be little doubt that for many health workers an improvement in pay and conditions will act as incentives to stay in their country. Improved pensions, childcare, educational opportunities and recognition are also known to be important (Stilwell et al). A study by the international Council of Nurses found that the following issues acted as incentives and disincentives for migration of nurses:

Table 4: Incentives and Disincentives for nurse migration to developed countries

Incentives	%	Disincentives	%
Pay	41	Language	44
Learning opportunities	37	Cultural similarities/differences	26
Career opportunities	26	Pay	22
Working conditions (including pension)	22	Living conditions	15
		Career opportunities	11
Job security	19	Working conditions (including pension)	7
Living conditions	19		
Opportunities for family members	19	Learning opportunities	4
Language	11	Job security	4
Cultural similarities/differences	7	Religious similarities/differences	4
Armed conflict	7	Opportunities for family members	4

Source: ICN, 2000

For incentives to be effective better information is needed at the operational level on the location of greatest need so that inducements are properly targeted and incentives should be tied to the posts so that only the people working in those posts benefit from them (Martinez and Martineu, 2002).

Working conditions matter as much as salary levels. NGOs and mission hospitals are often more successful than governments at attracting and retaining health professionals because the working conditions and working environment are often better, which makes these employers more attractive to work for. Job satisfaction is one of the key reasons health care professionals leave their countries for greener pastures, it is essential that doctors and nurses feel that they are making a difference in the places they work. One of the greatest discouragements for a health professional is to see someone that he could have helped walk away because the facilities were not available.

2.3.3 Addressing the Issue of Doctors Professional Fees

The cost of the kind of pay increases needed to make a real difference to health workers is substantial due to the number of employees involved and because of the nature of the employment of civil servants this is not an area over which managers of publicly funded health services can have an influence (Martinez and Martineu, 2002). African nations simply must develop innovative ways to ensure that their doctors earn more both in the public and private sectors.

Countries are beginning to allow public sector doctors to engage in a limited amount of private practice as a means to improve retention by allowing practitioners to complement their government salaries. Such programs have been started in South Africa, Tanzania and several other African countries. If this response is to be followed private practice should be transparent, covered by contract and with risk sharing if applicable (Martinez and Martineu, 2002).

Low pay arises not only because of the universal constraints on the public sector paybill but also because health sector pay determination arrangements are frequently incorporated within wider civil service pay systems (Bach, 2001). Breaking this link may be a possible solution to this problem but it is also not without risk to the health workers in terms of job security and other civil service benefits for the workers.

2.3.4 Enhancing Working Conditions and Increasing Job Security

In many African nations doctors are forced to work in the most primitive of conditions, and without the most basic of equipment. The work environments of nurses in developing countries, especially in hospitals, are deficient in many correctable ways. Most notably, nurses—who presumably are in short supply—are spending an inordinate amount of time in non-nursing tasks as a result of poor work design and under-investment in information and other nurse-saving technologies (Kingma, 2001).

Associated high levels of nurse burn-out, dissatisfaction, and turnover have added to the number of nurses fleeing to other countries.

Most of these problems are correctable and at a cost that is not too great. However, there is a need in our countries to first create an environment in which these changes can be made. Political will is a big requirement if any meaningful changes are to be made. An investment in infrastructure, equipment and the right staff mix in our health facilities is required. As in all the areas of life in Africa corruption has to be tamed. Many times because of corruption health care reforms are mainly cosmetic-a few buildings will be painted- nothing really changes.

Importantly, one can understand the concern for personal safety that now underpins the rationale of many doctors and nurses wishing to emigrate more than monetary issues. Health professionals should not feel that they are endangering their lives and those of their families by doing their jobs. Steps should be taken to ensure that already agreed protocols are enforced to ensure the safety of health professionals even in conflict situations.

2.3.5 Taking the Bull By the Horns

It is notable that remittances now significantly exceed official development aid and are the second largest source, behind foreign direct investment, of external funding for developing countries (Stilwell et al). Recognizing the demand that exists for health care workers in the developed world and positioning themselves to cater for this demand could be the key to helping solve some of Africa's employment problems and in the process generating some income for the countries.

The Philippines is the leading primary source country for nurses internationally by design and with the support of the government (Aiken et al). The 2001–2004 Medium Term Philippines Development plan views overseas employment as a key source of economic growth. Filipino nurses are in great demand because they are primarily educated in college-degree programs and communicate well in English, and because governments have deemed the Philippines to be an ethical source of nurses. A motivator for the Philippines to produce nurses for export is remittance income sent home by nurses working in other countries.

In my view this is a golden opportunity for African nations to engage the problem, training more nurses to a level adequate to the needs of the international market and in numbers that do not mean that nurses leaving the country leaves a gap in the national health system. Nursing schools such as the one at the Nairobi Hospital and others all over the continent can be re-engineered to manage a higher intake with training programs being specifically targeted to meet the requirements for nurses in developed countries.

2.3.6 Approaches in the recipient countries

Ethical hiring practices: Commonwealth member countries have addressed the loss of scarce professionals to targeted recruitment programmes through the Commonwealth Code of Practice for the International Recruitment of Health Workers, endorsed in May 2003 (Cox). The Department of Health in the UK introduced ethical guidelines for recruitment of nurses from overseas in November 1999. The first full year of their implementation was from April 2000 to March 2001. The number of new registrants from both South Africa and the West Indies decreased in 2000/2001 from the level in the previous year, by 25% and 39%, respectively (Stilwell et al).

South Africa has a self-imposed moratorium on hiring health professionals from other developing African countries. This principled stand may be costing the country, as it is turn losing its health professional to other more developed nations at a faster rate than it can replace them. So it may not entirely be to the benefit of nations to hire ethically in order to meet the demand for health professionals in their countries. Ethical recruitment guidelines provide a strategy for responsibly managing international nurse and doctor recruitment, the challenge is in enforcement of the guidelines, especially considering the private, entrepreneurial character of international recruitment (Aiken et al, 2003).

Compensation: Developed countries' growing dependence on foreign-trained nurses and doctors is largely a symptom of failed policies and under-investment in training (Aiken et al). Asking them to help pay for the necessary facilities required to train more nurses to replace those that they are attracting from our countries is not a far-fetched idea. Countries that use the most nurses and doctors should make the biggest investments in medical education in both their own and the developing countries from which they recruit these health workers. It is not common for developed countries to invest their international aid in medical related and especially nursing education, and this should change to help build sustainable nursing education infrastructures in developing countries.

Freedom of movement is a human right, compensating the donor country for the cost of educating the migrating health professional may be more likely to preserve individual freedom than policies to restrict exit or entrance of individuals, though evidence and further analysis are needed to support such a policy recommendation (Stilwell et al).

Brain circulation:
If international migration could be made to allow for health workers to move to and from developed countries rather than the one way traffic that currently exists it could be of potential benefits to developing African nations. They would be able to go to these countries and the skills and new ideas they acquire would return to benefit the continent.

The General Agreement on Trade and Services (GATS) agreement from the Uruguay round represents the first multilateral and legally enforceable agreement on the international trade in services.

Its central objective is the progressive liberalization of trade in services. GATS mode 4 seems to provide the best of both worlds for promoting circulation at least in theory (Wickramasekara, 2002).

At present, the immigration laws and visa regimes of developed receiving countries act as major barriers to the concept of circulation of skills. Some elements in the French Immigration Law of 1998 have tried to rectify these gaps. But much more remains to be done, especially in GATS mode 4. Source countries should also attempt to promote short-term movements. One option is to actively lobby for GATS commitments (Wickramasekara, 2002).

Thousands of Africans living overseas and seeking ways to contribute to the development of the continent are offering new possibilities. Because many people are reluctant to return to politically or economically unstable countries, some countries are now trying to find other ways to tap the knowledge and skills of their professionals based overseas. This approach is popular because it does not require participants to relocate to their home countries. The South African Network of Skills Abroad (SANSA) is an example.

3. CONCLUSION

Stopping and even reversing the skills drain especially in the health sector on the continent is not going to be easy, and as is evident there is no quick remedy for the problem. However, doing nothing is not an option because the continued loss of skilled health personnel is placing an increasing strain on health systems all across the continent.

The approaches taken must value the contribution of these individuals to the development of their respective nations while at the same time respecting their inherent right to seek to improve themselves. In order for any success to be realized there is a need for political will from governments in both developed and developing countries, a will to change the way they train, employ and compensate health workers. The time to act is now and the decisions that need to be made are clear, what is left for us is to start working on effecting the necessary legislations and strategies.

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held at the

Kenya Institute of Administration

7th - 8th May, 2010

I Certify That This is True
Copy of the Original.
SARAH ONUKA ADVOCATE
P. O. Box 56057-00200, NAIROBI

The Secretary
State Corporations Advisory Committee
(SCAC)

The Director & Chief Executive
Kenya Institute of Administration
(KIA)

Certificate of Attendance

This certifies that

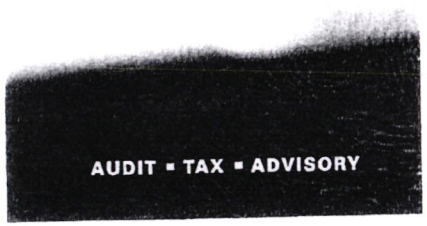
Cleopa Madu

Attended the

Enterprise Risk Management – Is Your Organization in Control?

Workshop

Held on 18 - 19 December 2007
At Intercontinental Hotel - Nairobi, Kenya



I Certify That This is True
Copy of the Original
ADVOCATE
P.O. Box 20720-00200 NAIROBI

David Leahy
Partner

COMITÉ INTERNATIONAL OLYMPIQUE

CERTIFICATE

JUAN ANTONIO SAMARANCH
President of the International Olympic Committee
certifies that

M DR C.K. MAILU

has taken part in the SPORTS MEDICINE course

in KENYA

held from 24.7.87 to 30.7.87

at NAIROBI

under the auspices of the IOC Medical Commission and Olympic Solidarity

JUAN ANTONIO SAMARANCH

Union Africaine Médecine du Sport
U A M S
Le Président :
M Professeur ROUX Constant
Medical Commission
Continental Association

Commission Médicale C I O
Sous-Commission Coordination CNO
Président Zone Afrique
M Professeur ROUX Constant
Course director

Certificate No. KNH 1/91/13

REPUBLIC OF KENYA

KENYA INSTITUTE OF ADMINISTRATION

This is to certify that

DR. CLEOPA KILONZO MAILU

.....

attended EFFECTIVE MANAGEMENT SEMINAR NO.1/91

from 8TH APRIL - 12TH APRIL, 1991

[illegible] this is a true copy of the original

[illegible] ADVOCATE
P. O. Box 5305 - 00200, NAIROBI

.....
Head of Department

19TH APRIL, 1991
.....
Date

.....
Principal

Certificate No. MPE. 2/90/8

REPUBLIC OF KENYA

KENYA INSTITUTE OF ADMINISTRATION

This is to certify that

DR. CLEOPA K. MAILU

attended MANAGEMENT PUBLIC ENTERPRISE SEMINAR NO. 2/90

from 3RD SEPTEMBER TO 28TH SEPTEMBER, 1990

This is true
original.

Head of Department

28th September, 1990
Date

Principal

Kenya Medical Association

NATIONAL EXECUTIVE

K.M.A CENTRE, CHYULU ROAD, P.O. BOX 48502-00100 GPO, NAIROBI – KENYA

WIRELESS: +254 20-2679321, MOBILE: +254 722 275 695

Email: nec@kma.co.ke Website: www.kma.co.ke

Ref: KMA/NEC/MOH (3)

9th December, 2015

THE VETTING COMMITTEE OF THE NATIONAL ASSEMBLY
PARLIAMENT BUILDINGS
NAIROBI

ATTN: THE CLERK TO THE NATIONAL ASSEMBLY

Dear Mr. Bundi,

DR. CLEOPA MAILLU, NOMINEE FOR CABINET SECRETARY, MINISTRY OF HEALTH

The Kenya Medical Association (KMA) takes this opportunity to submit views on the nomination and subsequent vetting and hopeful confirmation of Dr. Maillu to the docket of Cabinet Secretary, Ministry of Health.

KMA has a long standing relationship with, Dr. Maillu having interacted with him in his various other capacities prior to this nomination. All this time the Association has found to be very professional and very passionate about improvement of service delivery in the Health sector. He brings with him vast experience in management in the Health sector both in the public and in the private sector.

Of great significance, Dr. Maillu has a track record of transformation of one of the top private hospitals in Kenya, to a top Health Care Institution. The Association looks forward to the Country leveraging on his experience to build strong Public Private Partnerships (PPPs) to improve the Health sector as a whole. The Association looks forward to his experience and networks facilitating the rapid prioritization and development of appropriate Healthcare financing models to enable the improvement of health services delivery and the fast tracking of the implementation of sustainable Universal Health Care (UHC).

Finally, the Association looks forward to the use of his vast experience in the Health sector, to lead the engagement between all stakeholders and players in the sector, including the National and County Governments in finding lasting solutions in the management of the Human Resources for Health, to reduce the frequent disruptions witnessed in the sector in the recent past.

Kenya Medical Association has full confidence in Dr. Cleopa Maillu and highly supports his confirmation to the post of Cabinet Secretary in the Ministry of Health.

Yours sincerely,

DR. ELLY NYAIM OPOT
HONORARY NATIONAL CHAIRMAN

National Chairman Dr. Elly N. Opot | National Vice Chairlady Dr. Jacqueline Kitulu | National Secretary Dr. Lukoye Atwoli | National Asst. Secretary Dr. Supa Tunje | National Treasurer Dr. Simon Kigondu

KENYA MEDICAL PRACTITIONERS PHARMACISTS AND DENTISTS' UNION
NGONG ROAD •5TH AVENUE OFFICE SUITES • SUITE 7-14
P.O.BOX 157- 00202 KNH, NAIROBI • PHONE 020 2710506/2166212
EMAIL [illegible] WEBSITE [illegible]

7th December, 2015

Our Ref. KMPDU/NA/02/2015

TO: THE CLERK KENYA NATIONAL ASSEMBLY
PARLIAMENT BUILDINGS
P.O BOX 41842 - 00100,
NAIROBI KENYA

Director - Committees
Pls deal
JN
8/12

Dear Sir,

RE: HEALTH WORKERS ENDORSEMENT OF CABINET SECRETARY NOMINEE FOR HEALTH

The Kenya Medical Practitioners Pharmacists and Dentists' Union (KMPDU) is pleased with the timely nomination of **Dr. Cleopas Mailu** to the Cabinet as Cabinet Secretary for Health.

The nomination of Dr. Mailu is of special significance to the entire Health Workers' fraternity at a time the Health sector has grappled with unprecedented challenges affecting the Human Resources for Health Management which awaits his action after vetting and approval by Parliament.

Dr. Mailu has several years' wealth of successful experience in Healthcare management. He also commands the much needed respect and reverence amongst the Health professionals to implement a vision and policies that will impact of Kenyans' health positively.

Health workers through KMPDU do herein, therefore, fully endorse his nomination to the Cabinet as the Cabinet Secretary for Health.

Thank you.

Dr. Ouma Oluga
Secretary General
KMPDU

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)……

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

3. **Sex:** ……

4. **Date of Birth:** (State year and place of birth)……

5. **Marital Status:** ……

6. **Daytime phone number:** ……

7. **Mobile phone number:** ……

8. **Email Address:** ……

9. **ID Number:** ……

10. **PIN Number:** A00[illegible]452

11. **Nationality:** Kenyan

12. **Postal Address:** Box 483

13. **Town/City:** Kitale

14. **Knowledge of Languages:** (Specify Languages): [illegible]

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).

[illegible]

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)

[illegible]

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).

- A RECOGNITION AWARD BY "SISTERS COMMUNITIES ABROAD" FOR HELPING RAISE FUNDS FOR CONSTRUCTION WITH SPECIAL THANKS IN KENYA AWARDED ON 20TH NOVEMBER, 2007 IN ...

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).

- CHARTERED INSTITUTE OF MARKETING - MEMBER 2011 - TO DATE
- MARKETING SOCIETY OF KENYA - MEMBER 2011 - TO DATE
- KENYA INSTITUTE OF MANAGEMENT - CURRENT.

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).

- MEMBER - [illegible]
- [illegible]

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.

(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.

(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.

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

N C

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

N C

21. **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).

- GRATUITY PAYMENT – [illegible]
- [illegible]
- [illegible]

22. **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).

N I L

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

- [illegible]
- [illegible]
- [illegible]

24. **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).

25. **Statement of Net Worth:** (State your financial net worth)

26. **Potential Conflict of Interest:**

(a) Identity the family members or other persons, parties, categories of litigation 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.

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

27. **Pro-Bono/Charity Work/donation 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).

28. 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.

N/C

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

N/C

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

N/C

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

1. JUSTICE [illegible]
2. [illegible]
3. [illegible]

FIRST SCHEDULE (S.13) / *TARATIBU YA KWANZA (S.13)*

SELF-DECLARATION FORM / FOMU YA KUJITANGAZA

1. GENERAL INFORMATION / *TAARIFA YA JUMLA*

Title / *Cheo*	Surname / *Jina la ukoo*	First Name / *Jina la Kwanza*	Middle Name / *Jina la Katikati*	Other Names / *Majina Mengine*
Mr/Mrs/Prof/ Miss/Ms/Dr ***Bw/Bi/Prof/ Binti/Bibi/Dkt***	BETT	WILLY	KIPKORIR	

ID CARD No. *Na. ya Kitambulisho*	PASSPORT NO. *NA. ya PASIPOTI*	EXPIRY DATE OF PASSPORT *TAREHE YA MUDA WA PASIPOTI KUISHA*	PIN NO. *NA. ya PIN*
3448933	B161105	29.07.2022	A001596445C

SEX (Tick)
JINSIA (Weka Alama)

Male *Kiume* ☑

Female *Kike* ☐

Occupation: *Kazi:* C.E.O.

E-Mail Address: willy.bett@yahoo.com
Anwani ya Baruapepe:

Postal Address: PO Box 553 Code: 30200
Anwani ya Posta: SL Posta: KITALE *Msimbo:*

Other Addresses:
Anwani Nyingine:

Telephone No. *Na. ya Simu*	Mobile No. *Na. ya Rununu*	Other Numbers *Nambari Nyingine*
0722563775		

RESIDENCE
MAKAZI
MILIMANI
KITALE

ESTATE/TOWN/LOCATION *MTAA/MJI/LOKESHENI*	MILIMANI
DISTRICT *WILAYA*	TRANS NZOIA
COUNTY *KAUNTI*	TRANS NZOIA
TOWN/CITY *MJI/JIJI*	KITALE
COUNTRY *NCHI*	KENYA

2. BIRTH INFORMATION / *TAARIFA YA KUZALIWA*

DATE OF BIRTH /*TAREHE YA KUZALIWA*	14.04.1963

BIRTH CERTIFICATE NO. / *NA. YA CHETI CHA KUZALIWA*	
PLACE OF BIRTH / *MAHALI PA KUZALIWA*	KAPTEL
DISTRICT OF BIRTH / *WILAYA YA KUZALIWA*	NANDI
COUNTY OF BIRTH / *KAUNTI YA KUZALIWA*	KENYA | NANDI
COUNTRY OF BIRTH / *NCHI YA KUZALIWA*	KENYA

ETHICS AND ANTI-CORRUPTION COMMISSION
27 NOV 2015
P O Box 9367 30 ELDORET

3. NATIONALITY /*UTAIFA*

Kenyan ☑ *Mkenya*	Dual ☐ *Kotekote* (Provide details_____) (*Toa maelezo*_____)

4. MARITAL STATUS / *HALI YA NDOA*

SINGLE ☐ *NINGALI SIJAOA/ SIJAOLEWA*

MARRIED ☐ *NIMEOA/NIMEOLEWA*

SEPARATED ☐ *NIMETENGANA*

DIVORCED ☐ *NIMETALAKIANA*

WIDOWED ☑ *NIMEFIWA*

IF MARRIED GIVE NAMES OF THE SPOUSE(S) (Surname, First Name, middle name, others)
KAMA UMEOA TOA MAJINA YA MUME/MKE(Wa) WAKO (Jina la ukoo, Jina la Kwanza, jina la kati, mengine)

NATIONALITY OF SPOUSE *UTAIFA WA MKE/MUME*	

NAME OF CHILDREN UNDER THE AGE OF 18 YEARS
JINA LA WATOTO WALIO CHINI YA UMRI WA MIAKA 18

5. EDUCATIONAL QUALIFICATIONS / *KUFUZU KWA KIELIMU*

PRIMARY CERTIFICATE ☑ *CHETI CHA MSINGI*

SECONDARY ☑ *SHULE YA UPILI*

'A' LEVEL ☑ *KIWANGO CHA 'A'*

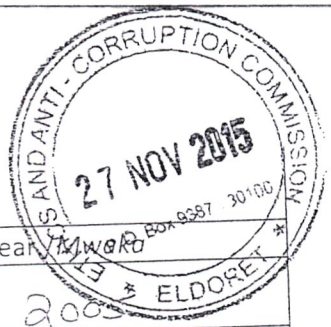
DIPLOMA ☐ *STASHAHADA*

DEGREE ☑ *SHAHADA*

MASTERS ☑ *UZAMILI*

PHD ☐ *UZAMIFU*

OTHERS
VINGINE



HIGHEST ACADEMIC QUALIFICATION OBTAINED
KUFUZU KWA JUU ZAIDI KWA KIAKADEMIA ULIKOPATA

Qualification / *Kufuzu*	Institution / *Taasisi*	Year / *Mwaka*
M.B.A	UNIVERSITY OF NAIROBI	2005

6. LANGUAGE SPOKEN / *LUGHA UNAZOZUNGUMZA*

First Language *Lugha ya Kwanza*	Second Language *Lugha ya Pili*	Others *Nyingine*
KALENJIN	KISWAHILI	ENGLISH

7. MEMBERSHIP OF PROFESSIONAL ORGANISATION(s) (If any)
UANACHAMA WA SHIRIKA(MA) YA KITAALAMU (Kama yapo)

Name of Organization *Jina la Shirika*	Date of Admission *Tarehe ya Kuandikishwa*	Membership No. *Na. ya Uanachama*
INT MANAGEMENT (KIM)	43058	43058
	DEC 2015	

8. REASON(S) FOR DECLARATION / *SABABU ZA KUJITANGAZA*

Purpose for which declaration is required / *Kusudio la kuhitajika kwa kujitangaza huku*

Election *Upigaji kura* ☐ Employment *Kuajiriwa* ☑

Others (Specify) NOMINATION
Nyingine (Bainisha)

State office for which the declaration is being submitted
Ofisi ya serikali ambayo kujitangaza huku kunawasilishwa

9. MORAL AND ETHICAL QUESTIONS / *MASWALI YA NIDHAMU NA KIMAADILI*

Answers to the following questions are mandatory. If YES to any question you must provide additional information on a supplementary sheet.
Majibu kwa maswali yafuatayo ni lazima. Kama NDIYO katika swali lolote lazima utoe taarifa ya ziada kwenye karatasi nyingine.

	YES	NO
a) Have you ever engaged in any form of dishonesty in the conduct of public affairs *a) Umewahi kujihusisha na hali yoyote ya kutokuwa mwaminifu katika kazi zako na shughuli za umma*		✓
b) Have you ever abused a public office? *b) Umewahi kutumia vibaya ofisi ya umma?*		✓
c) Have you ever misrepresented information to the public? *c) Umewahi kuwakilisha kwa njia isiyofaataarifa kwa umma?*		✓
d) Have you ever engaged in wrongful conduct whilst in the furtherance of personal benefit?		✓

d) Umewahi kujihusisha katika tabia mbaya huku ukitaka kujinufaisha kibinafsi?		
e) Have you ever misused public resources? *e) Umewahi kutumia vibaya rasilimali za umma?*		
f) Have you ever discriminated against anyone of any grounds other than as provided for under the Constitution or any other law? *f) Umewahi kubagua yeyote kwa misingi yoyote mbali na vile ilivyoelezwa katika Katiba au sheria yoyote nyingine?*		✓
g) Have you ever falsified official or personal records? *g) Je, umewahi kudanganya katika rekodi rasmi au za kibinafsi?*		✓
h) Have you ever been debarred or removed from the Register of Members of your professional organization? *h) Umewahi kupigwa teke au kuondolewa kutoka kwenye Rejista ya Wanachama wa shirika lako la kitaalamu?*		✓
i) Have you ever had any occupational or vocational license revoked and/or otherwise subjected to any other disciplinary action for cause in Kenya or any other country *i)Umewahi kujipata katika hali ya leseni yako ya kikazi au ya kiufundi kutupiliwa mbali na/au vinginevyo kuchukuliwa hatua nyingine ya kinidhamu katika nchi ya Kenya au nchi yoyote nyingine*		✓
j) Have you ever dismissed from employment on account of lack of integrity? *j) Umewahi kufutwa kazi katika ajira kutokana na ukosefu wa uadilifu?*		✓
k) If you have been a public officer, have you ever failed to declare your Income, Assets and Liabilities as required under the Public Officer Ethics Act, 2003? *k) Kama umewahi kuwa ofisa wa umma, umewahi kushindwa kutangaza Mapato yako, Mali na Gharama kama unavyohitajika katika Kifungu cha sheria cha Maadili ya Ofisa wa Umma, 2003?*		✓
l) Have you ever been the subject of disciplinary or criminal proceedings for breach of the Public Officer Ethics Act, 2003 or a Code prescribed thereunder? *l) Umewahi kuwa mada katika taratibu za kinidhamu au kihalifu kwa kuvunja kifungu cha sheria cha Maadili ya Ofisa wa Umma 2003, au Msimbo ulioainishwa hapo chini?*		✓
m) Have you ever been convicted of any offence and sentenced to serve imprisonment for a period of at least six months? *m) Umewahi kushtakiwa kwa kosa lolote na kuhukumiwa kifungo gerezani kwa kipindi kipatacho miezi sita?*		✓
n) Have you ever had an application for a Certificate of Clearance or a Certificate of Good Conduct or for a visa or other document authorizing work in a public office denied and/or rejected for cause in Kenya or any other country?		✓

ETHICS AND ANTI-CORRUPTION COMMISSION
27 NOV 2015
P O Box 9387 - 30100
ELDORET

n) Umewahi kutuma ombi la Cheti cha kuondolewa Hatia au Cheti cha Kinidhamu au cha visa au nyaraka nyingine zinazoidhinisha kazi katika ofisi ya umma na hivyo basi wewe kunyimwa na/ au kukataliwa kwa sababu yoyote nchini Kenya au nchi yoyote nyingine?		

10. EMPLOYMENT INFORMATION / *TAARIFA YA KUAJIRIWA*

NAME OF EMPLOYER *JINA LA MWAJIRI*	POSITION/RANK *CHEO/WADHIFA*	DATE OF FIRST APPOINTMENT *TAREHE YA KUAJIRIWA KWA KWANZA*	DATE OF PRESENT APPOINTMENT *TAREHE YA KUAJIRIWA KWA SASA*
POST BANK CREDIT	BANK OFFICER	1991	
POSTBANK SAVINGS	SENIOR MANAGER	1994	
KENYA SEED CO LTD	CEO	2009	TO DATE

WORKSTATION *KITUO CHA KAZI*	NATURE OF EMPLOYMENT (Constitutional/Elective/Permanent/Contractual/Other) ***AINA YA KUAJIRIWA*** *(Kikatiba/Kuteuliwa/Kudumu/Kikandarasi/Nyingine)*
KITALE	✓

OATH AND AFFIRMATION / *KIAPO NA UTHIBITISHWAJI*

27 NOV 2019

I solemnly swear (or affirm) and certify, under penalty of false declaration under the Oaths and Statutory Declarations Act (Cap 15 of the Laws of Kenya), that all the foregoing statements in this declaration are true and correct to the best of my knowledge.

Ninaapa ya kwamba (ninathibitisha) na kuidhinisha, katika adhabu ya kujitangaza kwa uongo chini ya kifungu cha sheria cha Viapo na Kujitangaza Kisheria(Ibara 15 ya Sheria za Kenya), kwamba kauli zote zilizotajwa katika kujitangaza huku ni za kweli na sahihi kwa kadri ninavyojua.

Dated at / *Mnamo tarehe* KITALE, this / *kwenye* 25TH

day of / *siku hii ya* NOV' 2015

SIGNATURE OF DECLARANT: .....
SAINI YA ANAYEJITANGAZA:

SWORN/DECLARED BEFORE ME / *ALIYELISHWA KIAPO/TANGAZWA MBELE YANGU*

This / *Mnamo* 25TH day of / *siku hii ya* November, 2019,

at / *katika mahali hapa*.....

Aggrey L. Kidiavai
Advocates
Commissioners for Oaths
P.O.Box 437-30200 Kitale

COMMISSIONER FOR OATH/MAGISTRATE
KAMISHINA WA KIAPO/HAKIMU

2017

KENYA REVENUE AUTHORITY

ISO 9001:2008 CERTIFIED

Susan Nkatha
Note: Dan Kazungu's
name is missing
4 of 91
8/12

7th December, 2015

Ref: CDT/HQ/54

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

Dear Sir,

RE: VETTING OF NOMINEES FOR APPOINTMENT AS CABINET SECRETARIES

Reference is made to your letter dated 2nd December, 2015, from the National Assembly referenced Ref. NA/COMM/APPT/2015.

This letter confirms the tax compliance status for the nominees listed below:

NO	MINISTRY	NAME	ID.NO.	PIN NUMBER	TAX STATUS
1	Devolution & Planning	Festus Mwangi Kiunjuri	9075393	A002601069N	Compliant
2	Energy & Petroleum	Charles Cheruiyot Keter	10012180	A002217375W	Compliant
3	Agriculture, Livestock, & Fisheries	Willy Kipkorir Bett	3448933	A001596445C	Compliant
4	Information, Communicati on, & Technology	Joseph Mucheru	10088486	A002501641D	Compliant
5	Public Service, Youth & Gender Affairs	Sicily Kanini Kariuki	7806180	A001274856V	Compliant

Tulipe Ushuru, Tujitegemee!

SGS UKAS QUALITY MANAGEMENT
ISO 9001:2008 CERTIFIED

6	Health	Dr Cleopha Kilonzo Mailu	4829569	A000114568K	Compliant

Kindly refer the applicant not appearing on the list to KRA for further assistance.

Yours faithfully,

Alice Owuor, OGW.
COMMISSIONER,
DOMESTIC TAXES DEPARTMENT

KENYA REVENUE AUTHORITY

Tax Compliance Certificate

For General Tax Questions
Contact KRA Call Centre
Tel: +254 (020) 4999 999
Cell: +254(0711)099 999
Email: callcentre@kra.go.ke

www.kra.go.ke

Taxpayer PIN : A001596445C

Name and Address :

Willy Kipkorir Bett
MBEGU PLAZA, KITALE, Trans Nzoia West District,
PO Box:553,
Postal Code:30200

Certificate Date: 25/11/2015

Certificate Number:

KRAELD1690412015

This is to confirm that Willy Kipkorir Bett, Personal Identification Number A001596445C has filed relevant tax returns and paid taxes due as provided by Law.

This Certificate will be valid for twelve (12) months up to 24/11/2016.

Caveat: This certificate is issued on the basis of information available with the authority as at the certificate date mentioned above. The Authority reserves the right to withdraw the certificate if new evidence materially alters the tax compliance status of the recipient.

Disclaimer : This certificate is system Generated and therefore does not require signature.You may confirm validity of this certificate on the iTax Portal by using the TCC Checker

No. 0068243

HIGHER EDUCATION LOANS BOARD

Certificate of Clearance

STUDENTS' LOANS

BETT WILLY KIPKORIR

This is to confirm that

ID No. 34489353 Registration No. C01/4602/87

attended UNIVERSITY OF NAIROBI

has fully repaid his/her UNDERGRADUATE Principal Loan and interest thereon.

27 Nov 2015

Signature CEO & BOARD SECRETARY Date

27 Nov 2015

Signature HEAD OF OPERATIONS Date

This certificate is issued without erasures, alterations or c[illegible]allation

C. 24A

№ 161836

NATIONAL POLICE SERVICE

DIRECTORATE OF CRIMINAL INVESTIGATIONS

DIRECORATE OF CRIMINAL INVESTIGATIONS
P. O. Box 30036–00100 GPO
NAIROBI, KENYA

Ref. No. 213270 /2015 Date 27/11/2015

POLICE CLEARANCE CERTIFICATE

I hereby certify that the fingerprints recorded from .....

WILLY KIPKORIR BETT

.....

3448933

holder of ID/Passport No. ..... *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).....

RESULTS OF TRIAL ..... NIL

DATE .....

This Certificate has been issued without any alteration or erasure.

(J.M.Magambo)

.....

For: Director of Criminal Investigations

(P.T.O.)

GPK (SP) 7518—125m—6/2015

To verify this certificate visit:www.metropol.co.ke/verification

Serial No.MCRB/C82913

METROPOL
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Metropol Credit Reference Bureau Limited

Certificate of Clearance

WILLY KIPKORIR BETT

National ID Number: 3448933

This is to certify that the above named person has No negative listing as at the date below.

Managing Director's Signature

25/11/2015

Date

M-31

CURRICULUM VITAE

Name	Willy Kipkorir Bett
Date of Birth	14th April 1963
Nationality	Kenyan
Marital Status	Widowed with 3 children
Present Address	P.O. Box 100526-00101, Nairobi
Telephone	Office: 254 020 2222882
Mobile	0722 563775
Email address	willy.bett@yahoo.com

ACADEMIC ACHIEVEMENTS

2002 – 2005
Master of Business Administration (Major in Marketing)
University of Nairobi

1987 – 1990
Bachelor of Arts (Economics and Sociology)
University of Nairobi – 2nd Class (Upper Division)

EMPLOYMENT AND WORK EXPERENCE

2009 – To date
MANAGING DIRECTOR – KENYA SEED COMPANY

Responsibility
Develop strategies and policies which guide in attainment of the corporate mandate, vision and goals of the Company.

Key Duties

- Developing and implementing strategic business plans and establishing proper internal monitoring and control systems and procedures.
- Coordinating and preparing business related proposals, reports and the other submissions for consideration by the Board.
- Ensuring effective communication between the Management and the Board of Directors as well as between different levels of management.
- Providing leadership to the employees.
- Ensuring continuous improvements in the quality and value of services and products provided by the company to all its stakeholders.
- Ensuring continuous achievement of the Company's financial and operating goals and objectives.

- Development and implementation of corporate policies and programmes.
- Fostering a corporate culture that promotes ethical practices and good corporate citizenship.
- Ensuring that the Company complies with the laws of the country.

Key Achievements

- Increased area under production; The area under seed maize production has increased from 22,004 acres in 2010 to over 33,000 acres in 2015.This effort has guaranteed our Kenyan farmers of adequate seed and hence national food security. The company has also expanded production under irrigation (both contracted and company owned) to mitigate on weather unpredictability. We have therefore enhanced our irrigated area under production to up to 40% of the total production area.
- Job evaluation exercise; The exercise has just been concluded and the company has embarked on implementation of its recommendation which is expected to ensure more efficiency and productivity in service delivery.
- Performance Management System; We have continued to embrace the Balance Score Card performance management system at all levels. Considerable level of performance measurement has been achieved using the tool and the same has now been linked to promotions and other incentives.
- Strategic Plan 20013/4-2017/18; The plan is on course and its mid-term review is in progress. To date, over most of the activities/strategies set out in the Plan have been implemented/achieved and the remaining is scheduled to be completed before the end of the plan period. The strategic Themes are; Research & Basic Seed, Production & Processing, Sales & Distribution, Operational Efficiency and Human Capital Development.
- Automation of all the operations of the Company began in 2014 and the system went live as from 1st July, 2015.This Automation is expected to further enhance efficiency of the operations leading to increased profitability.
- Anti Counterfeit System; As a result of implementation of this system, which was done in 2014, fake seed menace has reduced significantly.
- Upgrade of farm machinery and implements; In 2011, we undertook a comprehensive evaluation of the Company machinery to determine their effectiveness and efficiency in readiness for increased production activities. Through evaluation, we have managed to systematically upgrade our farm machinery and other implements. The process is ongoing.
- Processing; In order to ensure seamless processing and packaging of our products, the Company has commenced the purchase of a new 2kg packaging machine and purchased a Pre-cleaner for sunflower which has been installed at Pasture Sunflower Unit.
- New Headquarters; The ultra modern Kenya Seed Company Head Office was completed and occupied in 2011. The work environment has greatly improved.
- Dam construction: To facilitate production of basic seed during the off season we completed a dam which has the capacity to irrigate 150 acres. Installation of Pivot Irrigation System is to commence before end of 2011/2012 financial year.

2006 – 2009

SENIOR MANAGER MONEY TRANSFER SERVICES - POSTBANK

Responsibility

Develop strategies that help to achieve increased revenue and profitability. The role is responsible for managing agency relationships of Western Union, M-Pesa and MoneyGram International. Control a budgetary allocation of Ksh 84 Million with a staff complement of 19 direct reports and 112 indirect.

Key Duties/Achievements.

- Grow remittance business through network and product expansion. This has been achieved through;
  - Aggressive recruitment of Western Union partners from 50 locations to 153.
  - Negotiated contracts and introduced two additional remittance services, M-Pesa and MoneyGram International. This increased the revenue of the bank by 25% while at the same time offering the customers choice from a range of remittance services.
  - The increase in the number of locations of Western Union Surpassed the target set by the principal and hence earned the bank a bonus which increased the profitability level by 50%.
- Introduced measures that led to cost reduction, risk mitigation and compliance enforcement.
  - Re-engineered processes which led to cost reduction in transactional stationery and the staff numbers working in the department. Four (4) types of transactional documents were eliminated and staff reduced from 28 to 19.This happened without compromising on the quality of service or controls.
  - Refined processes and initiated system improvements which mitigated the significant lose which the bank had incurred for some time.
  - Developed Anti- Money Laundering (AML) Policy which defined clearly risk areas, risk ownership and how to mitigate them. The document is still in use in the bank.
  - Re- negotiated the Western Union contract to reduce the marketing investment from 10% to 8%. This led to cost reduction while generating a higher impact of the marketing activities in the market. The Western Union spontaneous awareness level moved from 91% to 95%.
- Developed strategies that increased the level of Customer service across the network from 51% to 80% over a period of three years.
  - Contacted annual network conventions where all the Front Line Associates (FLAs) and support units come together for two day training on new trends on customer service and also get the opportunity to share the best practices on service quality.
  - Enrolled the bank to participate in Western Union global competitions on service quality. These programmes are Club 500 which involve over 2000 selected locations in Europe, Africa, Middle East and Asia and the other is Pan Postal Programme which involve all global Post office and related organizations who offer

Western Union service. Postbank won the Club 500 in 2006 and Pan Postal Program in 2007 and 2009. The teams of the winning locations are sponsored for holiday in world famous holiday resorts.

- Developed an elaborate feedback mechanism on customer service issues. This included Field Service program, Mystery shopping and system based tools which are used to track customer feed back. This promoted quick resolutions of customer issues in a pro- active manner.

- Management of the human resource in the department through training, motivation, leadership and mentoring to achieve a higher productivity level.
  - In collaboration with Human Resource and Operations Departments, competency levels of the staff were identified and programmes to up- skill them were developed and implemented. This led to staff redeployment to areas where their skills match the responsibilities.
  - Build an incentive programme where we reward the best FLA of the year and the most improved branch. This program brought out the potential of staff hence increased productivity.
  - Multi- skilling leveraging on technology led to a more all round and efficient staff where less numbers could do the same amount of work.
  - Developed and successfully implemented performance contracting in the department based on the Balance Score Card tool. This has improved the performance in the bank because remuneration and other reward systems are based on this.
- Developed the departmental strategic plan which informed the development of the current bank's Strategic Plan
  - Identified key performance areas and developed smart targets based on that.
  - Identified key strategies and activities of achieving the set targets.
  - Develop a budget that will facilitate the execution of the strategies.
  - Monitor the performance against the set target and identify deviations which require corrective action.
- Liaise with Money transfer service stake holders both locally and internationally in ensuring smooth operations of the remittance service.
  - Principal contact of the bank with the remittance providers.
  - Represent the bank in all the remittance conferences both locally and abroad. Represented the government of Kenya on the African Conference on Remittance in Accra Ghana where i presented a paper on Kenya's position in supporting the Diaspora to remit money back home.
  - Successfully lobbied the treasury arm of the government to have the exclusivity clause in the money transfer contracts removed. This gave room the bank to bring on board additional products hence increasing revenue to the bank while providing the customer the freedom to choose.

Other Responsibilities in the Bank

- Negotiated the performance contract with the Government in 2007.
- A member of the government's adhoc committee on remittance.
- Member of the Bank's Departmental Management Team. This is a top management team which formulates policy and evaluates performance to ensure performance is as per plan.
- Chairman of the Bank's Personal Development Loan. This is a kitty of 125 million loaned out to staff on a revolving basis. Has been the most successful scheme in the bank and has helped to bridge the loan gap which existed, hence improving the motivation of staff.
- A Master of Ceremonies in all bank functions and events.

2001 – 2006
HEAD OF MARKETING & BUSINESS DEVELOPMENT - POSTBANK

Responsibility

Direct the Bank's Marketing Strategic planning programs, Corporate Communications, Customer Relations and Business Development. Responsible for a budget of Ksh 45 million and a staff complement of 52.

Duties/Achievements

- Design, implement and facilitate annual marketing strategy based on a marketing budget, execution plan and an evaluation mechanism.
    - Implemented the 1st product branding exercise in the bank. This involved market research to understand the customer needs, designing the features of the product to conform to the needs of the customer and finally bringing out the product identity. This brought about clear positioning of the bank products and therefore helped in resource allocation.
    - Communication strategy of the various products of the bank became more targeted and focused hence yielding favorable response from the market for example the STEP account which saw growth rate of 40% when it was branded and given a youthful identity.
    - Implemented electronic marketing strategy which included website design and maintenance as a medium to reach the youth and the technologically savvy customer.
    - Developed the department's strategic plan which informed the corporate strategic plan.
- Organized and implemented customer relations activities in the bank which included customer satisfaction surveys, customer development activities and events management.
    - Formed the customer relationship unit whose responsibility is to handle portfolio management. This contributed heavily in retaining corporate

customers at a time when we were losing them to the competition as well as bringing on board more corporate clients.

- Strengthened customer feed back mechanism through the suggestion box, hotline, dedicated mail and other feed back mechanism tools which helped the bank to respond to customer concerns in a more pro active manner.
- Started customer interaction and engagement activities which included customer lunches, Dinners and mail communication. This strengthened customer loyalty hence retention. .

- Oversee business development activities which include competitor analysis, product evaluation, and business prospecting as well as customer contact systems.

  - Developed competitor analysis matrix which captures all competitor information which is useful to product managers to redefine their product offerings.
  - Analyzed various business opportunities which have brought about some of the banks most successful brands. Developed the Premium Plus Account at a time when we were experiencing customer attrition with our Premium account. The account became an instant hit with deposits of **1.35 billion** in four months.

- Oversee corporate communication activities including external and internal flow of information. The role also includes supplier management and public relations.
  - Developed communication policy document which is still in use in the bank to date. This document defined the various communication channels to be used in the bank. This streamlined the up- bottom, bottom- up and horizontal flow of information in the organization.
  - Developed the Corporate Social Responsibility Policy document. This guided the bank on the areas where the bank should concentrate its assistance and make the necessary impact as opposed to spreading our resources very thinly. It also spelled out what proportion of our profits should be allocated to the CSR activities. The implementation of the policy saw a more focused approach to our investment which resulted on a higher impact of our activities and hence goodwill of the customers. .

- Organized very successful marketing blitz in Europe and the USA to sensitize the Diaspora about the need to use the Western Union brand for their remittance needs. This happened at a time when the Diaspora had switched to the completion.
  - Sponsored local comedy troops to visit Europe and the US to entertain and in the process communicate the key functional benefits of the Western Union brand. We also used the opportunity to communicate some of the CSR activities we are involved in locally. The activities turned around the business from the US market from a decline of 1% to a growth of 15% in three months.

- Sponsored and organized Jamhuri Day celebrations in the UK and Germany where we gave an opportunity to Kenyans living in those countries to share the joy of independence. Many artists from Kenya took part and this too gave the opportunity to show the community that the brand cares for them and also showcase what we do locally. This boosted the performance of the product in the two countries.

Other Responsibilities

- Chairman of the bank's Quality Assurance Committee
- Chairman of the bank's In-house Newsletter Editorial team.
- Chairman of Product Development Committee.

1998 – 2001
PERSONAL ASSISTANT TO MANAGING DIRECTOR - POSTBANK

Responsibility

Assist the CEO in stakeholder management, internal action plan follow ups across the departments, analyzing data and other management information and acting as an alternate in meetings and committees.

Duties/Achievements.

- Management of expectations of all those who has an interest in the business of the organization. This includes those who are within and outside the company.
  - Keeping them informed on all the developments of the organization.
  - Building relationship with them to gain their trust and goodwill.
  - Getting all stake holders commit on their various roles and deliver on them
  - Stake holder risk management because when a company depends on one big client for business or failure to understand the dynamics of the customers would pose a very huge risk to the organization.
- Analyze data and summarize information for quick and factual decision making. It informs the level of economic risk the organization can afford to take at different times. This kind of information also help other stake holders play their roles effectively e.g. Central Bank of Kenya at one time needed figures on the flow of remittances and other information for them to make a decision as to whether to allow Postbank to continue offering Western Union service.
- Sat as an alternate or representative to the CEO in various committees and also other meetings outside the bank where the CEO is to participate. This includes committees like disciplinary and recruitment panels.

Other Responsibilities

- Representing the Managing Director during functions.
- Writing of speeches.
- Managing the diary and protocol issues.

1996 – 1998
BRANCH MANAGER - POSTBANK

Responsibility
Management of the operations of a branch which include human resource, asset management cost management and ensuring the branch is offering good customer service.

Duties/Achievements.

- Managing provision of quality customer service to achieve the bank's customer retention strategy.
    - Reduced the customer complaints from about 25 per month to between 6 and 9.
    - Introduced the use of customer relations officers in the banking halls for quick resolution of customer complaints.
- Ensure the core function of the bank is executed e.g. availing all products of the bank to the customers and make suggestions on the improvement of operational systems.
- Managing the human resource (staff compliment of 12) in the branch through motivation and mentorship.
- Ensure the assets in the branch (both cash and non-cash) are used optimally.

Other Responsibilities

- Represented the bank in the District Development Committees.
- Represented the bank in local invitational functions and National Celebrations.

1994 – 1996
PLANNING OFFICER - POSTBANK

Responsibility
Development of the bank's business growth blue print including a road map. This includes qualitative and quantitative objectives, setting of goals and keeping in view the resources.

The planning functions entail the following:

- Research activity which involve collecting and analyzing information to increase the understanding of the market. The information is then communicated to the relevant departments who need to use it.
- Feasibility studies which involve project's cost benefit analysis that informs the way forward as far as project implementation is concerned.
    - Undertook many studies which led to the establishment of Postbank's business in various parts of Kenya.
- Product evaluation which involves the performance analysis of the various products and their various life cycles to establish the necessary course of action for each.

Other Responsibilities

Provided technical support during the strategic corporate development plan workshops which included being part of the Secretariat.

1990 – 1993
POSTBANK CREDIT

1992 – 1993
FINANCE OFFICER – (Debtors)

Responsibility

- Management of the financial records focusing on the debtor's position in the bank.

Duties

- Capture the new debtors into the system.
- Ensure recoveries are made as per instruction.
- Institute collection whenever default arises.
- Do the reconciliation of the debtors account.
- Provide Management reports on the debtor's position.

1991 – 1992
Management Training Course

This was a one year course which included:-

- Understanding the Kenyan and global financial landscape and its challenges.
- Going through all the departments to understand the operations of each.
- Learning the culture, vision, mission and the core values of the organization.

Key Achievements

- Produced a report to the management on what needed to be changed in various departments.
- Gained a lot of knowledge on the requirements of starting a commercial bank because this was the time when Postbank Credit was being established.

COURSES/SEMINARS ATTENDED

2012	-	Advanced Management Programme (AMP)-Strathmore Business School (Nairobi), Lagos Business School (Nigeria), IESE Business School (Barcelona)
2007	-	Consultative Forum on Remittance in Africa held in *Accra Ghana* - Presented a paper on Kenya' situation
	-	Western Union Agents Conference – *Istanbul Turkey*

2003	-	Human Resource Management for Line Managers by *TAC Consultants*
	-	Management Challenge course at Loitoktok by *Outward Bound Trust, Kenya.*
2002	-	Market Research for Micro Finance Services by *MicroSave*
	-	East African Business Summit Conference held in *Atlanta*
	-	*Georgia* – Presented a paper on Successful American
	-	Strategic Marketing Plans by *MicroSave Africa.*
2001	-	Global Remittance System – World Agents Conference of Western Union, *Canne – France.*
2000	-	Advanced Management course by Kenya Institute of Management.
	-	World Savings Banks Congress – *Berlin, Germany*
1996	-	Total Quality Management by *TIPS Consultants.*
1993	-	Banking and Credit course by College of Banking and Finance.
1990 – 1992	-	Management Trainee Course

OTHER RESPONSIBILITIES

CURRENT	-	Member of Project Steering Committee, Double Haploid Project, (CYMMIT)
	-	Vice Chairman of the Board -Seed Trade Association of Kenya (STAK)
	-	Member of the Board -Kaptel Girls School

PREVIOUS	-	Member of the Board -National Biosafety Authority(NBA)
	-	Member of the Board -Kenya Agricultural Research Institute (KARI)
	-	Chairman Board of Governors - Kaptel Boys School
	-	Member of the Board - Kapsabet Girls High School
	-	Chairman - Nandi University Students Association.
	-	School Prefect - Kaheti High School.
	-	School Captain - Kaptel Secondary School.

MEMBERSHIP

- Chartered Institute of Marketing.
- Marketing Society of Kenya
- Royal Nairobi Golf Club
- Kitale Club

REFERENCES

1. Justice Luka Kimaru
   Judge of High Court of Kenya
   Milimani Commercial Court
   Box 30041 00100
   NAIROBI
   Tel: 020-351853, 0720 511819.

2. Stella Mulandi
   Western Union Champion
   Diamond Trust Bank
   NAIROBI
   Tel.020 210988, 0722 754432.

3. Isaiah Kiplagat
   Chairman Athletics Kenya
   NAIROBI
   Tel. 020 609177, 073360402

KENYA SEED COMPANY LIMITED

ACHIEVEMENTS; 2009-2015

1.0 **INTRODUCTION**

Kenya Seed Company has achieved major milestones over the last six years which is attributed to good governance, dedicated work force and support from our stakeholders. Some of the achievements are as follows;

1.1 **PRODUCTION**

1.1.1 **Increased area under production;** The area under seed maize production has increased from 22,004 acres in 2010 to over 33,000 acres in 2015.This effort has guaranteed our Kenyan farmers of adequate seed and hence national food security.

1.1.2 The company has also expanded production under irrigation (both contracted and company owned) to mitigate on weather unpredictability. We have therefore enhanced our irrigated area under production to up to 40% of the total production area.

1.1.3 **Agricultural Shows & Trade Fairs:** Participation in all the shows across the country where the company has been scooping major awards, including

1.2 **STAFF MATTERS**

1.2.1 **Job evaluation exercise**; The exercise has just been concluded and the company has embarked on implementation of its recommendation which is expected to ensure more efficiency and productivity in service delivery.

1.2.2 **Performance Management System:** We have continued to embrace the Balance Score Card performance management system at all levels. Considerable level of performance measurement has been achieved using the tool and the same has now been linked to promotions and other incentives.

1.3 **STRATEGIC AND BUSINESS PLANS**

1.3.1 **Strategic Plan 20013/4-2017/18;** The plan is on course and its mid-term review of is in progress. To date, over most of the activities/strategies set out in the Plan have been implemented/achieved and the remaining is scheduled to be completed before the end of the plan period. The strategic Themes are; Research & Basic Seed, Production & Processing, Sales & Distribution, Operational Efficiency and Human Capital Development.

1.3.2 **Strategic Plan for Kibo Seed and Kenya Seed Company Uganda** were developed and implemented in 2011.

1.3.3 **Business Plans**; to bring the subsidiary companies into profitability we developed strategic plans **which indicated clearly the opportunities available in these subsidiaries and what the parent** company need to do to turn them around. These business plans guided the Board to make investment and other restructuring decisions, out of which the subsidiaries are making tremendous steps in production, processing, sales and distribution within their regions.

1.4 **AUTOMATION**

1.5 Automation of all the operations of the Company began in 2014 and the system went live as from 1st July, 2015.This Automation is expected to further enhance efficiency of the operations leading to increased profitability.

1.6 **PROJECTS**

1.6.1 **Staff houses**; the Company has completed 32 housing units for junior staff at Elgon Downs Farm. These houses shall enhance staff morale hence service delivery especially for staff who are required around the clock in the farm.

1.6.2 **Dam construction:** To facilitate production of basic seed during the off season we completed a dam which has the capacity to irrigate 150 acres. Installation of Pivot Irrigation System is to commence before end of 2011/2012 financial year.

1.6.3 **Construction of Basic Seed Go down;** Construction of basic seed single span go down has been finalized and the facility is to be put into use before end of 2011/2012 financial year.

1.6.4 **New Headquarters;** The ultra modern Kenya Seed Company Head Office was completed and occupied in 2011. The work environment has greatly improved.

1.6.5 **Anti Counterfeit System; As a result of implementation of this system, which was done in 2014, fake seed menace has reduced significantly.**

1.7 **PROCESSING & FARM MACHINERY**

1.7.1 **Upgrade of farm machinery and implements;** In 2011, we undertook a comprehensive evaluation of the Company machinery to determine their effectiveness and efficiency in readiness for increased production activities. Through evaluation, we have managed to systematically upgrade our farm machinery and other implements. The process is ongoing.

1.7.2 **Processing;** In order to ensure seamless processing and packaging of our products, the Company has commenced the purchase of a new 2kg packaging machine and purchased a Pre-cleaner for sunflower which has been installed at Pasture Sunflower Unit.

1.8 **RESEARCH ACTIVITIES**

Added into the product range two products: Cotton and Upland Rice

2.0 **CHALLENGES FACING THE COMPANY**

3.0 Availability of land.

4.0 The emerging crop diseases

5.0 Un predictable Weather Patterns

6.0 Pricing

7.0 Ownership of the Company

8.0 Cash flow

9.0 Non conforming Seed

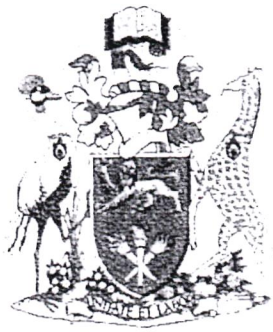
10.0 Fake Seed

11.0 AREAS OF FOCUS IN THE NEXT THREE YEARS

- Review the current Strategic Plan and development of a new one for 2018 and beyond
- Increase/sustain seed production
- Research and development of seed varieties which are more tolerant to diseases and draught
- Increase acreage under irrigation
- Aggressive sales and distribution of seed

Willy K. Bett
MANAGING DIRECTOR

UNIVERSITY OF NAIROBI



This is to certify that

Willy K. Bett

having satisfied the requirements
for the award of the degree of the

MASTER OF BUSINESS ADMINISTRATION

was admitted to the degree
at a Congregation held at
this University on the

Ninth Day of December in the Year
2005

VICE-CHANCELLOR

DEPUTY VICE-CHANCELLOR (ACADEMIC AFFAIRS)

0701

UNIVERSITY OF NAIROBI

This is to certify that

Willy Kipkorir Bett

having satisfied the requirements
for the award of the degree of the

BACHELOR OF ARTS

Second Class Honours (Upper Division)

was admitted to the degree
at a Congregation held at
this University on the
Twenty Second Day of October in the Year
1990

Philip M. Mbithi

VICE - CHANCELLOR

N. O. Bwibo

DEPUTY VICE - CHANCELLOR (ACADEMIC AFFAIRS)

THE KENYA NATIONAL EXAMINATIONS COUNCIL

This is to certify that the candidate named below sat for the Examination for the Kenya Advanced Certificate of Education and qualified for the award of a

KENYA

ADVANCED CERTIFICATE OF EDUCATION

The candidate passed at the level shown (Principal or Subsidiary) in the subject(s) named and attained the Grade(s) as indicated.

Grade

Secretary
Kenya National Examinations Council

Chairman
Kenya National Examinations Council

A 092834

(See overleaf)

THE KENYA NATIONAL EXAMINATIONS COUNCIL

This is to certify that the candidate named below sat for the Examination for the Kenya Certificate of Education and qualified for the award of a

KENYA CERTIFICATE OF EDUCATION

DIVISION II

THE CANDIDATE REACHED THE GRADE SHOWN IN THE SUBJECTS NAMED

WILLY KIPKORIR KETT 53612/003

KAPTEL SECONDARY SCHOOL

	Grade
ENGLISH LANGUAGE	7
CHRISTIAN RELIGIOUS EDUCATION	5
HISTORY	4
GEOGRAPHY	3
LUGHA YA KISWAHILI	7
MATHEMATICS	3
GENERAL SCIENCE	5

SUBJECTS NAMED SEVEN SUBJECTS PASSED SEVEN

EXAMINATION OF NOVEMBER/DECEMBER 1994

Secretary
Kenya National Examinations Council

Chairman
Kenya National Examinations Council

(See overleaf)

O 336071

THE KENYA INSTITUTE OF MANAGEMENT

This is to certify that

WILLY BETT

Attended the

ADVANCED MANAGEMENT PROGRAMME

From 13TH **To** 17TH SEPTEMBER, 1999

Cert. No: *BDD0128*

Executive Director

Chairman of Council

TACK INTERNATIONAL

Promoting people and performance

This is to certify that

Willy K Bett

has succesfully completed the course

Human Resource Training for non - HR managers

held in Nairobi

Signed for TACK International

Date *July 2003*

CERTIFICATE OF TRAINING

PEAK PERFORMANCE
INTERNATIONAL

Unleash the Power Within

This is to certify that

Willy Bett

attended the above course and was equipped with skills
to do the following among other things;

1. Self-evaluation
2. Attitudes and Emotional Management
3. Outcome Setting.
4. FIRE WALK - The True Test of Courage

By attending and completing this course you have demonstrated profound dedication and commitment to improve the quality of your life and others. You have the skills, knowledge and power to change any aspect of your life. You are unstoppable.

AND IN RECOGNITION THEREOF
IS AWARDED THIS CERTIFICATE

James Gitau - C.E.O. & Head Trainer

Date: 29th & 30th Nov' 2003

Committed to Serve, Contribute and Celebrate Human Growth and Development

KENYA POST OFFICE SAVING BANK

Internal Memo

REF	:	KPSB/MD/PF:1152 /2008
DATE	:	February 4, 2008
FROM	:	MANAGING DIRECTOR
TO	:	WILLY BETT PF: 1152 SNR. MANAGER/MTS

SUBJECT: COMMENDATION ON WESTERN UNION CONTRACT NEGOTIATION

Postbank has been offering Western Union services since 1995 under a contract with an exclusivity clause among other terms that were not favourable to the bank.

The last Postbank/Western Union negotiation that resulted in the removal of the exclusivity clause and Postbank receiving a special signing fee of USD 250,000 i.e. Kshs.17.482 million were tough. I recognize your contribution alongside the other negotiation team members including the team from the Monopolies Prices Department of the Ministry of Finance in making this negotiation a success. The bank has never received a signing fee in the past.

In this respect, I have approved one salary increament w.e.f. February 2008.

Keep up the good work.

A. NYAMBURA KOIGI

Cc: D/HR

The Kenya National Chamber of Commerce & Industry

Kitale Branch

Certificate of Appreciation

Awarded to

Willy Bett-Managing Director Kenya Seed

In recognition of Excellent Performance & Co-operate Responsibilities During the Year 2010

We respect your institution for contribution to the society in Trans-Nzoia County

Mr. Wilfred Kinyua
District Commissioner
Trans-Nzoia West

Mr. Benard Bifwoli
Chairman
KNCCI Kitale Branch

3rd DECEMBER 2010
Date

Ufanisi Kwa Wote ~ Prosperity For All

THE KENYA INSTITUTE OF MANAGEMENT

THE INTERNATIONAL CENTRE FOR LEADERSHIP AND DEVELOPMENT (ICLAD)

Certificate

This is to certify that

Willy Bett

Successfully attended and completed the

Advanced Leadership and Management Programme

Held at

Serena Beach Hotel-Mombasa

on 4th - 8th October 2010

Course Director

Executive Director - KIM (ICLAD)

Topics Covered:

- Managing Business in a Global Context;
- Gazelles Rockefeller Habits Workshop and developing the Gazelles One-Page Strategic Plan:
- Strategic Alignment and Risk Management;
- Corporate Governance and Leadership;
- Managing organization change and restructuring;
- Designing a Customer Focused Organisation; and
- Positioning Oneself for the Next Assignment; Building a Personal Brand and Self Development.

REPUBLIC OF KENYA

EXECUTIVE OFFICE OF THE PRESIDENT

State Corporations Advisory Committee

Certificate of Participation

This is to certify that

Willy Bett

Participated in

MWONGOZO Induction Programme for Boards of State Corporations

Held between 19th – 21st November, 2015

at Mombasa Continental Resort, Mombasa.

Joseph K. Kinyua, CBS
Chief of Staff and Head of Public Service

Jane Mugambi
Secretary, State Corporations Advisory Committee

KIM

EXCELLENCE AND INTEGRITY

Since 1954

THE KENYA INSTITUTE OF MANAGEMENT

Certificate of Membership

This is to certify that

Willy Bett

was admitted

Full Member

of

THE KENYA INSTITUTE OF MANAGEMENT

on the 5th *Day of* October 2010

Given under the common seal of the Kenya Institute of Management

Council Chairman

Chairman Membership Committee

Honorary Secretary

KENYA INSTITUTE OF MANAGEMENT

43058

Membership No:

Promoting Excellence and Integrity in Management Practices

State Corporations Advisory Committee

(SCAC)

Kenya Institute of Administration

(KIA)

This is to certify that

Willy Bett

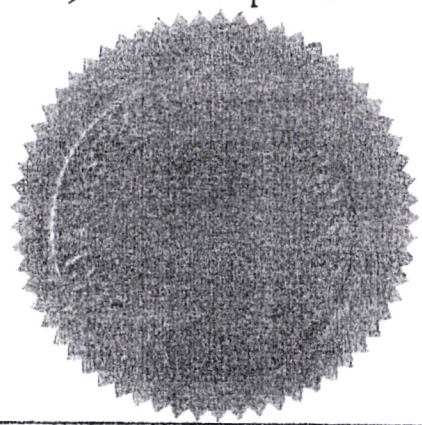
attended the

Strategic Leadership and Change Management Workshop for Directors of State Corporations

held at the

Kenya Institute of Administration

9th to 10th April 2010



The Secretary
State Corporations Advisory Committee
(SCAC)

The Director & Chief Executive
Kenya Institute of Administration
(KIA)

JAMHURI YA KENYA **REPUBLIC OF KENYA**

SERIAL NUMBER: 230834417 ID NUMBER 3446933

FULL NAMES
WILLY KIPKORIR BETT

DATE OF BIRTH
00. 00. 1963

SEX
MALE

DISTRICT OF BIRTH
NANDI

PLACE OF ISSUE
KAPSABET

DATE OF ISSUE
23. 02. 2012

HOLDER'S SIGN.

DISTRICT
NANDI
DIVISION
KAPSABET
LOCATION
KAPTEL
SUB-LOCATION
KAPTEL

PRINCIPAL REGISTRAR'S SIGN

T0127198643

IDKYA230834417D<<752<<<<<<<752
63<<<<1M1202236<B003448933E<<1
WILLY<KIPKORIR<BETT<<<<<<<<<<

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)..... JOSEPH WAKABA MUCHERU

2. **Position:** (State office to which you have been nominated).
..... CABINET SECRETARY, MINISTRY OF .....
..... INFORMATION, COMMUNICATION AND TECHNOLOGY

3. **Sex:** ..... MALE

4. **Date of Birth:** (State year and place of birth)..... 28TH AUGUST 1968 - KIAMBU

5. **Marital Status:** ..... MARRIED - SEPARATED

6. **Daytime phone number:** 0722 522135

7. **Mobile phone number:** 0733 522135

8. **Email Address:** ..... JCC@MUCHERU.COM

9. **ID Number:** 10088486

10. **PIN Number:** A002501641D

11. **Nationality:** KENYAN

12. **Postal Address:** 44337 - 00100

13. **Town/City:** NAIROBI

14. **Knowledge of Languages:** (Specify Languages): ENGLISH, KISWAHILI, KIKUYU

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).

STANFORD UNIVERSITY - EXECUTIVE PROGRAM - JUNE-AUG 2008
CITY UNIVERSITY LONDON - ECONOMICS & COMPUTING - JULY 1993
LENANA HIGH SCHOOL - KACE - PASSED 4 OUT OF 4 - 1988
LENANA HIGH SCHOOL - KCE - 'O' LEVEL - 8/8 PASSED - 1986

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)

GOOGLE KENYA
LAP INVESTMENTS LIMITED
AFB LIMITED
BTC AFRICA (BITPESA LIMITED)
MPESA FOUNDATION ACADEMY ADVISORY BOARD
GIVE DIRECTLY
TELECOMMUNICATIONS SERVICE PROVIDERS ASSOCIATION (TESPA
WANANCHI GROUP (WANANCHI ONLINE, ZUKU)
THE MANGO TREE FOUNDATION

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).

→ MORAN OF THE ORDER OF THE BURNING SPEAR (EMBS)
MWAI KIBAKI - PRESIDENT AND COMMANDER-IN-CHIEF - 2010
→ STANFORD BUSINESS SCHOOL ALUMI ASSOCIATION LIFE MEMBER - 20
→ SPORTS MAN OF THE YEAR - LENANA SCHOOL - 1989

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).

- TELECOMMUNICATIONS SERVICE PROVIDERS ASSOCIATION
CHAIRMAN, DIRECTOR - 1998 - 2007
- KENYA INTERNET EXCHANGE POINT - DIRECTOR/CTO - 1998-20
- KENYA PRIVATE SECTOR ASSOCIATION (KEPSA)

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).

MUTHAIGA GOLF CLUB
MUTHAIGA COUNTRY CLUB
RAILWAY GOLF CLUB
NYAHURURU GOLF & COUNTRY CLUB
THE CAPITAL CLUB EAST AFRICA
EAST AFRICA BUSINESS FORUM
WORLD ECONOMIC FORUM - AFRICA

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.

NOT PUBLISHED

(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.

NONE

(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.

NONE

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

NC

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

NC

21. **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).

- BTC AFRICA STOCK SALE - APPROX- #2M
- WANANCHI NOMINEES STOCK SALE - APPOX - #600K
- VALURAHA - APPROX #20K
-

22. **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).

NONE

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

Google Kenya $7,014,014 (2014) .44million (2015)
AFB LIMITED C (2014) 4.2million (2015)
CAP INVESTMENTS 966,000 (2014) 1million (2015)

24. **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).

YES I have fully complied

25. **Statement of Net Worth:** (State your financial net worth)

Estimated net worth on assets I can value today would be approximately 500 million Shillings

26. **Potential Conflict of Interest:**

(a) Identity the family members or other persons, parties, categories of litigation 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.

BTC AFRICA, WANANCHI NOMINEES SHAREHOLDINGS
- BOTH COMPANIES FALL UNDER THE MINISTRY IN REGULATION AND LICENCING

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

- IN THE PROCESS OF LIQUIDATING MY INTERESTS
- RECUSE MYSELF FROM ANY DECISIONS TOUCHING THE COMPANIES

27. **Pro-Bono/Charity Work/donation 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).

- MPESA FOUNDATION ACADEMY ADVISORY BOARD - MONTHLY MEETINGS
- THE MANGO TREE OPHAN CHARITY - RAISED $1.2m and was a trustee meeting quarterly - Now resigned
- Give Directly - Meetings quarterly

28. 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.

NONE

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

NO

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

NONE

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

PROFESSOR BITANGE NDEMO - 0725411144

MR. SAMUEL NWALE - 0721820858

MR DOMINIC KIARIE - 0721656305

MR JOHN NGUMI - 0722517651

C. 24A

Nº 512810

NATIONAL POLICE SERVICE

DIRECTORATE OF CRIMINAL INVESTIGATIONS

DIRECORATE OF CRIMINAL INVESTIGATIONS
P. O. BOX 30036–00100 GPO
NAIROBI, KENYA

Ref. No. **220861 /2015** Date **04/12/2015**

POLICE CLEARANCE CERTIFICATE

I hereby certify that the fingerprints recorded from .....

JOSEPH WAKABA MUCHERU

.....

10088486

holder of ID/Passport No. ..... *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).....

RESULTS OF TRIAL .....

DATE .....

This Certificate has been issued without any alteration or erasure

(J.M.Magambo)

For: Director of Criminal Investigations

(P.T.O.)

GPK (SP) 751E—125m—5/2015

REMARKS

1. Offence .....

   Result of trial.....

   .....

   Date .....

2. Offence .....

   Result of trial.....

   .....

   Date .....

3. Offence .....

   Result of trial.....

   .....

   Date .....

4. Offence .....

   Result of trial.....

   .....

   Date .....

5. Offence .....

   Result of trial.....

   .....

   Date .....

6. Offence .....

   Result of trial.....

   .....

   Date .....

Police 20

EXTRACTED IN NORMINAL INDEX

KENYA POLICE

APFIS
DATE: 04/12/15

FULL NAME JOSEPH WAKARA MUCHERU

ALIAS

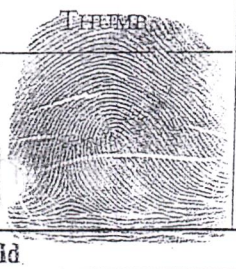
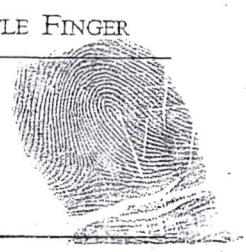
CLASS

IDENTITY CARD NO. 10088486

CHARGE REGISTER NO.

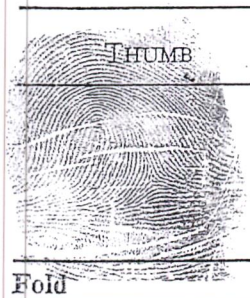
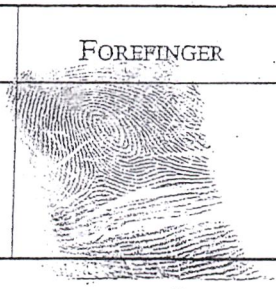
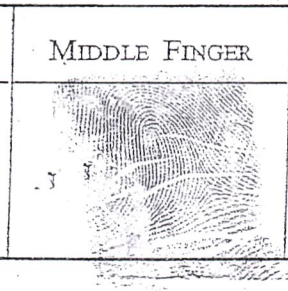
DOCKET NO.

RIGHT HAND

THUMB	FOREFINGER	MIDDLE FINGER	RING FINGER	LITTLE FINGER
				

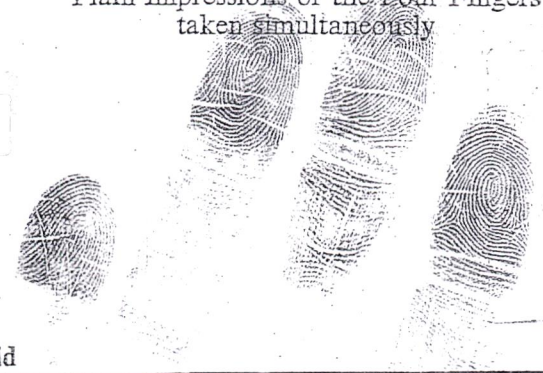
Fold

LEFT HAND

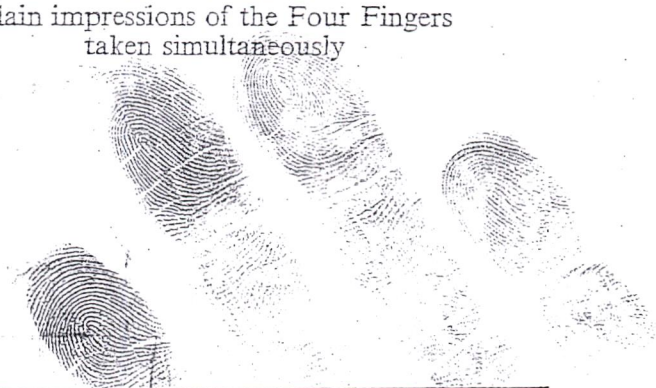
THUMB	FOREFINGER	MIDDLE FINGER	RING FINGER	LITTLE FINGER
				

Fold

LEFT HAND
Plain impressions of the Four Fingers
taken simultaneously



RIGHT HAND
Plain impressions of the Four Fingers
taken simultaneously



Fold

Plain Impress Left Thumb

FINGERPRINTS TAKEN BY

RANK 89 DATE 2/12/15

POLICE STATION CID

Plain Impress Right Thumb

220861

FINGERPRINTS CLASSIFIED BY DATE

TESTED BY DATE

SEARCHED BY DATE

SEARCHED IN S. OF C. BY DATE

HIGHER EDUCATION LOANS BOARD

Serial No: 59140

Compliance Certificate

This is to confirm that;

JOSEPH WAKABA MUCHERU

Holder of National IDNo. ***10088486*** is not a beneficiary of the University Loans Scheme.

Signed by: Head Of Operations

Manager, Loan Repayment and Recovery

Caveat

a) This certificate is issued on the basis of information available to the Board as at the date shown above. The Board reserves the right to withdraw the certificate if new evidence materially alters the compliance status of the recipient.
b) To confirm genuineness and validity of the certificate use the HELB checker available at : http:www.helb.co.ke or contact our office.

Date of Issue:04-12-2015

This certificate is valid until: December 2016

Credit Reference Bureau Africa Limited T/A TransUnion
Personal Consumer Report
All Sector Report
MUCHERU JOSEPH W

04 Dec 2015 03:23 PM GMT+03:00

Pdf ID : 10792823-da9ca6c5-dc12-48f7-9f55-1bfe73dabbc3

0010792823

PERSONAL PROFILE

CRN : **00008983040**
Names : MUCHERU JOSEPH W
ID : 10088486
Nationality: KE
Gender : M Date of Birth: 28/Aug/1968

Prosperity House,
Westlands Road, Off Museum Hill
P. O. Box 46406 - 00100
Nairobi
Tel; +254203751795/ 3713603/2/4
Mobile: 0722205072/ 0724253296

Also Known As

JOSEPH JOSEPH WAKABA MUCHERU

Postal Address(es)	**Last Update :**
44337 - , NAIROBI, K E	18-Jun-2014
GOOGLE KENYA PURSHOTAM - , PLACE 7H FLR.WESTLANDS RD, K E	18-Jun-2014
44337 - , NAIROBI, K E	18-Jun-2014

Physical Address(es)	**Last Update :**
GOOGLE KENYAPURSHOTAM, NAIROBI, K E	18-Jun-2014
GOOGLE KENYA PURSHOTAM, PLACE 7H FLR.WESTLANDS RD, K E	18-Jun-2014
750 TENDE DRIVE LAVINGTON, NAIROBI, K E	18-Jun-2014
TENDE DRIVE, LAVINGTON, NAIROBI,	22-May-2014

Duration of stay in years : 0
Duration of stay in months : 0

Phones	**Last Update :**
254722522135	18-Jun-2014
0722-522135	22-May-2014

Employment

GOOGLE KENYA
Postal Address : 612500-00800,NAIROBI
Position : REGIONAL LEAD

SUMMARY

	Your Sector	Other Sectors
Non-Performing Accounts	0	0
Open NPA	0	0
Closed NPA	0	0
Performing Accounts With Default History	0	0
Open PA With Default History	0	0
Closed PA With Default History	0	0
Performing Accounts	10	0
Open PA	9	0
Closed PA	1	0
PA Open Total Value(KES)	25,669,132.25	0.00
Credit History Duration (Months)	20	0
Bounced Cheques	0	0
Fraudulent Cases	0	0
Credit Applications	0	0
Last PA Listing Date	12 Nov 2015	-
Last NPA Listing Date	-	-
Last Bounced Cheque Date	-	-
Last Fraud Date	-	-
Last Credit Application Date	-	-
Enquiries - Last 30 Days	0	0
Enquiries - Last 31 - 60 Days	0	0
Enquiries - Last 61 - 90 Days	1	0
Enquiries > 91 Days	9	0

1010792823

PDF ID : 10792823-da9ca6c5-dc12-48f7-9f55-1bfe73dabbc3

0010792823

PERFORMING ACCOUNTS

1) *Trade Sector:* Bank Sector Bureau | *Principal Amount:* KES 3,950,000.00 | *Balance Amount:* KES 0.00
Account Ref: **20100521092643** | *Listing Date:* 27-Mar-2014 | *Account Status:* CLOSED
Account Type: PERSONAL LOAN | *Last Payment:* 22-Jul-2014 | *Disputed?* NO
Repayment Terms: 60 MONTHLY
Days In Arrears:: **0 days** | *Scheduled Payments:* KES 97,955.40 | *Worst Arrear:* 0 days
Listed Amount : KES 3,672,832.82
Reporting Institution: **Standard Chartered Bank (K) Ltd**

24 Month Payment History

X	X	X	X	X	X	X	X	X	X	X	X
X	X	X	X	0	0	0	0	0	0	0	X

2) *Trade Sector:* Bank Sector Bureau | *Principal Amount:* KES 5,000,000.00 | *Balance Amount:* KES 4,911,294.62
Account Ref: **MG1528000029** | *Listing Date:* 12-Nov-2015 | *Account Status:* ACTIVE
Account Type: ASSET FINANCE LOANS | *Last Payment:* 31-Oct-2015 | *Disputed?* NO
Repayment Terms: 048 MONTHLY | *Arrears Amount:* **KES 0.00**
Days In Arrears:: **0 days** | *Scheduled Payments:* KES 0.00 | *Worst Arrear:* 0 days
Listed Amount : KES 4,911,294.62 | *Final Payment Date:* 31-Oct-2015
Reporting Institution: **Commercial Bank of Africa**

24 Month Payment History

X	X	0	=	=	=	=	=	=	=	=	=
=	=	=	=	=	=	=	=	=	=	=	=

3) *Trade Sector:* Bank Sector Bureau | *Principal Amount:* KES 12,600,000.00 | *Balance Amount:* KES 12,316,371.00
Account Ref: **20300041141441** | *Listing Date:* 27-Mar-2014 | *Account Status:* ACTIVE
Account Type: Mortgage Loans | *Last Payment:* 28-Oct-2015 | *Disputed?* NO
Repayment Terms: 240 MONTHLY | *Arrears Amount:* **KES 0.00**
Days In Arrears:: **0 days** | *Scheduled Payments:* KES 164,054.20 | *Worst Arrear:* 2 days
Listed Amount : KES 12,570,217.55 | *Final Payment Date:* 28-Oct-2015
Reporting Institution: **Standard Chartered Bank (K) Ltd**

24 Month Payment History

X	X	0	0	0	0	0	0	2	0	0	0
0	0	0	0	0	0	0	0	0	0	0	X

4) *Trade Sector:* Bank Sector Bureau | *Principal Amount:* KES 11,000,000.00 | *Balance Amount:* KES 0.00
Account Ref: **MG1024900024** | *Listing Date:* 07-Aug-2014 | *Account Status:* ACTIVE
Account Type: PERSONAL LOAN | *Last Payment:* 03-Dec-2013 | *Disputed?* NO
Repayment Terms: 062 MONTHLY | *Arrears Amount:* **KES 0.00**
Days In Arrears:: **0 days** | *Scheduled Payments:* KES 0.00 | *Worst Arrear:* 0 days
Listed Amount : KES 0.00
Reporting Institution: **Commercial Bank of Africa**

24 Month Payment History

X	X	X	X	X	X	X	X	X	X	X	X
X	0	0	0	0	0	X	X	X	X	X	X

5) *Trade Sector:* Bank Sector Bureau | *Principal Amount:* KES 3,000,000.00 | *Balance Amount:* KES 0.00
Account Ref: **MG1131100020** | *Listing Date:* 07-Aug-2014 | *Account Status:* ACTIVE
Account Type: PERSONAL LOAN | *Last Payment:* 03-Dec-2013 | *Disputed?* NO
Repayment Terms: 048 MONTHLY | *Arrears Amount:* **KES 0.00**
Days In Arrears:: **0 days** | *Scheduled Payments:* KES 0.00 | *Worst Arrear:* 0 days
Listed Amount : KES 0.00
Reporting Institution: **Commercial Bank of Africa**

24 Month Payment History

X	X	X	X	X	X	X	X	X	X	X	X
X	0	0	0	0	0	X	X	X	X	X	X

6) *Trade Sector:* Bank Sector Bureau | *Principal Amount:* KES 400,000.00 | *Balance Amount:* KES 202,047.00
Account Ref: **0150423128200** | *Listing Date:* 19-May-2014 | *Account Status:* ACTIVE
Account Type: Overdraft | *Last Payment:* 27-Jun-2015 | *Disputed?* NO
Repayment Terms: 12 MONTHLY | *Arrears Amount:* **KES 0.00**
Days In Arrears:: **0 days** | *Scheduled Payments:* KES 0.00 | *Worst Arrear:* 0 days
Listed Amount : KES 222,370.00 | *Final Payment Date:* 27-Jun-2015
Reporting Institution: **Standard Chartered Bank (K) Ltd**

24 Month Payment History

X	X	X	X	X	X	0	0	0	0	0	X
X	X	0	X	X	0	0	0	0	X	X	X

7) *Trade Sector:* Bank Sector Bureau | *Principal Amount:* KES 5,950,000.00 | *Balance Amount:* KES 4,945,600.40
Account Ref: **20100521288191** | *Listing Date:* 15-Oct-2014 | *Account Status:* ACTIVE
Account Type: Personal Loans | *Last Payment:* 24-Oct-2015 | *Disputed?* NO
Repayment Terms: 60 MONTHLY | *Arrears Amount:* **KES 0.00**
Days In Arrears:: **0 days** | *Scheduled Payments:* KES 143,131.00 | *Worst Arrear:* 0 days
Listed Amount : KES 5,972,163.80 | *Final Payment Date:* 24-Oct-2015
Reporting Institution: **Standard Chartered Bank (K) Ltd**

24 Month Payment History

X	X	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	=	=	=	=	=	=	=

Trade Sector: Bank Sector Bureau | *Principal Amount:* KES 168,605.00 | *Balance Amount:* KES 0.00
Account Ref: **MG1430800007** | *Listing Date:* 13-Nov-2014 | *Account Status:* ACTIVE
Account Type: Personal Loans | *Last Payment:* 05-Aug-2015 | *Disputed?* NO
Repayment Terms: 010 MONTHLY | *Arrears Amount:* **KES 0.00**
Days In Arrears:: **0 days** | *Scheduled Payments:* KES 0.00 | *Worst Arrear:* 0 days
Listed Amount : KES 150,584.65 | *Final Payment Date:* 05-Aug-2015
Reporting Institution: **Commercial Bank of Africa**

24 Month Payment History

X	X	0	0	0	0	0	0	0	0	0	0
X	0	=	=	=	=	=	=	=	=	=	=

Prosperity House,
Westlands Road, Off Museum Hill
P. O. Box 46406 - 00100
Nairobi
Tel; +254203751799/ 3713603/2/4
Mobile; 0722205672/ 0724253296

9) *Trade Sector:* Bank Sector Bureau | *Principal Amount:* KES 400,000.00 | *Balance Amount:* KES 139,276.00
Account Ref: **130911000050014** | *Listing Date:* 19-May-2014 | *Account Status:* ACTIVE
Account Type: Credit Cards | *Last Payment:* 12-Sep-2013 | *Disputed?* NO
Repayment Terms: 999 MONTHLY | *Arrears Amount:* **KES 0.00**
Days In Arrears:: **0 days** | *Scheduled Payments:* KES 0.00 | *Worst Arrear:* 0 days
Listed Amount : KES 92,840.00 | *Final Payment Date:* 12-Sep-2013
Reporting Institution: **Standard Chartered Bank (K) Ltd**

24 Month Payment History

X	X	0	0	0	0	0	0	0	0	0	0

0	0	0	0	0	0	0	0	0	X	X	X

10) *Trade Sector:* Bank Sector Bureau
Account Ref: **MG1415600023**
Account Type: Personal Loans
Repayment Terms: 062 MONTHLY
Days In Arrears:: **0 days**
Listed Amount : KES 3,760,817.05
Principal Amount: KES 4,000,000.00
Listing Date: 07-Aug-2014
Last Payment: 30-Oct-2015
Scheduled Payments: KES 0.00
Final Payment Date: 30-Oct-2015
Balance Amount: KES 3,154,543.23
Account Status: ACTIVE
Disputed? NO
Arrears Amount: **KES 0.00**
Worst Arrear: 0 days
Reporting Institution: **Commercial Bank of Africa**

24 Month Payment History

X	X	0	0	0	0	0	0	0	0	0	0
X	0	0	0	0	0	X	=	=	=	=	=

Payment History Key

=	Facility not yet assigned
X	Data not Submitted
numbers	Days In Arrears

TRANSUNION
Prosperity House,
Westlands Road, Off Museum Hill
P. O. Box 46406 - 00100
Nairobi
Tel; +254203751799/ 3713603/2/4
Mobile; 0722205072/ 0724253296

Recent Enquiries

Trade Sector	Date	Enquirer	Reason For Enquiry
1) Bank Sector Bureau	25 Sep 2015	Commercial Bank of Africa	Loan Application
2) Bank Sector Bureau	27 May 2014	Commercial Bank of Africa	Loan Application
3) Bank Sector Bureau	16 Apr 2014	CFCStanbic Bank Ltd	Loan Application
4) Bank Sector Bureau	17 Dec 2013	Commercial Bank of Africa	Loan Application
5) Bank Sector Bureau	05 Sep 2013	Standard Chartered Bank (K) Ltd	Loan Application
6) Bank Sector Bureau	03 Jul 2013	Standard Chartered Bank (K) Ltd	Loan Application
7) Bank Sector Bureau	12 Apr 2011	Commercial Bank of Africa	
8) Bank Sector Bureau	25 Mar 2013	Commercial Bank of Africa	Loan Application
9) Bank Sector Bureau	11 Oct 2010	Commercial Bank of Africa	
10) Bank Sector Bureau	29 Dec 2010	CFCStanbic Bank Ltd	

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KENYA REVENUE AUTHORITY

Tax Compliance Certificate

For General Tax Questions
Contact KRA Call Centre
Tel: +254 (020) 4999 999
Cell: +254(0711)099 999
Email: callcentre@kra.go.ke

www.kra.go.ke

Taxpayer PIN : A002501641D

Name and Address :

JOSEPH WAKABA MUCHERU

PURSHOTTAM PLACE, NAIROBI, Westlands District,
PO Box:44337,
Postal Code:00100

Certificate Date: 07/12/2015

Certificate Number:

KRASON2882532015

This is to confirm that JOSEPH WAKABA MUCHERU, Personal Identification Number A002501641D has filed relevant tax returns and paid taxes due as provided by Law.

This Certificate will be valid for zero (0) months up to 06/12/2016.

Caveat: This certificate is issued on the basis of information available with the authority as at the certificate date mentioned above. The Authority reserves the right to withdraw the certificate if new evidence materially alters the tax compliance status of the recipient.

Disclaimer : This certificate is system Generated and therefore does not require signature.You may confirm validity of this certificate on the iTax Portal by using the TCC Checker.

FIRST SCHEDULE (S.13) / *TARATIBU YA KWANZA (S.13)*

SELF-DECLARATION FORM / FOMU YA KUJITANGAZA

1. GENERAL INFORMATION / *TAARIFA YA JUMLA*

Title / *Cheo*	Surname / *Jina la ukoo*	First Name / *Jina la Kwanza*	Middle Name / *Jina la Katikati*	Other Names / *Majina Mengine*
Mr/Mrs/Prof/ Miss/Ms/Dr *Bw/Bi/Prof/ Binti/Bibi/Dkt*	MUCHERU	JOSEPH	WAKABIA	

ID CARD No. *Na. ya Kitambulisho*	PASSPORT NO. *NA. ya PASIPOTI*	EXPIRY DATE OF PASSPORT *TAREHE YA MUDA WA PASIPOTI KUISHA*	PIN NO. *NA. ya PIN*
10088486	C020840	19-SEPT-2022	A002501641D

SEX (Tick) / *JINSIA (Weka Alama)*

Male / *Kiume* ☑

Female / *Kike* ☐

Occupation: / *Kazi:* NOMINEE CS, MINISTRY OF ICT

E-Mail Address: / *Anwani ya Baruapepe:* JOE@MUCHERU.COM

Postal Address: PO Box 44337 Code: 00100
Anwani ya Posta: SL Posta: *Msimbo:*

Other Addresses: / *Anwani Nyingine:*

Telephone No. *Na. ya Simu*	Mobile No. *Na. ya Rununu*	Other Numbers *Nambari Nyingine*
	0722522135	0733522135

RESIDENCE / *MAKAZI*

ESTATE/TOWN/LOCATION *MTAA/MJI/LOKESHENI*	10 KIBAGARE WAY
DISTRICT *WILAYA*	KYUNA
COUNTY *KAUNTI*	NAIROBI
TOWN/CITY *MJI/JIJI*	NAIROBI
COUNTRY *NCHI*	KENYA

2. BIRTH INFORMATION / *TAARIFA YA KUZALIWA*

DATE OF BIRTH /*TAREHE YA KUZALIWA*	28-DEC-1968

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~~BIRTH CERTIFICATE NO. / *NA. YA CHETI CHA KUZALIWA*~~	51591
PLACE OF BIRTH / *MAHALI PA KUZALIWA*	KAMERETHO
DISTRICT OF BIRTH / *WILAYA YA KUZALIWA*	KIAMBU
COUNTY OF BIRTH / *KAUNTI YA KUZALIWA*	KIAMBU
COUNTRY OF BIRTH / *NCHI YA KUZALIWA*	KENYA

3. NATIONALITY /*UTAIFA*

Kenyan ☑ *Mkenya*	Dual ☐ *Kotekote* (Provide details_____) (*Toa maelezo*_____)

4. MARITAL STATUS / *HALI YA NDOA*

SINGLE ☐ *NINGALI SIJAOA/ SIJAOLEWA*

MARRIED ☐ *NIMEOA/NIMEOLEWA*

SEPARATED ☑ *NIMETENGANA*

DIVORCED ☐ *NIMETALAKIANA*

WIDOWED ☐ *NIMEFIWA*

IF MARRIED GIVE NAMES OF THE SPOUSE(S) (Surname, First Name, middle name, others)
KAMA UMEOA TOA MAJINA YA MUME/MKE(Wa) WAKO (Jina la ukoo, Jina la Kwanza, jina la kati, mengine)

AIDA WAMBUI KAMAU

NATIONALITY OF SPOUSE *UTAIFA WA MKE/MUME*	KENYAN

NAME OF CHILDREN UNDER THE AGE OF 18 YEARS
JINA LA WATOTO WALIO CHINI YA UMRI WA MIAKA 18

RUBY CIKU WAKABA

BARAKA MUCHERU WAKABA

5. EDUCATIONAL QUALIFICATIONS / *KUFUZU KWA KIELIMU*

PRIMARY CERTIFICATE ☐ *CHETI CHA MSINGI*

SECONDARY ☐ *SHULE YA UPILI*

'A' LEVEL ☐ *KIWANGO CHA 'A'*

DIPLOMA ☐ *STASHAHADA*

DEGREE ☑ *SHAHADA*

MASTERS ☑ *UZAMILI*

PHD ☐ *UZAMIFU*

OTHERS *VINGINE* STANFORD EXECUTIVE PROGRAM

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~~HIGHEST ACADEMIC QUALIFICATION OBTAINED~~
KUFUZU KWA JUU ZAIDI KWA KIAKADEMIA ULIKOPATA

Qualification / *Kufuzu*	Institution / *Taasisi*	Year /*Mwaka*
SEP	STANFORD UNIVERSITY	2008

6. LANGUAGE SPOKEN / *LUGHA UNAZOZUNGUMZA*

First Language *Lugha ya Kwanza*	Second Language *Lugha ya Pili*	Others *Nyingine*
KIKUYU	ENGLISH	KISWAHILI

7. MEMBERSHIP OF PROFESSIONAL ORGANISATION(s) (If any)
UANACHAMA WA SHIRIKA(MA) YA KITAALAMU (Kama yapo)

Name of Organization *Jina la Shirika*	Date of Admission *Tarehe ya Kuandikishwa*	Membership No. *Na. ya Uanachama*

8. REASON(S) FOR DECLARATION / *SABABU ZA KUJITANGAZA*

Purpose for which declaration is required / *Kusudio la kuhitajika kwa kujitangaza huku*

Election *Upigaji kura* ☐ Employment *Kuajiriwa* ☑

Others (Specify) _____
Nyingine (Bainisha)

State office for which the declaration is being submitted *Ofisi ya serikali ambayo kujitangaza huku kunawasilishwa*	PARLIAMENT

9. MORAL AND ETHICAL QUESTIONS / *MASWALI YA NIDHAMU NA KIMAADILI*

Answers to the following questions are mandatory. If YES to any question you must provide additional information on a supplementary sheet.
Majibu kwa maswali yafuatayo ni lazima. Kama NDIYO katika swali lolote lazima utoe taarifa ya ziada kwenye karatasi nyingine.

	YES	NO
a) Have you ever engaged in any form of dishonesty in the conduct of public affairs *a) Umewahi kujihusisha na hali yoyote ya kutokuwa mwaminifu katika kazi zako na shughuli za umma*		NO
b) Have you ever abused a public office? *b) Umewahi kutumia vibaya ofisi ya umma?*		NO
c) Have you ever misrepresented information to the public? *c) Umewahi kuwakilisha kwa njia isiyofaataarifa kwa umma?*		NO
d) Have you ever engaged in wrongful conduct whilst in the furtherance of personal benefit?		NO

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d) Umewahi kujihusisha katika tabia mbaya huku ukitaka kujinufaisha kibinafsi?		
e) Have you ever misused public resources? *e) Umewahi kutumia vibaya rasilimali za umma?*		NO
f) Have you ever discriminated against anyone of any grounds other than as provided for under the Constitution or any other law? *f) Umewahi kubagua yeyote kwa misingi yoyote mbali na vile ilivyoelezwa katika Katiba au sheria yoyote nyingine?*		NO
g) Have you ever falsified official or personal records? *g) Je, umewahi kudanganya katika rekodi rasmi au za kibinafsi?*		NO
h) Have you ever been debarred or removed from the Register of Members of your professional organization? *h) Umewahi kupigwa teke au kuondolewa kutoka kwenye Rejista ya Wanachama wa shirika lako la kitaalamu?*		NO
i) Have you ever had any occupational or vocational license revoked and/or otherwise subjected to any other disciplinary action for cause in Kenya or any other country *i)Umewahi kujipata katika hali ya leseni yako ya kikazi au ya kiufundi kutupiliwa mbali na/au vinginevyo kuchukuliwa hatua nyingine ya kinidhamu katika nchi ya Kenya au nchi yoyote nyingine*		NO
j) Have you ever dismissed from employment on account of lack of integrity? *j) Umewahi kufutwa kazi katika ajira kutokana na ukosefu wa uadilifu?*		NO
k) If you have been a public officer, have you ever failed to declare your Income, Assets and Liabilities as required under the Public Officer Ethics Act, 2003? *k) Kama umewahi kuwa ofisa wa umma, umewahi kushindwa kutangaza Mapato yako, Mali na Gharama kama unavyohitajika katika Kifungu cha sheria cha Maadili ya Ofisa wa Umma, 2003?*		NO
l) Have you ever been the subject of disciplinary or criminal proceedings for breach of the Public Officer Ethics Act, 2003 or a Code prescribed thereunder? *l) Umewahi kuwa mada katika taratibu za kinidhamu au kihalifu kwa kuvunja kifungu cha sheria cha Maadili ya Ofisa wa Umma 2003, au Msimbo ulioainishwa hapo chini?*		NO
m) Have you ever been convicted of any offence and sentenced to serve imprisonment for a period of at least six months? *m) Umewahi kushtakiwa kwa kosa lolote na kuhukumiwa kifungo gerezani kwa kipindi kipatacho miezi sita?*		NO
n) Have you ever had an application for a Certificate of Clearance or a Certificate of Good Conduct or for a visa or other document authorizing work in a public office denied and/or rejected for cause in Kenya or any other country?		NO

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~~n) Umewahi kutuma ombi la Cheti cha kuondolewa Hatia au Cheti cha~~ Kinidhamu au cha visa au nyaraka nyingine zinazoidhinisha kazi katika ofisi ya umma na hivyo basi wewe kunyimwa na/ au kukataliwa kwa sababu yoyote nchini Kenya au nchi yoyote nyingine?		

10. EMPLOYMENT INFORMATION / *TAARIFA YA KUAJIRIWA*

NAME OF EMPLOYER *JINA LA MWAJIRI*	POSITION/RANK *CHEO/WADHIFA*	DATE OF FIRST APPOINTMENT *TAREHE YA KUAJIRIWA KWA KWANZA*	DATE OF PRESENT APPOINTMENT *TAREHE YA KUAJIRIWA KWA SASA*
GOOGLE KENYA	SSA AMBASSADOR ENERGY/LEAD AFRICA	JUNE 2007	TO-DATE
AFB KENYA	DIRECTOR	APRIL ~~JUNE~~ 2015	TO-DATE
UAP INVESTMENTS	DIRECTOR	APRIL 2013	TO-DATE

WORKSTATION *KITUO CHA KAZI*	**NATURE OF EMPLOYMENT** (Constitutional/Elective/Permanent/Contractual/Other) ***AINA YA KUAJIRIWA*** *(Kikatiba/Kuteuliwa/Kudumu/Kikandarasi/Nyingine)*
	APPOINTMENT

~~OATH AND AFFIRMATION / *KIAPO NA UTHIBITISHWAJI*~~

I solemnly swear (or affirm) and certify, under penalty of false declaration under the Oaths and Statutory Declarations Act (Cap 15 of the Laws of Kenya), that all the foregoing statements in this declaration are true and correct to the best of my knowledge.

Ninaapa ya kwamba (ninathibitisha) na kuidhinisha, katika adhabu ya kujitangaza kwa uongo chini ya kifungu cha sheria cha Viapo na Kujitangaza Kisheria(Ibara 15 ya Sheria za Kenya), kwamba kauli zote zilizotajwa katika kujitangaza huku ni za kweli na sahihi kwa kadri ninavyojua.

Dated at / *Mnamo tarehe* 8-12-2015, this / *kwenye*.....

day of / *siku hii ya* .....

SIGNATURE OF DECLARANT: .....
SAINI YA ANAYEJITANGAZA:

SWORN/~~DECLARED~~ BEFORE ME / *ALIYELISHWA KIAPO/TANGAZWA MBELE YANGU*

This / *Mnamo* 8th day of / *siku hii ya* December, 20 15,

at / *katika mahali hapa* NAIROBI

NOTARY PUBLIC
~~COMMISSIONER FOR OATH~~/~~MAGISTRATE~~
KAMISHNA WA KIAPO/ HAKIMU

OMBEGI GAPILA
NOTARY PUBLIC
P.O. Box 10696, NAIROBI

ETHICS AND ANTI-CORRUPTION COMMISSION
08 DEC 2015
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P.O. Box 61130-00200 NAIROBI

DEGREE of BACHELOR OF SCIENCE WITH HONOURS

We hereby certify that

JOSEPH WAKABA MUCHERU

having attended an approved course of study in the University satisfied the examiners and was admitted by resolution of the Senate to the Degree of Bachelor of Science with Honours

(Class Two Division Two)

in Economics and Computing

on the 6th day of July 19 93

Raoul n Franklin

Vice-Chancellor

D Glycopantis

Head of Department

Adrian H. Seville

Academic Registrar

The

Stanford University Graduate School of Business

presents to

Joseph W. Mucheru

this Certificate of Participation

in the

Stanford Executive Program

June 22 - August 5, 2008

Dean, Graduate School of Business

Associate Dean,
Executive Education

Faculty Director

Stanford Business School

Alumni Association

This is to certify that

Joseph W. Mucheru

is a

Life Member

of the Stanford Business School
Alumni Association

Stanford University

President

Executive Director

No.
12893

This is to certify that the candidate named below sat for the Examination for the Kenya Certificate of Education and qualified for the award of a

KENYA CERTIFICATE OF EDUCATION

DIVISION II

THE CANDIDATE OBTAINED THE GRADE SHOWN OPPOSITE THE SUBJECTS NAMED

[illegible]

KENYA HIGH SCHOOL

	Grade
ENGLISH LANGUAGE	C
LITERATURE IN ENGLISH	C
HISTORY	C
CHRISTIAN RE	C
PHYSICS	C
BIOLOGY	C
CHEMISTRY	C
MATHEMATICS	C

SUBJECTS NEED EIGHT SUBJECTS PASSED EIGHT

EXAMINATIONS OF NOVEMBER/DECEMBER 1988

Secretary
Kenya National Examinations Council

Chairman
Kenya National Examinations Council

(See overleaf)

O 510614

REPUBLIC OF KENYA

To all and singular to whom these presents shall come, Greetings!

Know ye that, I, Mwai Kibaki

President and Commander-in-Chief of the Defence Forces of the Republic of Kenya

do hereby confer upon: Joseph Muchery

the honour and style of Moran in the Third Class of

The Order of the Burning Spear

in recognition of

Distinguished Services rendered to the nation

In virtue of which, from this day.....he.....shall be permitted to use and wear publicly the insignia of the Order according to the Class named, and shall at all times have and enjoy the honour and style of:

Moran of the Order of the Burning Spear

In testimony whereof, I have caused the Seal of the Republic of Kenya to be affixed.

Given under my hand at Nairobi

this 12th *day of* Dec *20* 10

Mwai Kibaki

Mwai Kibaki
President and Commander-in-Chief
Republic of Kenya

Joseph Mucheru

Google Sub-Saharan Africa Ambassador and Energy Access and Investment Regional Lead - Africa,

Current Google Inc, UAP Investments Limited, afb Limited, GiveDirectly, BTC Africa, Mpesa Foundation Academy Advisory Board

Previous Telecommunications Service Provider Association of Kenya (TESPOK), Wananchi Online (Zuku.co.ke) , Internet Solutions Kenya (formally Interconnect Ltd)

Education Stanford University Graduate School of Business, City University London UK

Email: joe@mucheru.com, Mobile: +254722522135

Background

Summary

Mr. Joseph Mucheru is the Google Sub-Saharan Africa (SSA) ambassador as well as Energy Access and Investments Regional Lead - Africa, based in Nairobi. He joined Google in June 2007 where he leads the delivery of strategy, business planning and operations for the Energy Access and Investments team in Africa.

He has a senior track record which includes successful management of large, cross functional and international teams. Prior to joining Google he worked at Wananchi Online, a company he co-founded in 1999. He held various roles at the company including Chief Technology Officer, Strategy & Business Director and Chief Executive Officer. He attended The Stanford Executive Program at Stanford University in 2008 before that he obtained his undergraduate degree (B Sc. Joint (Hons)) in Economics & Computer Science at City University London in 1993 and has since accumulated numerous certifications.

He is a current Board Member of UAP Investments Limited, BitPesa Limited, GiveDirectly and afb who are all in the financial technology space ranging from Insurance, BitCoins, innovative charity giving to unsecured lending all using data and mobile technologies. He is also on the Mpesa Foundation Academy Advisory Board.

He was awarded the Moran of the order of the burning spear in December 2010 by his Excellency the President of the Republic of Kenya, Hon. Mwai Kibaki for his contribution to ICT in Kenya amongst other things. He is a member of Africa Leadership Network, The National Prayer Breakfast as well as the East African Business Summit. He enjoys farming, investments, sports, traveling, music, movies, politics, business and surfing the net.

Experience

Google Sub-Saharan Africa Ambassador & Energy Access and Investment Regional Lead - Africa

Google

June 2014 – Present (11 months) Nairobi (Time at Google 8 years 2 Months)

Responsible for defining, evaluating, prioritizing, advocating, and implementing energy investments and energy access strategies where Google can have the greatest impact in Africa. Being the voice of Google's energy efforts and acting as the regional Ambassador for Google Inc., business development and high level relationship management, identifying opportunities for Google in energy access and investments, interfacing with local government, agencies, or other organizations as necessary to ensure success of Google's energy projects. The role includes Leading, managing and coordinating regional cross functional support and implementation teams for energy access and investment efforts, which include Program Management, Partner Management, Technical Management as well as support functions including Legal, Marketing, Compliance, Government and Policy, Communications

Director
UAP Investments Limited
April 2013 – Present (2 Year 4 months) Nairobi, Kenya

UAP Group is a pan-African Financial Services Group with interest in Insurance, Investment Management, Property Investments, Securities Brokerage and Financial Advisory. Currently UAP has eight (8) businesses operating in Kenya, Uganda and South Sudan which are market leaders in their respective markets, and will be entering the Tanzania, Rwanda and Democratic Republic of Congo (DRC) markets before the end of the year. UAP is currently executing an ambitious pan-Africa growth and expansion strategy in order to extend its business into new geographical markets and to establish new business lines in high growth areas which complements its existing core business of Insurance. As part of this strategy, UAP has established UAP Investments Limited, a subsidiary of UAP Holdings Limited, to provide asset management and investment advisory services. UAP Investments will be positioned as a premier investment firm in Africa, with a central hub in Nairobi, Kenya.

Director at afb - all you can be
April 2015 - Present (4 months)

afb's mission is to unlock the potential in Africa's digital footprint. Using data to understand behaviour, we give people the power to change their lives through innovative financial products. afb has won over 350 000 new customers in Kenya, Ghana and Tanzania, enjoys over 400 retail partners and is the first to deliver unsecured credit digitally with leading network operators Airtel and MTN.

Director at GiveDirectly
January 2015 - Present (7 months)

Traditional ways of giving internationally are complex. Donors typically give to international NGOs that manage money, fundraise, and implement programs through partner organizations abroad which have their own (usually hidden) cost structures. Overall it is hard for donors to tell how their money will be used, what this will cost, and whether there is any evidence that it works. At GiveDirectly we've created a simpler way: we take money from donors and give it to the poor. We can do this because modern payments technology has Page2 drastically cut the costs of sending money directly to the extreme poor, at the same time as new research has shown the powerful effects this has on their lives. At GiveDirectly we see these trends converging to make direct giving the benchmark against which the old, top-down models are evaluated.

Director at BitPesa
February 2014 - Present (1 year 6 months)

In November 2014, BitPesa celebrated its first birthday. We've seen huge growth of our Bitcoin to Kenyan Shilling (KES) remittance product, and we've started sales of Bitcoin in Kenya and Ghana. We now have a team of 9 full-time employees, and recently closed a follow-on round of $1.1M. CGAP's blog post about us on the World Bank's website also made it to the 2014 Top Ten Editor's Picks and we were just featured in Fast Company and TechCrunch. It's been a huge year for us. The November funding round brought our 2014 total equity to over $1.7M. This latest raise was led by Pantera Capital Management LP with support from the Crypto Currency Partners LP, Stephens Investment Management LLC, and existing shareholders: the Bitcoin Opportunity Corporation and Future/Perfect Ventures, among others. We have been happy to add Dan Morehead of Pantera Capital Management LP to our Board of Directors, joining Joseph Mucheru, Duncan Goldie-Scot and Jalak Jobanputra.

PREVIOUS EXPERIENCE

Google Sub-Saharan Africa Ambassador & East Africa Lead
Google
June 2007 – Dec 2014 (5 years) Nairobi

As well as running the day to day operations and strategy for Google Inc. in East Africa. The role is to develop and carry out strategic and tactical planning and implementation of Company plans. This includes overseeing the various functions of the company including, Commercialization and Sales, Publisher engagements, Developer as well as Public Private sector partnerships and day to day operations for of the cross functional teams (Geo Operations, Query Failover Centre, Engineering, Business Development, Localization, Facilities, Technical, PR and Marketing as well as Google.org)

Office Lead East Africa
Google Kenya
June 2007 – May 2009 (2 years) Nairobi, Kenya

As well as running the day to day operations and strategy for Google Inc. in East Africa. The role is to develop and carry out strategic and tactical planning and implementation of Company plans. This includes overseeing the various functions of the company including, Commercialization and Sales, Publisher engagements, Developer as well as Public Private sector partnerships and day to day operations for of the cross functional teams (Geo Operations, Query Failover Centre, Engineering, Business Development, Localization, Facilities, Technical, PR and Marketing as well as Google.org)

Chairman/Director
Telecommunications Service Provider Association of Kenya (TESPOK)
July 1998 – July 2007 (9 years 1 month)

An association of Kenya's Communications Service Providers and Operators. TESPOK has the responsibility of lobbying government and the regulators, providing guidelines and support for its Members and is also responsible for the Kenya Internet Exchange Point.

Chief Executive
Wananchi Online
June 2006 – April 2007 (11 months) (Total Years at Wananchi Online - 7 years 5 months)

Chief Executive Duties

Strategy & Business Development Director
Wananchi Online
December 1999 – May 2006 (6 years 6 months)

Co-Founder & Chief Technology Officer
Wananchi Online
December 1999 – December 2004 (5 years 1 month)

To develop and carry out strategic and tactical planning and implementation of Company plans. Responsibilities include overseeing all technical aspects of the company, development of technical strategies, future technical planning, information and Internet architecture as well as people development.

Webmaster, Technical & Product Development Manager
Internet Solutions (IS) (formally Interconnect Limited)
1997 – 1999 (2 years)

Honors & Awards

The Moran of the Order of the Burning Spear (M.B.S)

His Excellency. Hon Mwai Kibaki, C.G.H, M.P. President and Commander-in-Chief of the Defence Forces of the Republic of Kenya
December 2010

Mr. Mucheru is the Head of East Africa Google Office and the Regional Leader for Google Sub-Saharan Africa. He was the first African to be hired by Google in 2007. Prior to joining Google, he worked for Wananchi Online, a company he co-founded in 1999. He also chaired the Telecommunications Service Providers of Kenya prior to joining Google. He is awarded the Moran of the Burning Spear (MBS) for his outstanding contribution towards technology.

Education

Stanford University Graduate School of Business

Stanford Executive Program (SEP), business
2008 – 2008

City University

BSc Joint Hons, Economics & Computer Science
1989 – 1993

Industrial attachment with the Department of Transport at Marsham Street London, Held a position within a high profile team conducting a survey on the Origins, Destination and Transport of UK international Trade for the Channel Tunnel Planning.

Lenana School

'A' and 'O' Levels, Passed
1983 – 1988
Activities and Societies: Sportsman of the Year, School DJ, Hockey Captain

TransUnion

CRN No. 8983040

CRB Certificate

Date of issue: 14 Dec 2015

S/No. 8576

We hereby confirm, having searched Credit Reference Bureau Africa records, that;

JOSEPH WAKABA MUCHERU

of National ID No 10088486

Has a Credit Report with status as:

☑ No adverse listing ☐ Paid ☐ Paying ☐ Not paid

This Certificate has been issued without any alteration or erasure. The validity of the information on this certificate is as at the date of issue.

TransUnion Authorised Signatory

TRANSUNION
Prosperity House,
Westlands Road, Off Museum Hill
P. O. Box 46406 - 00100
Nairobi
Tel; +254203764399/ 3713603/2/4
Mobile; 0722205072/ 0724253296

TransUnion Authorised Signatory

D39688E14C {30915CFD-A7A6-4326-9AA0-83D83EF61FE0}

The conclusions herein are based on information obtained from public record and other third-party sources. TransUnion makes no representation as to the accuracy of this information and shall not be liable for any loss, damage or claim whatsoever, howsoever arising following the use of or reliance upon the opinions expressed herein.

For verification, kindly call our office on 020 2021299 | 020 2021432

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) **Sicily Kanini Kariuki**

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

   Cabinet Secretary for Public Service, Youth and Gender Affairs

3. **Sex:** Female

4. **Date of Birth:** (State year and place of birth) 27.12.1965 – EMBU

5. **Marital Status:** Married

6. **Daytime phone number:** 2716715

7. **Mobile phone number:** 0720606088

8. **Email Address:** kaninikariuki@yahoo.com

9. **ID Number:** 7806180

10. **PIN Number:** A001274856V

11. **Nationality:** Kenyan

12. **Postal Address:** P.O. Box 66276 – 00800

13. **Town/City:** Nairobi

14. **Knowledge of Languages:** (Specify Languages): English, Kiswahihi, Mother Togue - (Ki-Embu) Excellent in writing and speaking.

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).

2011 - Current – UNISA (DBL) - Doctorate in Business Administration
2002 – 2004 - ESAMI/Maastricht School of Management – Masters in Business Administrationn
2001- Michigan State University – Certificated in International Food and Laws Regulations.
2004 – The University of Georgia – Certificate of Participation (US – Africa Trade Finding Markets for East African Entrepreneurs
1987 – 1990 – University of Nairobi – Bachelor of Commerce Degree in Marketing
1985 – Kangaru High School KACE Certificate

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)

June 2013 – Current – Principal Secretary, State Department of Agriculture, Ministry of Agriculture, Livestock and Fisheries
June 2006 – 28th June 2013 – Managing Director, Tea Board of Kenya
January 2001 – May 2006 – Chief Executive Officer Fresh Produce Exporters Association of Kenya (FPEAK)
April 2000 – December 2001 – General Manager, Kenia Fresh Produce Exporters Ltd.
December 1999 – April 2000 – Career Break
July 1997 – December 1999 - Export Marketing Manager, Fresh Produce Exporters Association of Kenya (FPEAK)
May 1995 – July 1997- Investment Promotion Manager -Investment Promotion Centre (Now KENINVEST)
April 1990 – May 1995 – Investment Promotion Centre – Investment Promotion Officer
2012 – July 2014 – Non Executive Director, Commercial Bank of Africa
2013 – 2015 – Director (Non-Executive) - The World Agroforestly Centre (ICRAF)

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).

March 2009 - Certificate of Recognition – Top Woman Business in Business and Government, (Business Woman Magazine/Ministry of Trade/UNDP)

12th December 2015 – The Third Class: Moran of the Order of the Burning Spear - MBS (Office of the President)

December 2008 - Marketing Worrior (Non Human Category), Marketing Society of Kenya

2005 – Certificate of Recognition Chochran Fellowship – United States Department of Agriculture

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).

Current - Marketing Society of Kenya – Member

Current – Institute of Directors (Kenya) – Member/Past Director

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).

Food Agricultural Organization of the United Nations (Intergovernmental Group on Tea (IGG on Tea)

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.

i **Economic Review of Agriculture – 2015**
ii **Strategic Plan 2013 – 2017 (Revised 2015).**
iii **Cassava Manual – 2014**
iv **Contracted Extension Service Delivery Model 2015**
v. **Conference Paper – Soil "The Substance of Transformation"**

(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.

i. Competitively recruited and Appointed Principal Secretary, State Department of Agriculture - Ministry of Agriculture, Livestock and Fisheries (June 2013 – Current)

ii. Competitively recruited and Appointed for 3 Year Renewable Contract – Tea Board of Kenya (June 2006 – June 2013)

(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.

N/A

(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

21. **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).

N/A

22. **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).

NO

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

January 2014 - December 2014	**(KShs.)**
Investments/Assets	**158,500,000 Million**
Salaries & Remuneration	**13,170,000 "**
TOTAL	**171,670,000 "**
	==========

January 2015 - November 2015	**(KShs.)**
Investments/Assets	**170,500,000 Million**
Salaries & Remuneration	**13,831,000 "**
TOTAL	**184,331,000 "**
	==========

24. **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).

YES

25. **Statement of Net Worth:** (State your financial net worth)

	KShs.
Assets/Investments	**184,331,000 Million**
Less Liabilities	**16,000,000 "**
	168,331,000 "

26. **Potential Conflict of Interest:**

(a) Identity the family members or other persons, parties, categories of litigation 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.

Relative is an official of the Union of Kenya Civil Service (UKCS)

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

By adhering to Article 73 Section (2) of the Constitution

27. **Pro-Bono/Charity Work/donation 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).

i. Motivational Talks to upcoming Corporate Leaders and Students - 4 days in a year.
ii Giving Talks for Women Economic Empowerment - 4 Hours
iii Time and Cash Donation to Churches (100,000=00 Per Year)
iv School Fees to Destitute Children (100,000=00 Per Year)

28. 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.

NO

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

NO

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

NO

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

1. **Mr. Isaac O. Awuondo**
Group Chief Executive Officer
Commercial Bank of Africa Ltd.
NAIROBI

2. **Prof. Margret Kobia, Phd, CBS**
Chairperson
Public Service Commission
P. O. Box 30095 – 00100
NAIROBI

3. **Tony Symons, PhD**
Director General
The World Agroforestly Centre (ICRAF),
United Nations Avenue, Gigiri
P.O. Box 30677 – 00100
NAIROBI

FIRST SCHEDULE (S.13) / *TARATIBU YA KWANZA (S.13)*

SELF-DECLARATION FORM / FOMU YA KUJITANGAZA

1. GENERAL INFORMATION / TAARIFA YA JUMLA

Title / Cheo	Surname / Jina la ukoo	First Name / Jina la Kwanza	Middle Name / Jina la Katikati	Other Names / Majina Mengine
Mr/ Mrs/ Prof/ Miss/ Ms/ Dr *Bw/ Bi/ Prof/ Binti/ Bibi/ Dkt*	KARIUKI	SICILY	KANINI	MUGO H

ID CARD No. Na. ya Kitambulisho	PASSPORT NO. NA. ya PASIPOTI	EXPIRY DATE OF PASSPORT TAREHE YA MUDA WA PASIPOTI KUISHA	PIN NO. NA. ya PIN
7806180	0001867	26/07/2023	A 005274856V

SEX (Tick) JINSIA (Weka Alama)

Male / Kiume ☐

Female / Kike ☑

Occupation: Kazi: PRINCIPAL SECRETARY

E-Mail Address: Anwani ya Baruapepe: KaninikariukI@yahoo.com

Postal Address: PO Box 66776 Code: 00800
Anwani ya Posta: SL Posta: Msimbo:

Other Addresses: NAIROBI
Anwani Nyingine:

Telephone No. Na. ya Simu	Mobile No. Na. ya Rununu	Other Numbers *Nambari Nyingine*
2710817	0720606088	271 6715

RESIDENCE / MAKAZI

ESTATE/ TOWN/ LOCATION MTAA/ MJI/ LOKESHENI	RIDGEWAYS OFF WINDSOR LANE
DISTRICT WILAYA	NAIROBI
COUNTY KAUNTI	NAIROBI
TOWN/ CITY MJI/ JIJI	NAIROBI
COUNTRY NCHI	KENYA

2. BIRTH INFORMATION / TAARIFA YA KUZALIWA

DATE OF BIRTH / TAREHE YA KUZALIWA	27/12/1965

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BIRTH CERTIFICATE NO. / NA. YA CHETI CHA KUZALIWA	16101
PLACE OF BIRTH / MAHALI PA KUZALIWA	EMBU
DISTRICT OF BIRTH / WILAYA YA KUZALIWA	EMBU
COUNTY OF BIRTH / KAUNTI YA KUZALIWA	EMBU
COUNTRY OF BIRTH / NCHI YA KUZALIWA	KENYA

3. NATIONALITY / UTAIFA

Kenyan ☑ Mkenya	Dual ☐ Kotekote (Provide details_____) (Toa maelezo_____)

4. MARITAL STATUS/ HALI YA NDOA

SINGLE ☐ NINGALI SIJAOA/ SIJAOLEWA

MARRIED ☑ NIMEOA/ NIMEOLEWA

SEPARATED ☐ NIMETENGANA

DIVORCED ☐ NIMETALAKIANA

WIDOWED ☐ NIMEFIWA

IF MARRIED GIVE NAMES OF THE SPOUSE(S) (Surname, First Name, middle name, others)
KAMA UMEOA TOA MAJINA YA MUME/ MKE(Wa) WAKO (Jina la ukoo, Jina la Kwanza, jina la kati, mengine) KARIUKI ZABBY CHEGE

NATIONALITY OF SPOUSE UTAIFA WA MKE/ MUME	KENYAN

NAME OF CHILDREN UNDER THE AGE OF 18 YEARS
JINA LA WATOTO WALIO CHINI YA UMRI WA MIAKA 18

WENDY MUTHONI KARIUKI

5. EDUCATIONAL QUALIFICATIONS/ KUFUZU KWA KIELIMU

PRIMARY CERTIFICATE ☑ CHETI CHA MSINGI

SECONDARY ☑ SHULE YA UPILI

'A' LEVEL ☑ KIWANGO CHA 'A'

DIPLOMA ☐ STASHAHADA

DEGREE ☑ SHAHADA

MASTERS ☑ UZAMILI

PHD ☐ UZAMIFU

OTHERS VINGINE SEVERAL SHORT COURSES ON MARKETING MANAGEMENT LEADERSHIP AND GOVERNANCE

HIGHEST ACADEMIC QUALIFICATION OBTAINED
KUFUZU KWA JUU ZAIDI KWA KIAKADEMIA ULIKOPATA

Qualification / Kufuzu	Institution / Taasisi	Year / Mwaka
MASTERS OF BUSINESS ADM. (MBA)	ESAMI / MAASTRICHT SCHOOL OF MGT.	2002 – 2004

6. LANGUAGE SPOKEN / LUGHA UNAZOZUNGUMZA

First Language Lugha ya Kwanza	Second Language Lugha ya Pili	Others Nyingine
KI-EMBU	KISWAHILI	ENGLISH

7. MEMBERSHIP OF PROFESSIONAL ORGANISATION(s) (If any)
UANACHAMA WA SHIRIKA(MA) YA KITAALAMU (Kama yapo)

Name of Organization Jina la Shirika	Date of Admission Tarehe ya Kuandikishwa	Membership No. Na. ya Uanachama
CENTRE F		
INSTITUTE OF DIRECTORS(K)	2012	0315
MARKETING SOCIETY OF (K)	2013	M 268

8. REASON(S) FOR DECLARATION / SABABU ZA KUJITANGAZA

Purpose for which declaration is required / Kusudio la kuhitajika kwa kujitangaza huku

Election / Upigaji kura ☐ Employment / Kuajiriwa ☑

Others (Specify) _____
Nyingine (Bainisha)

State office for which the declaration is being submitted / Ofisi ya serikali ambayo kujitangaza huku kunawasilishwa: EXECUTIVE – (CABINET SECRETARY)

9. MORAL AND ETHICAL QUESTIONS/ MASWALI YA NIDHAMU NA KIMAADILI

Answers to the following questions are mandatory. If YES to any question you must provide additional information on a supplementary sheet.
Majibu kwa maswali yafuatayo ni lazima. Kama NDIYO katika swali lolote lazima utoe taarifa ya ziada kwenye karatasi nyingine.

	YES	NO
a) Have you ever engaged in any form of dishonesty in the conduct of public affairs a) Umewahi kujihusisha na hali yoyote ya kutokuwa mwaminifu katika kazi zako na shughuli za umma		✓
b) Have you ever abused a public office? b) Umewahi kutumia vibaya ofisi ya umma?		
c) Have you ever misrepresented information to the public? c) Umewahi kuwakilisha kwa njia isiyofaataarifa kwa umma?		✓
d) Have you ever engaged in wrongful conduct whilst in the furtherance of personal benefit?		✓

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d) Umewahi kujihusisha katika tabia mbaya huku ukitaka kujinufaisha kibinafsi?		
e) Have you ever misused public resources? e) Umewahi kutumia vibaya rasilimali za umma?		✓
f) Have you ever discriminated against anyone of any grounds other than as provided for under the Constitution or any other law? f) Umewahi kubagua yeyote kwa misingi yoyote mbali na vile ilivyoelezwa katika Katiba au sheria yoyote nyingine?		✓
g) Have you ever falsified official or personal records? g) Je, umewahi kudanganya katika rekodi rasmi au za kibinafsi?		✓
h) Have you ever been debarred or removed from the Register of Members of your professional organization? h) Umewahi kupigwa teke au kuondolewa kutoka kwenye Rejista ya Wanachama wa shirika lako la kitaalamu?		✓
i) Have you ever had any occupational or vocational license revoked and/or otherwise subjected to any other disciplinary action for cause in Kenya or any other country i)Umewahi kujipata katika hali ya leseni yako ya kikazi au ya kiufundi kutupiliwa mbali na/au vinginevyo kuchukuliwa hatua nyingine ya kinidhamu katika nchi ya Kenya au nchi yoyote nyingine		✓
j) Have you ever dismissed from employment on account of lack of integrity? j) Umewahi kufutwa kazi katika ajira kutokana na ukosefu wa uadilifu?		✓
k) If you have been a public officer, have you ever failed to declare your Income, Assets and Liabilities as required under the Public Officer Ethics Act, 2003? k) Kama umewahi kuwa ofisa wa umma, umewahi kushindwa kutangaza Mapato yako, Mali na Gharama kama unavyohitajika katika Kifungu cha sheria cha Maadili ya Ofisa wa Umma, 2003?		✓
l) Have you ever been the subject of disciplinary or criminal proceedings for breach of the Public Officer Ethics Act, 2003 or a Code prescribed thereunder? l) Umewahi kuwa mada katika taratibu za kinidhamu au kihalifu kwa kuvunja kifungu cha sheria cha Maadili ya Ofisa wa Umma 2003, au Msimbo ulioainishwa hapo chini?		✓
m) Have you ever been convicted of any offence and sentenced to serve imprisonment for a period of at least six months? m) Umewahi kushtakiwa kwa kosa lolote na kuhukumiwa kifungo gerezani kwa kipindi kipatacho miezi sita?		✓
n) Have you ever had an application for a Certificate of Clearance or a Certificate of Good Conduct or for a visa or other document authorizing work in a public office denied and/or rejected for cause in Kenya or any other country?		✓

n) Umewahi kutuma ombi la Cheti cha kuondolewa Hatia au Cheti cha Kinidhamu au cha visa au nyaraka nyingine zinazoidhinisha kazi katika ofisi ya umma na hivyo basi wewe kunyimwa na/ au kukataliwa kwa sababu yoyote nchini Kenya au nchi yoyote nyingine?		

10. EMPLOYMENT INFORMATION / *TAARIFA YA KUAJIRIWA*

NAME OF EMPLOYER JINA LA MWAJIRI	POSITION/ RANK CHEO/ WADHIFA	DATE OF FIRST APPOINTMENT TAREHE YA KUAJIRIWA KWA KWANZA	DATE OF PRESENT APPOINTMENT TAREHE YA KUAJIRIWA KWA SASA
KENYA INVESTMENT AUTHORITY	INVESTMENT OFFICER INVESTMENT MANAGER	1990-1995 1995-1997	
FRESH PRODUCE EXPORTER'S ASSOCIATION	EXPORT MARKETING MANAGER	1997-1999	
FRESH PRODUCE EXPORTER'S ASSOCIATION	CHIEF EXECUTIVE OFFICER	2001-2006	
KENYA FRESH PRODUCE EXPORTERS LTD.	GENERAL MANAGER	2000-2001	
TEA BOARD OF KENYA GOV. OF KENYA	CHIEF EXECUTIVE OFFICER PRINCIPAL SECRETARY	2006-2013 JUNE 2013-CURRENT	
WORKSTATION KITUO CHA KAZI MINISTRY OF AGRIC, LIVESTOCK & FISHERIES - KILIMO HOUSE NAIROBI	NATURE OF EMPLOYMENT (Constitutional/ Elective/ Permanent/ Contractual/ Other) AINA YA KUAJIRIWA (Kikatiba/ Kuteuliwa/ Kudumu/ Kikandarasi/ Nyingine)		

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OATH AND AFFIRMATION / *KIAPO NA UTHIBITISHWAJI*

I solemnly swear (or affirm) and certify, under penalty of false declaration under the Oaths and Statutory Declarations Act (Cap 15 of the Laws of Kenya), that all the foregoing statements in this declaration are true and correct to the best of my knowledge.

Ninaapa ya kwamba (ninathibitisha) na kuidhinisha, katika adhabu ya kujitangaza kwa uongo chini ya kifungu cha sheria cha Viapo na Kujitangaza Kisheria(Ibara 15 ya Sheria za Kenya), kwamba kauli zote zilizotajwa katika kujitangaza huku ni za kweli na sahihi kwa kadri ninavyojua.

Dated at / *Mnamo tarehe* ..... NAIROBI ....., this / *kwenye* ..... 8th .....

day of / *siku hii ya* ..... December 2015

SIGNATURE OF DECLARANT: .....
SAINI YA ANAYEJITANGAZA:

SWORN/ DECLARED BEFORE ME / *ALIYELISHWA KIAPO/TANGAZWA MBELE YANGU*

This / *Mnamo* ..... 8th ..... day of / *siku hii ya* ..... December ....., 2015 .....,

at / *katika mahali hapa* ..... NAIROBI .....

COMMISSIONER FOR OATH/MAGISTRATE
KAMISHNA WA KIAPO/ HAKIMU

P.N. K. WANJAMA
ADVOCATE & COMMISSIONER FOR OATHS
P.O. BOX 30027, NAIROBI.

ETHICS AND ANTI-CORRUPTION COMMISSION
08 DEC 2015
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P.O. Box 61130-00200 NAIROBI

UNIVERSITY OF NAIROBI

This is to certify that

Sicily M. Kanini

having satisfied the requirements
for the award of the degree of the

BACHELOR OF COMMERCE
(BUSINESS ADMINISTRATION OPTION)

Second Class Honours (Lower Division)

was admitted to the degree
at a Congregation held at
this University on the

Twenty Second Day of October in the Year
1990

Philip M. Mbithi

VICE - CHANCELLOR

N. D. Bwibo

DEPUTY VICE - CHANCELLOR (ACADEMIC AFFAIRS)

EASTERN AND SOUTHERN AFRICAN
MANAGEMENT INSTITUTE

MAASTRICHT SCHOOL OF MANAGE

This is to certify that

Sicily Kanini Kariuki

Having satisfied the Academic Board's requirements for

Masters in Business Administration

Was awarded the Degree at a congregation held

at **ESAMI** *on the*

22nd January, 2005

or General - **ESAMI**

Managing Director - **MSM**

Director - Business Sc

KENYA REVENUE AUTHORITY

Tax Compliance Certificate

For General Tax Questions
Contact KRA Call Centre
Tel: +254 (020) 4999 999
Cell: +254(0711)099 999
Email: callcentre@kra.go.ke

www.kra.go.ke

Taxpayer PIN : A001274856V

Name and Address :

SICILY MUGO KANINI

209/76/10, WESTLANDS, NAIROBI CITY (WEST), Nairobi West District,
PO Box:66276,
Postal Code:00800

Certificate Date: 07/12/2015

Certificate Number:

KRAWON2899922015

This is to confirm that SICILY MUGO KANINI, Personal Identification Number A001274856V has filed relevant tax returns and paid taxes due as provided by Law.

This Certificate will be valid for twelve (12) months up to 06/12/2016.

Caveat: This certificate is issued on the basis of information available with the authority as at the certificate date mentioned above. The Authority reserves the right to withdraw the certificate if new evidence materially alters the tax compliance status of the recipient.

Disclaimer : This certificate is system Generated and therefore does not require signature. You may confirm validity of this certificate on the iTax Portal by using the TCC Checker.

HIGHER EDUCATION LOANS BOARD

CERTIFICATE OF CLEARANCE 006945

UNIVERSITY STUDENTS' LOAN

This Certificate is awarded to KANINI SICILY MUGOH

ID NO 7806180 University Registration No. D33/1164/87 who underwent a

THREE year course at UNIVERSITY OF NAIROBI

From 1987 To 1990 In the faculty of COMMERCE

For having repaid in full the Principal Loan of Kshs 55,440.00 (FIFTY FIVE THOUSAND FOUR HUNDRED & FORTY).

together with interest thereon.

This certificate is issued without erasures, alterations or cancellation

Signature BOARD SECRETARY Date 18/10/06

Signature MANAGER LOANS DISBURSEMENT & RECOVERY Date 17/10/06

C. 24A

Nº 513917

NATIONAL POLICE SERVICE

DIRECTORATE OF CRIMINAL INVESTIGATIONS

DIRECORATE OF CRIMINAL INVESTIGATIONS
P. O. Box 30036–00100 GPO
NAIROBI, KENYA

Ref. No. 223883 /2015 Date 08/12/2015

POLICE CLEARANCE CERTIFICATE

I hereby certify that the fingerprints recorded from SICILY KANINI KARIUKI

7806180

holder of ID/Passport No. ..... 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 .....

DATE .....

This Certificate has been issued without any alteration or erasure.

(J.M.Njeru)

For: Director of Criminal Investigations

GPK (SP) 7512—125m—5/2015

(P.T.O.)

To verify this certificate visit:www.metropol.co.ke/verification

Serial No.MCRB/C58746

METROPOL
reach new heights

Metropol Credit Reference
Bureau Limited

Certificate of Clearance

SICILY KANINI KARIUKI

National ID Number: 7806180

This is to certify that the above named person has No negative listing as at the date below.

Managing Director's Signature

07/12/2015

Date

M-30

CURRICULUM VITAE

FULL NAMES	:	SICILY KANINI KARIUKI (MRS.) MBS
NATIONALITY	:	KENYAN
PROFESSION	:	PRINCIPAL SECRETARY, STATE DEPARTMENT OF AGRICULTURE, MINISTRY OF AGRICULTURE, LIVESTOCK AND FISHERIES
CONTACT ADDRESS	:	P.O. BOX 66276 – 00800 NAIROBI/KENYA Tel: 2710817/2716715/ 0720 606088 kaninikariuki@yahoo.com or psagriculture@kilimo.go.ke

CAREER PROFILE

Extensive experience in Kenya's agricultural sector and demonstrable expertise in policy formulation, business advocacy, trade negotiations and promotion of Kenya's agricultural exports. Excellent understanding of the International Food Laws & Regulations and organizational leadership and governance.

WORK EXPERIENCE

I started my career at Kenya's Investment Promotion Centre, (now Kenya Investment Authority) a quasi – government organization as an Investment Promotion Officer in 1990 and quickly rose to the position of the Investment Promotion Manager from 1995 to 1997.

In mid- 1997, I moved to the private sector to join the Fresh Produce Exporters Association of Kenya in the capacity of Export Marketing Manager.

Between 1999 and 2000, I joined an exporting company specializing in horticultural and floriculture exports- (Kenia Fresh Ltd.) as the General Manager. In 2001, I re-joined the Fresh Produce Exporters Association of Kenya as the Chief Executive Officer, where I served until May 2006.

In June 2006 I took up a more challenging assignment at the Tea Board of Kenya as the Managing Director/Secretary to the Board, where I am at the moment. Tea Board of Kenya is a parastatal organization responsible for the regulation and development of Kenya's tea sector.

In the current capacity, as the Principal Secretary, State Department of Agriculture, Ministry of Agriculture, Livestock and Fisheries. I am responsible for the operations of the State Department of Agriculture, which range from agriculture policy, agriculture research and development, crop development and irrigation policy and interventions; with special focus on food security.

Further, for the past thirteen years, I have served as one of Kenya's agriculture trade experts involved in charting the course of the country's agriculture trade negotiations under the WTO, the Economic Partnership Agreement between the East African Community and the European Union, and several bi-lateral trade Agreements. Resultantly, I have gained extensive experience in global agriculture trade dynamics as well as major aspects of Kenya's agriculture sector. I have also had the opportunity of serving as a Director on various Kenyan and international organizations.

KEY ACHIEVEMENTS IN KENYA'S TEA SECTOR

Notable achievements in Kenya's tea sector attributable to my leadership include the following:-

(a) Improvement of service delivery to industry stakeholders through championing various interventions; key among them being:- improved enforcement of the Tea Act, development of the Board's first Strategic Plan and the first ever Industry Promotion Strategy, successful negotiation for favorable trade terms in key markets such as Iran, China, Pakistan, as well decentralization of services through expansion of branch network. These interventions have raised the level of customer satisfaction from an index of 56 % in 2006 to 78 % in 2009.

(b) Championed industry reforms aimed at long-term sustainability of the tea industry by generating high returns, as well as infusing more equity and improved governance among the various

stakeholders. These reforms culminated in the enactment of the Tea (Amendment) Regulations of 2008 and a further review of the principal Tea Act.

(c) Giving leadership to the industry by implementing TBK's long term strategy which has resulted in the growth the tea industry from an export volume of 313 Million Kgs (valued at KSHS 47 Billion) in 2006 to 342 Million Kgs (valued at Kshs. 70 Billion) in 2009.

(d) Created visibility of the Kenya's tea industry locally as well as internationally by being an effective Spokesperson. This has been realized by continuous media engagement, maintaining advocacy on matters affecting tea producers and making presentations in all important global tea Conferences. To this end, I have also been instrumental in establishing the International Tea Producers Forum, in which I am the Coordinator.

(e) Institutional capacity enhancement through re-structuring of Tea Board of Kenya. This entailed Human Resource rationalization and capacity enhancement, improvement of internal processes which lead to the attainment of ISO 9001: 2000, establishment of internal control and governance systems and development of operational procedures among others. These activities have raised the level of employees satisfaction from 40 % in 2006 to 89 % in 2009.

KEY ACHIEVEMENTS IN KENYA'S HORTICULTURAL INDUSTRY

During my previous employment at FPEAK, I spearheaded institutional reforms aimed at improvement in the relationship between the members' and relevant publics. This resulted in the amendment of the Constitution of the FPEAK, and application of the new rules with effect from 2005. Other reforms involved institutional capacity improvement and resulted in attraction of partner funds which were non existent prior to the reforms. During my tenure, FPEAK was transformed to an effective lobby organization for the horticultural sector from dormant ineffective member's body.

Notably, I spearheaded the development of the Horticulture Code of Practice, (Kenya GAP), which was successfully benchmarked to global standards and has been instrumental in the sustainability of Kenya's exports to global markets.

KEY ACHIEVEMENTS IN KENYA'S AGRICULTURE SECTOR

- Agriculture Policy – Spearheaded the development of the agriculture policy which provides guidelines to the National and County Governments in order to ensure national food and nutrition security and increased agricultural productivity.

1. Centre for Corporate Governance
2. Marketing Society of Kenya

RECENT LEADERSHIP SKILLS ENHANCEMENT TRAINING

2010 -2015	Several short courses on leadership and governance in the Public Sector (Government of Kenya) and International Research Systems.
2010	Seminar on Institutionalizing Value Based Leadership in the Public Sector - (Government of Kenya).
2009	Leadership Seminar by Stephen Covey.
2008	Course for Directors on Corporate Governance - (Centre for Corporate & Commonwealth Association for Corporate Governance).
2007	ISO 9001 Quality Internal Auditors Training (Bureau Veritas).
2006	Lobbying and Advocacy Skills for Businesses (International Trade Centre, Geneva).

REFEREES

1. **Mr. Isaac O. Awuondo**
   Group Chief Executive Officer
   Commercial Bank of Africa Ltd.
   NAIROBI

2. **Prof. Margret Kobia, Phd, CBS**
   Chairperson
   Public Service Commission
   P. O. Box 30095 – 00100
   NAIROBI

3. Tony Symons, PhD
   Director General
   The World Agroforestly Centre (ICRAF),
   United Nations Avenue, Gigiri
   P.O. Box 30677 – 00100
   NAIROBI

- **Reforms** - Successfully oversaw reforms in the national research systems and sector's institutional and regulatory framework.

- **Leadership in Funds Mobilization** - Increased funding through development of new projects through partnership with development partners to enhance agricultural productivity in the Country.

EDUCATIONAL QUALIFICATIONS

2013 – Ongoing	-	Doctor of Business Administration (Management University of Africa)
2002-2004	-	Master of Business Administration - Strategic Management, (ESAMI/Maastricht School of Management)
2001	-	Post Graduate Certificate in International Food Laws and Regulations (Michigan State University)
1987 – 1990	-	Bachelor of Commerce – Business Administration (University of Nairobi)

CORE COMPETENCIES

- Results oriented and creative leader, with proven high level of professionalism, integrity, problem solving skills and sensitivity to multi-cultural working environments with ability for fast adaptation to new situations based on a well-established network of local and international contacts.

RECOGNITION AWARDS

1. Moran of the Burning Spear (MBS), a State Investiture awarded by H.E. the President of the Republic of Kenya in 2008.

2. Marketing Warrior – Non Human Category , a professional award by the Marketing Society of Kenya in 2008.

MEMBERSHIP IN PROFESSIONAL BODIES

1029

Susan Wanjiku

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): *Hon Daniel Kazungu Muzee, MP*

2. **Position:** (State office to which you have been nominated).
Cabinet Secretary Nominee, Ministry of Mining

3. **Sex:** *Male*

4. **Date of Birth:** (State year and place of birth)
2 June 1970, Kavilani Village, Marikano, Langobaya Division, Malindi SubCounty

5. **Marital Status:** *Married*

6. **Daytime phone number:** *0729982960*

7. **Mobile phone number:** *0729982960*

8. **Email Address:** *Dankaz465@gmail.com*

9. **ID Number:** *10831431*

10. **PIN Number:** *A002481727K*

11. **Nationality:** *Kenyan*

12. **Postal Address:** *P.O. Box 26437 00100*

13. **Town/City:** *Nairobi, Kenya*

14. **Knowledge of Languages:** (Specify Languages): *English, Kiswahili, Kigiryama*

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).

August 2014- December 2015:
Master of Arts in Diplomacy and Foreign Policy (Executive)
Moi University

October 1990- July 1995
Bachelor of Science in Information Sciences (Information Technology Major)
Moi University, Faculty of Information Sciences

1996-2012:
Professional Technical and Business Certifications with IBM, Microsoft, Lenovo, Compaq, Hewlett Packard

March 1986- November 1989
Kwale Boys High School
Mean Grade:-B+
Top student Form 1 – Form 3 out of 160 students

January 1979- November 1985
Langobaya Primary School
Top student 64 out of 72 points

January 1975- December 1978
Marikano Primary School
School closed due to lack of toilet during a cholera outbreak

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:

IBM East Africa
Date Worked: January 2010 to February 2013
Country Representative, Ethiopia and Kenya

Lenovo Africa
Date Worked: May 2006 to December 2009
Regional Manager, Eastern Africa
(responsible for Kenya, Uganda, Tanzania, Rwanda, Burundi, Ethiopia and Eritrea)

IBM World Trade Corporation (Amonk, New York, United States)
(contracted and responsible for Kenya, Uganda, Tanzania, Rwanda, Burundi, Ethiopia and Eritrea)
Date Worked: January 2003 to April 2006
Territory Sales Manager, Eastern Africa
Personal Computing Division

Fintech International
Date Worked: January 1999 to December 2001
Major Accounts Manager

Computech
Date Worked: September 1996 to December 1998
Systems Sales Executive

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~~).

2012: 100% Club of Global Achievers within IBM

2012: Special mention on Ethiopia at the New York Stock Exchange as an example of the success of the IBM Africa Strategy

2006-2009: Singlehandedly established Lenovo in East Africa from scratch and developed the brand and won market share in key market segments to position Lenovo as a leading brand in the region

2000: Compaq East Africa Top Business Executive in East Africa with Fintech

1999: SDAL Top Microsoft Business Executive in East Africa with Fintech

1990: Made it to the prestigious United Kingdom based Thames Valley University funded Faculty of Information Sciences at Moi University where only top 40 national school students got admission.

1986: Award for Top student 1986 out of 160 students

1985: Top student KCSE Exams, Langobaya Primary School

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).

Member Computer Society of Kenya

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).

Director, Rotaract Club of Moi University
Affiliated to Rotary Club of Malindi

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.

Masters project paper: Trade Diplomacy and its Impact on East Africa Community Integration process

(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.

March 2013 to date: Member of Parliament, Malindi Constituency

March 2013 to date: Member, Parliamentary Committee on Energy, Information and Communication

March 2013 to date: Member, Parliamentary Select Committee on Regional Integration

(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.

None

(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

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21. **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).

    Nil

22. **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).

    No

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

    Salary, Allowances (Parliamentary Service Commission), Small Scale Farming, Rentals.

24. **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).

    Yes

25. **Statement of Net Worth:** *Kshs 100 Million*

26. **Potential Conflict of Interest:**
(a) Identity the family members or other persons, parties, categories of litigation 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 of my family members are in mining business

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

In case of any potential conflict of interest, I will firmly be guided by the Mining Act, policy and guidelines. That is why I am very determined to ensure the Mining Act (now still a bill) is enacted at the earliest.

27. **Pro-Bono/Charity Work/donation 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)

Weru Group Ranch protracted land dispute
Donated kshs 500,000.00 to end the dispute by subdividing the land into two parts and organizing for 2 title deeds

Muslim School in Malindi (Donated Kshs 150,000.00

Preparing a Kshs 500,000.00 for an Anti-Drug Campaign in Malindi

Visited Children Homes (donated shs 50,000.00

Donated thousands of Kenya shillings to students in High Schools, Universities and Colleges

28. 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.

No

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

No

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

    No

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

    Louis Otieno,
    Director, Microsoft 4 Afrika
    Microsoft Corporation
    Upper Hill
    Nairobi, Kenya

    Hon Eng. James Rege, MP
    Karachuonyo Constituency
    Homabay County
    Member, Committee on Energy, Information and Communication

    Lawrence Karissa
    Director,
    Cooperative Bank of Kenya
    Haile Sellasie Avenue
    Nairobi, Kenya

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CV: Hon Dan Kazungu,MP

Contact Information:

First Last Name:-	Hon Dan Kazungu, MP Malindi Constituency Nominee for Cabinet Secretary, Mining
Street Address	Chiromo Road, Westlands
City, State	Nairobi, Kenya
Phone (Cell/Home)	+254 729 982960
E-Mail Address	Dankaz465@gmail.com
Nationality	Kenyan
Gender	Male
Date of Birth	2 June 1970
Place of Birth	Langobaya, Malindi, Kilifi County, Kenya
Marital Status	Married, with 2 Children

Objective:

To be part of a highly motivated and dynamic team that is focused at achieving and delivering high level performance through thorough planning and precise execution with a view to delivering value to those we choose to serve.

Educational Background:-

June 2014- December 2015

- Masters of Arts in Diplomacy and Foreign Policy (set to graduate December 2015)

October 1990 – May 1995

- Moi University, Eldoret, Kenya
- Bachelor of Science in Information Sciences.(Majored in Information and Media Technology)

February 1986 - December 1989

- Kwale High School, Kwale County

Highlights :–

- Class 1-3 – Marikano Primary School (school closed due to lack of toilet!)
- Class 3-8 - Langobaya Primary School, rural Malindi. No.1 student, Class 8
- No 1 student – From Form 1 – Form 4 .
- Awarded best Student Award in June 1986 by the District Commissioner. Kwale District
- Overall Number 2 in the KCSE National Examination in the school.

On account of my top performances at Kwale High School, I was awarded educational (tuition) scholarships by the following organizations:-

- *Lion Clubs,*
- *Rotary Clubs*
- *National Council of Churches of Kenya*

January 1979- December 1985

- Langobaya Primary School,
- Top student in the KCPE with 65 out of 72 points

Professional Career Highlights:

Served as the IBM Country Representative for Ethiopia and Kenya from 2010 to 2013. Prior to re-joining IBM Corporation, I was the Regional Manager of the **New Lenovo Corporation** in charge of Eastern Africa and directly responsible for Lenovo's business strategy, execution and development **in Kenya, Tanzania, Uganda, Rwanda Burundi, Ethiopia and Eritrea.** I was part of the **Lenovo African Team** headquartered in Johannesburg, South Africa.

Before joining Lenovo, I was contracted by **IBM Corporation's** headquarters in **Amok, the United States of America** to become the **Territory Manager for Eastern Africa** in charge of the **Global Personal Computing Division.** I have also worked in a number of **premier business technology solution providers** in the region as a **Technology Business Executive**, directly helping clients acquire and set up ICT infrastructures that best serve their business needs. I have had extensive ICT business experience in the region working to create not only ICT business opportunities but technology solutions for a wide range of users from **Government, Corporates,** the **Telecommunication sector, Educational Sector, Large NGOs, Banking and Financial Services Sectors.**

A **Bachelor of Science degree** graduate from **Moi University, Eldoret, Kenya** where I specialized in **Information and Media Technology** and later received certifications from **Tack Training International, Microsoft, IBM, Compaq, Hewlett Packard, Symantec** and **Lenovo,** my career has seen me travel extensively in **Africa, Middle East, China, Hong Kong** and **Europe.**

Professional experience:

IBM East Africa

Date worked:- January 2010 to 2013

Job Title Country Representative, Ethiopia and Kenya, IBM Corporation

Key Highlights

- Put Ethiopia in the IBM Africa map by masterminding a revenue growth in the banking, government, telcos and Utilities sectors.
- Led IBM winback strategy and won key projects from the competition mainly SUN and Hewlett Packard.
- Iinducted into the prestigious IBM 100% Club, an exclusive club of IBM global achievers
- Special mention for Ethiopia at the New York Exchange by the IBM Global Chief Finance Officer on the success of IBM Africa strategy on the performance of the Ethiopian team which I led.

Lenovo Africa
(Headquartered in Johannesburg, South Africa)

Date worked:- 2006 to 2009
Job Title *Regional Manager, Eastern Africa*
(Kenya, Uganda, Tanzania, Rwanda, Burundi, Ethiopia and Eritrea)

Key Highlight:-

- Was behind the closure of EMEA's biggest Government Bilateral project in 2008 between the Government of the Peoples Republic of China and the Government of Kenya.
  Total Phase I Personal Computer Revenue at US $ 10 Million. Overall project valued at US $ 40 Million.

- Led a Government Delegation from the e-Government Secretariat Office (Cabinet Office), Office of the President, Ministry of Finance and Attorney General's Office to a Plant Visit in Shenzhen, China in conjunction with Huaweii Eastern Africa Executives. Organised a Delegates Presentation and Conferencing in Shenzhen with Executives in Lenovo Africa (Johannesburg, South Africa) and Lenovo EMEA Headquarters in Paris, France. I managed the highly complex and fluid dynamics between **Directorate of eGovernment Secretariat** at the **Office of the President, Huaweii, Lenovo** and the management of the participating **Business Partner** in Kenya.

- Was chosen as a Panelist together with Tanzania's **Minister for Trade, Hon. Dr Mary Nagu** and the **Minister for East Africa Community, Hon. Dr Diodorus Kamala** by the **Economist Group** organised **Round Table Meeting** in Dar es Salaam, opened by **Hon President Jakaya Kikwete** and senior Cabinet Ministers of the United Republic of Tanzania

- Gave a Key Sponsors Speech in the presence of the Vice President of the Republic of Kenya and Minister for Home Affairs **Hon. Dr Moody Awori** on Lenovo's sponsor of the **First Kenya Business Plan Competition,** an initiative dubbed **Believe, Begin Become** targeting millions of youth to embrace entrepreneurship.

IBM East Africa (Part of IBM South and Central Africa based in Johannesburg, South Africa) Stationed in Nairobi, Kenya

Date worked:- 2003 -2005
Job Title *Territory Sales Manager, Eastern Africa,*
IBM's Personal Computing Division
(Kenya, Uganda, Tanzania, Rwanda, Burundi, Ethiopia and Eritrea)

Mustek Electronics (Manufacturers of Mecer Computers) (based in Johannesburg, South Africa)

Stationed in Nairobi, Kenya

Date worked:- December 2001-December 2002
Job Title *Channel Development Manager, East Africa*
(Kenya, Uganda, Tanzania,)

Key Highlight

Successfully introduced Mecer Computers into the East African market

Fintech Group
(Premier Microsoft Gold Partner, Premier Banking Technology Solution Provider)
Nairobi, Kenya

Date worked:-	January 1998- November 2001
Job Title	*Major Accounts Manager/Relationship Manager/Microsoft Product Manager/ Named Country General Manager, Kenya in a Restructuring Exercise, though I did not take up the role.*

(In charge of United Nations and Large Non Governmental Organisations market segment)

Key Highlights

- Won an Award as the Top **Microsoft Sales Professional of the Year 2009** in Kenya. Award given to me by SDAL. Won a trip to **Nyali Beach Hotel, Mombasa**
- Was top **Compaq Sales Professional for East Africa**. Recognition by then **Compaq East Africa Regional Office.**
- Drove UN and Large NGO business from almost zero to US $ 1 Million by end of 1999.
- Consistently exceeded my targets
- Ensured high levels of customer satisfaction

Computech Group
(Premier Business Partner – Compaq, Hewlett Packard, Microsoft, ICT Infrastructure Provider)
Nairobi, Kenya

Date worked:-	September 1996- December 1998
Job Title	*Major Accounts Manager/Relationship Manager/Compaq Product Manager (In charge of Key Accounts in ALL Sectors – Government, Banking and Financial Services Sector, Manufacturing Sector, Telecommunications Sector, Educations Sector, United Nations and Large NGO Sector.)*

Key Highlights

- Brought on board key accounts in Banking and Financial Services Sector, Manufacturing Sector Accounts, United Nation Agencies and Government agencies, including the Department of Defence.
- Got industry recognition as a young, promising able Account Manager
- Consistently exceeded my targets
- Ensured high levels of customer satisfaction

Institute of Advanced Technology (part of Da Gama Rose Group of Companies)
(Then voted Best Microsoft Certified Training Centre for South East Africa and Indian Ocean Islands)

May 1995- August 1996
Intern/Market Research Assistant

Key Highlight

- Carried out an extensive market research to guide the **Institute of Advanced Technology** on what new relevant courses to introduce to the market place to maintain their edge as the premier ICT Training Centre in the region.

LEADERSHIP AND POLITICAL CAREER

2013 to date

- Member of Parliament, Malindi Constituency
- Member, Parliamentary Committee on Energy, Information and Communication
- Member, Parliamentary Select Committee on Regional Integration

November 2015

- Nominated for Cabinet Secretary, Ministry of Mining

Highlights of Achievements

- Under my watch, the Government led by His Excellency President Uhuru Kenyatta agreed to upgrade Malindi Airport to an International Airport to boost tourism, investment and trade

- Under my leadership, Malindi constituency was awarded the longest tarmac road in Kenya in the Roads 10,000 Project Batch 2

- Malindi Constituency was No 3 in the national list of constituencies to benefit from the 4 billion Technical Training Institute project

- Kenya Medical Training College, Malindi Campus is set to open doors in March 2016 as a top Medical School, a first for Malindi.

- Malindi Constituency was awarded 35 Early Childhood Centres to benefit from 35 IBM Global Kidsmart Learning kits in 35 nursery schools in Malindi Constituency to introduce early and world class ICT Learning.

- Took advantage of the Government Power project as a member of Energy Committee to connect many rural centres to power in Malindi.

- Championed numerous projects in education, water, infrastructure, irrigation, sanitation, security, economic empowerment, health among others.

REFEREES

Hon Eng. Rege, MP
Karachuaonyo Constituency
Homabay County

Senator Lenny Kivuti
Senator,
Embu County

Nicholas Nesbitt, OGW
Country General Manager, Eastern Africa
IBM East Africa

TransUnion

CRN No. 9187724

CRB Certificate

Date of issue: 04 Dec 2015

S/No. 8522

We hereby confirm, having searched Credit Reference Bureau Africa records, that;

DANIEL KAZUNGU MUZEE

of National ID No 10831431

Has a Credit Report with status as:

☐ No adverse listing ☑ Paid ☐ Paying ☐ Not paid

This Certificate has been issued without any alteration or erasure. The validity of the information on this certificate is as at the date of issue.

TransUnion
Prosperity House,
Westlands Road, Off Museum Hill
P. O. Box 46406 - 00100
Nairobi
Tel; +254203751799/ 3713603/2/4
Mobile; 0722205972/ 0724253296

TransUnion Authorised Signatory

TransUnion Authorised Signatory

D39516E04C {31E21BEC-4D3A-40FB-BEB4-280A4A557649}

The conclusions herein are based on information obtained from public record and other third-party sources. TransUnion makes no representation as to the accuracy of this information and shall not be liable for any loss, damage or claim whatsoever, howsoever arising following the use of or reliance upon the opinions expressed herein.

For verification, kindly call our office on 020 2021299 | 020 2021432

MOI UNIVERSITY

Upon the recommendation of Senate
and on authority of the Council
hereby confers upon

Kazungu D. Mtuzee

the degree of

Bachelor of Science

(in Information Sciences)

Second Class Honours (Lower Division)

~~with all the rights and privileges~~
thereunto appertaining in witness whereof
we have hereunto affixed our signatures
and the seal of the University

on the 27th day of October 1995

VICE-CHANCELLOR

SECRETARY TO SENATE

SECRETARY TO COUNCIL

C. 24A

№ 513012

NATIONAL POLICE SERVICE

DIRECTORATE OF CRIMINAL INVESTIGATIONS

DIRECORATE OF CRIMINAL INVESTIGATIONS
P. O. BOX 30036–00100 GPO
NAIROBI, KENYA

Ref. No. 221971 /2015 Date 08/12/2015

POLICE CLEARANCE CERTIFICATE

I hereby certify that the fingerprints recorded from **DANIEL KAZUNGU MUZEE**

holder of ID/Passport No. **10831431** *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

DATE

This Certificate has been issued without any alteration or erasure.

(J.M.Njeru)

For: Director of Criminal Investigations

GPK (SP) 751E—125m—5/2013

(P.T.O.)

No. 043498

HIGHER EDUCATION LOANS BOARD

Certificate of Clearance

UNIVERSITY STUDENT LOAN

This Certificate is awarded to MUSEE DANIEL KAZUNGU

ID No. 10831431 University Registration No. IS/0/33/90

University attended MOI UNIVERSITY

For having repaid in full the Principal Loan and interest thereon.

Signature CEO/BOARD SECRETARY Date 20 Dec 2012

Signature HEAD OF OPERATIONS Date 20 Dec 2012

This certificate is issued without erasures, alterations or cancellation

KENYA REVENUE AUTHORITY

Tax Compliance Certificate

For General Tax Questions
Contact KRA Call Centre
Tel: +254 (020) 4999 999
Cell: +254(0711)099 999
Email: callcentre@kra.go.ke

www.kra.go.ke

Taxpayer PIN : A002481727K

Name and Address :

Daniel Kazungu Muzee

Riara Apartments, Nairobi, Westlands District,
PO Box:41842,
Postal Code:00200

Certificate Date: 08/12/2015

Certificate Number:

KRASON2853332015

This is to confirm that Daniel Kazungu Muzee, Personal Identification Number A002481727K has filed relevant tax returns and paid taxes due as provided by Law.

This Certificate will be valid for twelve (12) months up to 07/12/2016.

Caveat: This certificate is issued on the basis of information available with the authority as at the certificate date mentioned above. The Authority reserves the right to withdraw the certificate if new evidence materially alters the tax compliance status of the recipient.

Disclaimer : This certificate is system Generated and therefore does not require signature.You may confirm validity of this certificate on the iTax Portal by using the TCC Checker.

Moi University Graduation

The 31st Congregation for the Conferment of Degrees and Award of Diplomas

(BOOKLET 1 OF 2)

December 17, 2015 and December 18, 2015

Dean
SPASS.
7/12/15

SCHOOL OF ARTS AND SOCIAL SCIENCES

The Dean, School of Arts and Social Sciences will rise and present to the Chancellor the following **37** graduands for the conferment of various Masters Degrees. As the Dean reads out the names, the candidates stand and remain standing until the last name is read. The candidates will with courtesy, bow sit and wait for the conferment of the degrees.

MASTER OF ARTS IN KISWAHILI

1. KIMUGUNG, K. Sylvester
2. BAYA, Marecline Ndale
3. ARINAITWE, Annensia
4. MAKORI, Japheth Mogaka
5. MASIBO, Simon

MASTER OF PUBLIC ADMINISTRATION AND POLICY

1. CHERUIYOT, Abel

MASTER OF PUBLIC ADMINISTRATION (EXECUTIVE)

1. MOSES, Lilan
2. MUIU, Ngali Ngura
3. PARTALALA, Samson Sikinan
4. RUIGI, James Munene
5. WANYAMA, Stephen M.

MASTER OF ARTS IN DIPLOMACY AND FOREIGN POLICY (EXECUTIVE)

1. ABDISLAN, Adow Abdi
2. AGINA, Parpai Olwitchi
3. AMONDI, Emma
4. BUTAKI, Catherine
5. DAHIR, Korow Isaak
6. HASAN, Gamal
7. HASSAN, Abdi Mohadud
8. JANG, Linda Oder
9. JERUTO, Emily
10. JESANG, Maina Everlyn
11. KANAINZA, Nyongesa Daisy
12. KIPROTICH, Mary J.
13. KISOTU, Naincy Naisiae
14. MBATI, Jennifer N.
15. MBITHI, Annastacia Munyiva
16. MOHAMED, Isaac Mohamud
17. MUANGE, Mutheu
18. MUTAMBEI, Ibrahim Maina
19. MUTEGA, John N.
20. MUTHONI, Brian Ngugi
21. MUZEE Kazungu Daniel
22. MWANGI, Belinda Nyokabi
23. OKONG'O. Kennedy
24. OKUKU, David Sewe
25. SITEKI, Shem
26. TETE, Rolland

The Dean, School of Arts and Social Sciences will rise and present to the Chancellor the following **334** graduands for the conferment of various Bachelors Degrees. As the Dean reads out the names, the candidates stand and remain standing until the last name is read. The candidates will with courtesy, bow sit and wait for the conferment of the degrees.

BACHELOR OF ARTS IN SOCIOLOGY

FIRST CLASS HONOURS

1. OMAR, Iman Ali
2. OUMA, David Sande
3. BWIRE, Rose
4. SYOMBUA, Angel Stacey
5. NDINDA, Ruth Kithuka
6. NAKHULO, Joan

SECOND CLASS HONOURS (UPPER DIVISION)

1. ACHIENG, Jerusha
2. ACHIENG, Milka
3. AJIAMBO, Caroline Osienya
4. AMDANY, Shallyne J.
5. ANALO, Kasimwa Faith
6. ATIENO, Carol
7. BOERA, Mornanyi Kefa
8. BUMBIHI, Hudson
9. BWONDA, Douglas Gisairo
10. CHEBET, Sharon
11. CHEBII, Esther Chepkoech
12. CHEGE, John
13. CHEMTAI, Vivian Sabilah
14. CHEPCHIRCHIR, Winnie
15. CHEPKOGEY, Charity
16. CHEPKWONY, Catherine C
17. CHEPNGETICH, Sheilah
18. CHEPSIROR, Teresia Jebet
19. CHERONO, Abigael
20. CHEROTICH, Caroline Kipkales
21. CHIZI, Lilian Mwadziwe
22. GETUI, Robbinson Okeyo
23. IBRAHIM, Malicha Dida
24. IKONYA, Anne Njeri
25. JELAGAT, Nelly
26. JEPKOSGEI, Caroline
27. KAJWANG, Dorine
28. KAKAYI, Pamenla Shisiebo
29. KAMBUA, Esther Mlinge

LEADERSHIP AND INTEGRITY ACT, 2012 /KIFUNGU CHA SHERIA CHA UONGOZI NA UADILIFU, 2012

FIRST SCHEDULE (S.13) / *TARATIBU YA KWANZA (S.13)*

SELF-DECLARATION FORM / FOMU YA KUJITANGAZA

1. GENERAL INFORMATION / *TAARIFA YA JUMLA*

Title / *Cheo*	Surname / *Jina la ukoo*	First Name / *Jina la Kwanza*	Middle Name / *Jina la Katikati*	Other Names / *Majina Mengine*
Mr/Mrs/Prof/ Miss/Ms/Dr ***Bw/Bi/Prof/ Binti/Bibi/Dkt***	MUZEE	DANIEL	KAZUNGU	

ID CARD No. *Na. ya Kitambulisho*	PASSPORT NO.	EXPIRY DATE OF PASSPORT *PASIPOTI KUISHA*	PIN NO.
10831431	8081399	19/2/2020	A002481727K

SEX (Tick) *JINSIA (Weka Alama)*

Male *Kiume* ☑

Female *Kike* ☐

Occupation: *Kazi:* MEMBER OF PARLIAMENT, MALINDI CONSTITUENCY

E-Mail Address: DANKAZ465@GMAIL.COM
Anwani ya Baruapepe:

Postal Address: PO Box 41842 Code: 00100
Anwani ya Posta: SL Posta: *Msimbo:*

Other Addresses:
Anwani Nyingine:

Telephone No. *Na. ya Simu*	Mobile No. *Na. ya Rununu*	Other Numbers *Nambari Nyingine*
0729982960	0729982960	—

RESIDENCE *MAKAZI*

ESTATE/TOWN/LOCATION *MTAA/MJI/LOKESHENI*	LANGOBAYA
DISTRICT *WILAYA*	MALINDI
COUNTY *KAUNTI*	KILIFI
TOWN/CITY *MJI/JIJI*	MALINDI (LANGOBAYA)
COUNTRY *NCHI*	KENYA

2. BIRTH INFORMATION / *TAARIFA YA KUZALIWA*

DATE OF BIRTH /*TAREHE YA KUZALIWA*	/ /

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BIRTH CERTIFICATE NO. / *NA. YA CHETI CHA KUZALIWA*	
PLACE OF BIRTH / *MAHALI PA KUZALIWA*	MARIKANO
DISTRICT OF BIRTH / *WILAYA YA KUZALIWA*	MALINDI (THEN KILIFI)
COUNTY OF BIRTH / *KAUNTI YA KUZALIWA*	KILIFI
COUNTRY OF BIRTH / *NCHI YA KUZALIWA*	KENYA.

3. NATIONALITY /*UTAIFA*

Kenyan ☑ *Mkenya*	Dual ☐ *Kotekote* (Provide details_____) (*Toa maelezo*_____)

4. MARITAL STATUS / *HALI YA NDOA*

SINGLE ☐ *NINGALI SIJAOA/ SIJAOLEWA*
MARRIED ☑ *NIMEOA/NIMEOLEWA*
SEPARATED ☐ *NIMETENGANA*
DIVORCED ☐ *NIMETALAKIANA*
WIDOWED ☐ *NIMEFIWA*

IF MARRIED GIVE NAMES OF THE SPOUSE(S) (Surname, First Name, middle name, others)
KAMA UMEOA TOA MAJINA YA MUME/MKE(Wa) WAKO (Jina la ukoo, Jina la Kwanza, jina la kati, mengine)
MWADUNA CATHERINE KARISA

NATIONALITY OF SPOUSE *UTAIFA WA MKE/MUME*	KENYAN

NAME OF CHILDREN UNDER THE AGE OF 18 YEARS
JINA LA WATOTO WALIO CHINI YA UMRI WA MIAKA 18
1. NIGEL THOYA KAZUNGU
2. CIDI SHANEIL KAZUNGU

5. EDUCATIONAL QUALIFICATIONS / *KUFUZU KWA KIELIMU*

PRIMARY CERTIFICATE ☑ *CHETI CHA MSINGI*
SECONDARY ☑ *SHULE YA UPILI*
'A' LEVEL ☐ *KIWANGO CHA 'A'*
DIPLOMA ☐ *STASHAHADA*
DEGREE ☑ *SHAHADA*
MASTERS ☑ *UZAMILI*
PHD ☐ *UZAMIFU*
OTHERS *VINGINE*

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HIGHEST ACADEMIC QUALIFICATION OBTAINED *KUFUZU KWA JUU ZAIDI KWA KIAKADEMIA ULIKOPATA*		
Qualification / *Kufuzu*	Institution / *Taasisi*	Year /*Mwaka*
MASTERS OF ARTS IN DIPLOMACY & FOREIGN POLICY	MOI UNIVERSITY	2015

6. LANGUAGE SPOKEN / *LUGHA UNAZOZUNGUMZA*

First Language *Lugha ya Kwanza*	Second Language *Lugha ya Pili*	Others *Nyingine*
ENGLISH	KISWAHILI	KIGIRIAMA.

7. MEMBERSHIP OF PROFESSIONAL ORGANISATION(s) (If any)
UANACHAMA WA SHIRIKA(MA) YA KITAALAMU (Kama yapo)

Name of Organization *Jina la Shirika*	Date of Admission *Tarehe ya Kuandikishwa*	Membership No. *Na. ya Uanachama*

8. REASON(S) FOR DECLARATION / *SABABU ZA KUJITANGAZA*

Purpose for which declaration is required / *Kusudio la kuhitajika kwa kujitangaza huku*

Election ☐ *Upigaji kura* Employment ☑ *Kuajiriwa*

Others (Specify) *Nyingine (Bainisha)* PRESIDENTIAL APPOINTMENT – CABINET NOMINEE FOR MINING.

State office for which the declaration is being submitted *Ofisi ya serikali ambayo kujitangaza huku kunawasilishwa*	PARLIAMENTARY SERVICE COMMISSION.

9. MORAL AND ETHICAL QUESTIONS / *MASWALI YA NIDHAMU NA KIMAADILI*

Answers to the following questions are mandatory. If YES to any question you must provide additional information on a supplementary sheet.
Majibu kwa maswali yafuatayo ni lazima. Kama NDIYO katika swali lolote lazima utoe taarifa ya ziada kwenye karatasi nyingine.

	YES	NO
a) Have you ever engaged in any form of dishonesty in the conduct of public affairs *a) Umewahi kujihusisha na hali yoyote ya kutokuwa mwaminifu katika kazi zako na shughuli za umma*		✓
b) Have you ever abused a public office? *b) Umewahi kutumia vibaya ofisi ya umma?*		✓
c) Have you ever misrepresented information to the public? *c) Umewahi kuwakilisha kwa njia isiyofaataarifa kwa umma?*		✓
d) Have you ever engaged in wrongful conduct whilst in the furtherance of personal benefit?		✓

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d) Umewahi kujihusisha katika tabia mbaya huku ukitaka kujinufaisha kibinafsi?		
e) Have you ever misused public resources? *e) Umewahi kutumia vibaya rasilimali za umma?*		✓
f) Have you ever discriminated against anyone of any grounds other than as provided for under the Constitution or any other law? *f) Umewahi kubagua yeyote kwa misingi yoyote mbali na vile ilivyoelezwa katika Katiba au sheria yoyote nyingine?*		✓
g) Have you ever falsified official or personal records? *g) Je, umewahi kudanganya katika rekodi rasmi au za kibinafsi?*		✓
h) Have you ever been debarred or removed from the Register of Members of your professional organization? *h) Umewahi kupigwa teke au kuondolewa kutoka kwenye Rejista ya Wanachama wa shirika lako la kitaalamu?*		✓
i) Have you ever had any occupational or vocational license revoked and/or otherwise subjected to any other disciplinary action for cause in Kenya or any other country *i)Umewahi kujipata katika hali ya leseni yako ya kikazi au ya kiufundi kutupiliwa mbali na/au vinginevyo kuchukuliwa hatua nyingine ya kinidhamu katika nchi ya Kenya au nchi yoyote nyingine*		✓
j) Have you ever dismissed from employment on account of lack of integrity? *j) Umewahi kufutwa kazi katika ajira kutokana na ukosefu wa uadilifu?*		✓
k) If you have been a public officer, have you ever failed to declare your Income, Assets and Liabilities as required under the Public Officer Ethics Act, 2003? *k) Kama umewahi kuwa ofisa wa umma, umewahi kushindwa kutangaza Mapato yako, Mali na Gharama kama unavyohitajika katika Kifungu cha sheria cha Maadili ya Ofisa wa Umma, 2003?*		✓
l) Have you ever been the subject of disciplinary or criminal proceedings for breach of the Public Officer Ethics Act, 2003 or a Code prescribed thereunder? *l) Umewahi kuwa mada katika taratibu za kinidhamu au kihalifu kwa kuvunja kifungu cha sheria cha Maadili ya Ofisa wa Umma 2003, au Msimbo ulioainishwa hapo chini?*		✓
m) Have you ever been convicted of any offence and sentenced to serve imprisonment for a period of at least six months? *m) Umewahi kushtakiwa kwa kosa lolote na kuhukumiwa kifungo gerezani kwa kipindi kipatacho miezi sita?*		✓
n) Have you ever had an application for a Certificate of Clearance or a Certificate of Good Conduct or for a visa or other document authorizing work in a public office denied and/or rejected for cause in Kenya or any other country?		✓

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n) Umewahi kutuma ombi la Cheti cha kuondolewa Hatia au Cheti cha Kinidhamu au cha visa au nyaraka nyingine zinazoidhinisha kazi katika ofisi ya umma na hivyo basi wewe kunyimwa na/ au kukataliwa kwa sababu yoyote nchini Kenya au nchi yoyote nyingine?		✓

10. EMPLOYMENT INFORMATION / *TAARIFA YA KUAJIRIWA*

NAME OF EMPLOYER *JINA LA MWAJIRI*	POSITION/RANK *CHEO/WADHIFA*	DATE OF FIRST APPOINTMENT *TAREHE YA KUAJIRIWA KWA KWANZA*	DATE OF PRESENT APPOINTMENT *TAREHE YA KUAJIRIWA KWA SASA*
PARLIAMENTARY SERVICE COMMISSION	MEMBER OF PARLIAMENT	APRIL 2013	TO DATE
IBM EAST AFRICA.	COUNTRY MANAGER ETHIOPIA	JANUARY 2010	FEBRUARY 2013
LENOVO AFRICA (SOUTH AFRICA)	REGIONAL MANAGER EAST AFRICA	JUNE 2015	DEC 2009
IBM EAST AFRICA.	TERRITORY MANAGER EAST AFRICA.	JAN 2003	MAY 2005.

WORKSTATION *KITUO CHA KAZI*	**NATURE OF EMPLOYMENT** (Constitutional/Elective/Permanent/Contractual/Other) ***AINA YA KUAJIRIWA*** *(Kikatiba/Kuteuliwa/Kudumu/Kikandarasi/Nyingine)*

ETHICS AND ANTI-CORRUPTION COMMISSION
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OATH AND AFFIRMATION / *KIAPO NA UTHIBITISHWAJI*

I solemnly swear (or affirm) and certify, under penalty of false declaration under the Oaths and Statutory Declarations Act (Cap 15 of the Laws of Kenya), that all the foregoing statements in this declaration are true and correct to the best of my knowledge.

Ninaapa ya kwamba (ninathibitisha) na kuidhinisha, katika adhabu ya kujitangaza kwa uongo chini ya kifungu cha sheria cha Viapo na Kujitangaza Kisheria(Ibara 15 ya Sheria za Kenya), kwamba kauli zote zilizotajwa katika kujitangaza huku ni za kweli na sahihi kwa kadri ninavyojua.

Dated at / *Mnamo tarehe* ..... 8/12/2015 ....., this / *kwenye*.....

day of / *siku hii ya* ..... JUMANNE .....

SIGNATURE OF DECLARANT: .....
SAINI YA ANAYEJITANGAZA:

SWORN/DECLARED BEFORE ME / *ALIYELISHWA KIAPO/TANGAZWA MBELE YANGU*

This / *Mnamo* ..... 8TH ..... day of / *siku hii ya* ..... Dec ....., 20 ..... 15 .....,

at / *katika mahali hapa*..... NAIROBI .....

PATRICK N. MURIITHI
ADVOCATE & COMMISSIONER
FOR OATHS
P. O. Box 43465-00100, NAIROBI

~~COMMISSIONER FOR OATH/MAGISTRATE~~
KAMISHNA WA KIAPO/ HAKIMU

ETHICS AND ANTI-CORRUPTION COMMISSION
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10424

KENYA REVENUE AUTHORITY

ISO 9001:2008 CERTIFIED

D.D (Lands/Mines) This relates to matters before committee. Appointments. Agenda 9/12

9th December, 2015

Ref: CDT/HQ/81

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

URGENT

Esther Maina
PSC TNA
9/12

Dear Sir,

RE: VETTING OF NOMINEE FOR APPOINTMENT AS CABINET SECRETARY

Further to my letter dated 7th December 2015, referenced CDT/HQ/54; this letter confirms that the nominee listed below has been issued with a tax compliance certificate after submission of requisite documents to the Authority.

NO	MINISTRY	NAME	ID.NO.	PIN NUMBER	TAX STATUS
1	Mining	Daniel Kazungu Muzee	108314431	A002481727K	Compliant

Yours faithfully,

Alice Owuor, OGW.
COMMISSIONER OF DOMESTIC TAXES

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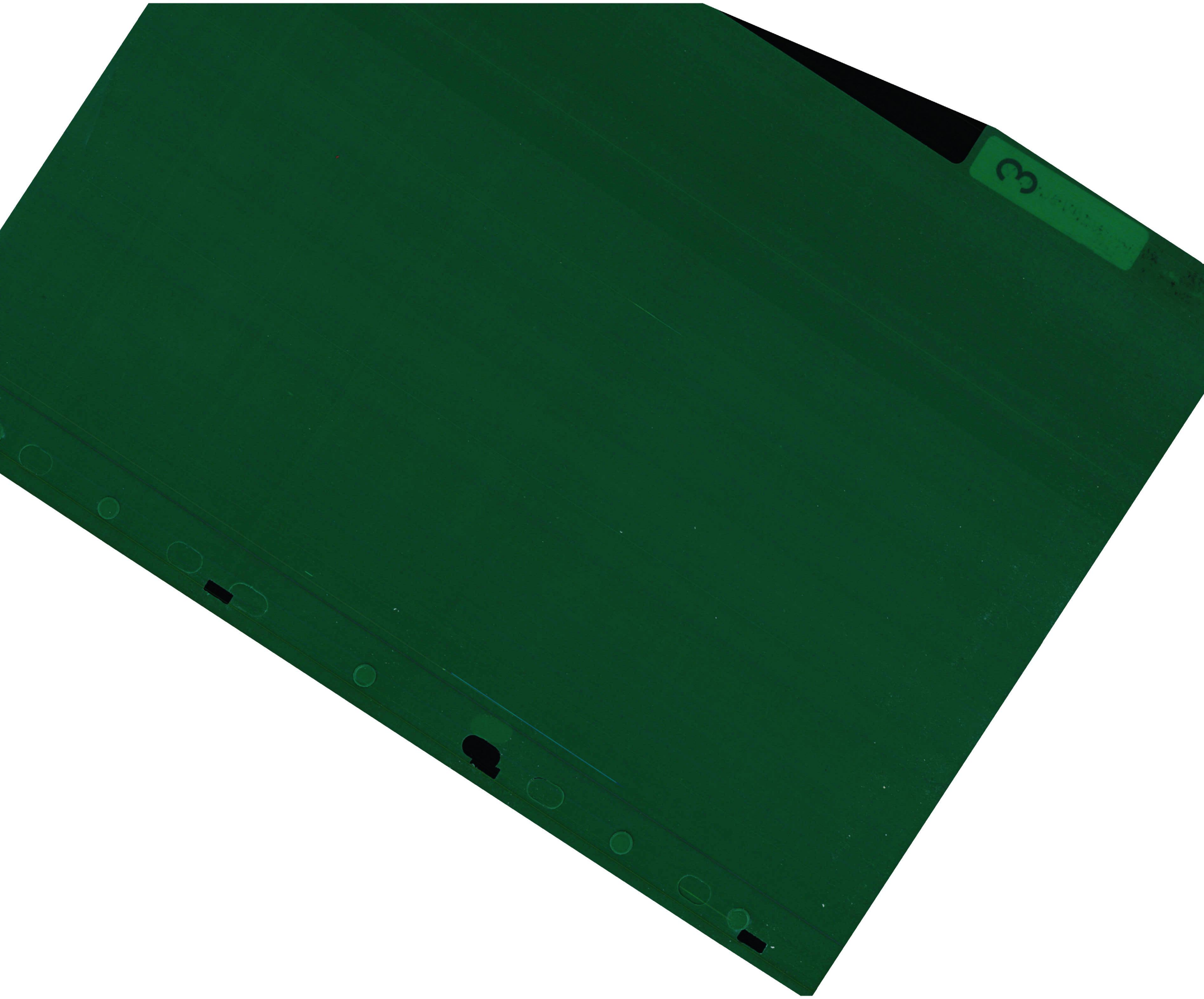
CLERK'S OFFICE

Tulipe Ushuru, Tujitegemee!

SGS UKAS QUALITY MANAGEMENT
ISO 9001:2008 CERTIFIED

MEMORANDA


3

AFFIDAVIT

MEMORANDUM AGAINTS APPOINTMENT OF FESTUS MWANGI KIUNJURI AS A CABINET SECRETARY

I, Philip Mwangi, a citizen of Kenya of P.O. BOX 832 OL KALOU, solemnly and sincerely affirm and declare as follows:-

THAT Festus Mwangi Kiunjuri is unfit to hold public office as he lacks the integrity required by Chapter Six of the Constitution on Leadership and Integrity;

THAT Mr. Kiunjuri While holding the position of Assistant Minister in the Ministry of Water and Irrigation was involved in irregular and unprofessional conduct in interfering with the performance of tasks by ministry staff in respect of the procurement of works for Umaa Dam.

THAT he was involved in corrupt conduct by attempting to force the inflation of the cost of the said dam to a cost of Kshs 652 million for his personal benefit and that of the contractor who was his personal friend with whom they played golf.

THAT the appointment of Mr. Kiunjuri as Cabinet Secretary will contribute to the proliferation of corruption in the Ministry of Devolution;

THAT he lacks the professional and academic experience to carry out the tasks assigned having only been a teacher and a politician;

THAT the facts and circumstances herein deposed to are within my own knowledge and belief save such as are deposed to from information only and my means of knowledge and source of information appear on the face of this my affidavit.

*Sworn / Affirmed by *(PHILIP GICHERU MWANGI)* on *(7/12/2015)* at *(WESTLANDS)* in the presence of:

KIHAR U, AND COMPANY ADVOCATES

(1) D/Committees
Kindly bring this to the attention of the Committee as appointments. Party also the nominee in question to the notification & memoranda.

(2) D/Legal - Dir
Update your boring to HO
D.D. Litg.
9/12

WILLIAM J. OMBESE
P. O. BOX 34800 – 00100
NAIROBI

8/12/2015

THE CLERK OF THE NATIONAL ASSEMBLY
P. O. BOX 41842 – 00100
NAIROBI

Dear Sir,

WITHDRAWAL OF MEMORANDA

Please refer to my letter dated 4th December 2015 attaching my written Statement on Oath (Affidavit) against the nomination to the Cabinet of Mr. Charles C. Keter.

Having re-considered the matter, I wish to wholly withdraw my statement and complaint against the nomination of Mr. Charles C. Keter. Please treat the matter as closed.

Yours faithfully

WILLIAM J. OMBESE

NATIONAL ASSEMBLY
RECEIVED
09 DEC 2015
CLERK'S OFFICE
P. O. Box 41842, NAIROBI

REPUBLIC OF KENYA

IN THE MATTER OF OATHS AND STATUTORY DECLARATION ACT

CAP 15 LAWS OF KENYA

REPLYING AFFIDAVIT

TO THE AFFIDAVIT AGAINST THE APPOINTMENT OF MR. CHARLES CHERUIYOT KETER AS CABINET SECRETARY/MINISTRY OF ENERGY AND PETROLEUM

I, CHARLES CHERUIYOT KETER of Post Office Box Number 51439 – 00200 Nairobi in the Republic of Kenya do make oath and state as follows:

1. **THAT** I am a male adult of sound mind and competent to swear this affidavit.

2. **THAT** I have read and understood the affidavit sworn by one William Jeremiah Ombese on 4th December 2015 and I make this affidavit in reply thereto.

3. **THAT** I state from the onset that I do not know Mr. Ombese. I neither met him nor interacted with him whilst I was employed by the then Kenya Posts and Telecommunications Corporation (hereinafter referred to as **'KPTC'**).

4. **THAT** I was employed by the then KPTC as a systems analyst in its IT Department in 1993. I worked at the Headquarters. Mr. Ombese depones to the fact that he worked as a Senior Technical Officer in the Installation and Maintenance Section (Nairobi- North region). KPTC had over 30,000 employees and considering that Mr. Ombese and I worked in different departments, it is highly unlikely that he knew me.

5. **THAT** in the course of my employment with KPTC I was moved into a multi-disciplined special unit with four other colleagues. The unit was in charge of KPTC'S network. I did not at any time work in the Investigation Department as alleged by Mr. Ombese. It is clear from his averments that he did not know me at all and his affidavit is nothing but a complete fabrication.

6. **THAT** since being served with the affidavit, I have carried out some inquiries and established that Mr. Ombese was retired in the public interest in or about November 1994. The retirement came about a year after my employment and therefore he could not have known me at all. I annex hereto and mark **"CCK 1"** a copy of his letter of retirement.

7. **THAT** the letter of retirement clearly states that Mr. Ombese was retired on public interest on account of unsatisfactory work performance and conduct. Having been retired on those grounds, he cannot now purport to cast aspersions on my character and integrity.

8. **THAT** the contents of paragraphs 5, 6,7,8,9 and 10 are a figment of the imagination of Mr, Ombese. Having not worked in the Investigation Department, I had no duty or indeed capacity to carry out any investigations or intimidate anyone.

9. **THAT** whereas Mr. Ombese makes wild and unsubstantiated allegations that I allegedly took advantage of my position, there are no particulars at all of the purported personal gain or particulars of the alleged deprivation of my employer. The allegations contained at paragraphs 11, 12, 12, and 14 are total lies and only intended to embarrass me.

10. **THAT** throughout my employment with KPTC there was neither a complaint raised against me in whatsoever manner nor was my integrity ever questioned. I diligently served KPTC until the date I resigned in the year 2002 to join politics. I annex hereto and mark **"CCK 2"** a copy of my letter of resignation.

11. **THAT** after I resigned from KPTC I was elected as a Member of Parliament for Belgut Constituency in 2002. I was re-elected for a second term in 2007 which was historical for the reason that other than myself, no one has been re-elected for a second term in Belgut since 1963. Whilst I was the Member of Parliament, Belgut Constituency was ranked No. 1 in the usage of CDF Funds.

12. **THAT** whilst I was the Member of Parliament, Belgut Constituency was ranked No. 1 in the usage of CDF Funds. The trust and confidence shown in me by the people of Belgut Constituency is testimony to my integrity and service to society.

13. **THAT** in reply to paragraph 15 of Mr. Ombese's affidavit, I state that Criminal case Number 2233/2003 was brought against five accused persons in the year 2003. I was not one of the five persons. In or about mid- 2004 I filed a Motion in Parliament touching on Sections 58 and 59 of the then Kenyan Constitution seeking to delink Parliament from the Executive. In January 2005, I was shocked to be arraigned in Court charged with four counts and then the case was consolidated with the case brought in 2003.I verily believe that the only the only reason I was charged was to attempt to intimidate me into withdrawing the Motion I had filed in Parliament.

14. The matter case was nevertheless fully heard before a Senior Resident magistrate and at the close of the Prosecution's case less. In any event the Criminal Case was heard and the court found that it lacked substance and that I had no case to answer. I annex hereto and mark as **'CCK-3'** a certified copy of the Ruling. I beseech the Honourable vetting Committee to peruse the Ruling from which they will no doubt draw the conclusion that the case brought against me had no basis and was malicious.

15. **THAT** in reply to paragraphs 16, 17 and 18 of Mr. Ombese' s affidavit, I state that the articles referred to therein have nothing to do with me and neither is

my name mentioned therein. The articles were written on 1st December 2015 whereas the case against me was brought in the year 2005. In any event the court having found, following a full hearing, that I had no case to answer, any alleged dealings in termination of calls have nothing to do with me.

16. **THAT** I verily believe that Mr. Ombese' s affidavit is motivated by malice and ill-will for reasons I don't understand. I have carried out some inquiries on the deponent and established the following facts:

    i. He is pensioner with Teleposta Pension Scheme having been retired from the services of KPTC on 17th November 1994 on account of public interest because of unsatisfactory work performance;

    ii. He is a member of Postel Pensioners Association a group of active retirees of KPTC who regularly write numerous letters to Retirement Benefits Authority, and Telkom Kenya Limited Teleposta Pension Scheme;

    iii. Mr. Ombese appeared at page 2 of Sunday Nation and pages 4 of the Standard Newspapers of 12/5/13 on the vetting of Davis Chirchir. He had written a letter on 3/5/13 to the Vetting Committee on Davis Chirchir;

    iv. It was alleged in that Sunday Nation newspaper that Mr. Ombese was the Secretary of the Pension Scheme which was a total lie because the Trust Secretary of Teleposta Pension Scheme at that time was Peter Kipyegon Rotich. Mr. Ombese purported to be the Trust Secretary in order to cloth himself with some false credibility. The Pension Scheme did not at any time present any complaint against Mr. Chirchir.

17. **THAT** it is therefore clear that Mr. Ombese, whose conduct his former employer found wanting, is a busybody who has since then pre-occupied himself with raising objections as relates to persons proposed to be Cabinet Secretaries.

18. **THAT** what is deponed to herein is true and within my own knowledge save for matters deponed to on information and belief, sources whereof and grounds whereupon have been duly disclosed.

SWORN by the said)
CHARLES CHERUIYOT KETER)
at Nairobi this 9TH)
day of December 2015)

BEFORE ME:)

)

)

COMMISSIONER FOR OATHS)

KENYA POSTS AND TELECOMMUNICATIONS

aphic Address:
KPOSTS", Nairobi
ione:
obi 27401 Extn. 3217.
Ref. .....
Ref. PF.24719.

OFFICE OF THE MANAGING DIRECTOR
P.O. Box 30301
NAIROBI
KENYA

CONFIDENTIAL.

19th September, 1994.

Mr. W.J. Ombese,
Senior Technician.

Thro': RTM/NBI-North. 27/9/94.

RETIREMENT IN THE PUBLIC INTEREST.

Further to this office letter dated 25th April, 1994 in which you were notified of the Corporation's intention to retire you from the service on account of unsatisfactory work performance and conduct, I wish to inform you that the Managing Director has approved your retirement in the Public Interest with effect from the date you receive this letter.

Please forward your employment identification card to your Controlling Officer and any other official items that may be in your possession.

Please acknowledge receipt of this letter by date and signature and complete the Pension Commutation form hereby attached and return the same to this office.

for J.M. Kibocha (Miss)
MANAGING DIRECTOR.

/RAA.

This Annexture referred to the CCK 1
in the Affidavit of CHARLES CHERU-TOT KETER
Sworn at NAIROBI this 9TH day of DEC 2015
Commissioner for Oaths

REPUBLIC OF KENYA

IN THE CHIEF MAGISTRATE'S COURT AT NAIROBI

CRIMINAL CASE NO. 2233 OF 2003

REPUBLIC

VERSUS

CHARLES CHERUIYOT KETER.....1ST ACCUSED

EDWARD KIPROTICH KETER.....2ND ACCUSED

JOSEPH DOUGLAS ADERA.....3RD ACCUSED

GEROGE NGIGI THUO.....4TH ACCUSED

CECILIA WAKIRINGI KARIUKI.....5TH ACCUSED

RULING

On 8th of September, 2003 the 2nd – 5th accused persons herein were arraigned before the Chief Magistrate's court, Law Courts Nairobi charged with the offences of operating telecommunications systems and providing telecommunication services as well as establishing and using radio communication apparatus without a licence contrary to section 24(1)(a) and (b) and section 2 as well as section 35(1) sections 2 of the Kenya Communications Act 1998.

About 2 years later on 7/1/2005 (the previous charge was read before Hon. Muchelule Chief Magistrate) again before Muchelule Chief Magistrate, the 1st accused person was arraigned with 4 counts. The first one was conspiracy to defraud contrary to section 317 of the Penal Code.

The 2nd count was that of abuse of office contrary to section 101(2) of the said Act.

This Annexture referred to in the ... in the Affidavit of CHARLES CHERUIYOT KETER Sworn at ... this 9th day of DEC 2015 ... Commissioner for Oaths

The 3rd count was that of operating telecoms systems contrary to section 24(a) & b as read with sections 2 of the Kenya communications Act 1998. While the 4th count related to establishing and using radio communication apparatus without licence contrary to section 35(1) as read with section 2 of the said act herein above.

On 7/3/2005 the charges against accused1 and accused 2 to accused 5 as set out hereinabove were consolidated before me and a substituted charge sheet which I signed on the same date was presented. In the consolidated charge sheet which was endorsed by me, the 1st – 6th accused persons faced the charge of conspiracy to defraud contrary to section 317 of the Penal Code.

In count II, the 1st accused person faced the charge of abuse of office contrary to Section 101 of the said act.

In count III, the 1st – 6th accused persons faced the charge of operating telecoms system and providing telecoms services without a licence contrary to section 24 (A) of the said Act.

In count IV, the 6th accused person faced the charge of establishing and using communication apparatus without a licence contrary to section 35 (1) as read with sub-section (2) of the said Act.

Particulars of all these charges are well set out in the charge sheet and I see no need to rehash the same for purposes of this ruling.

The prosecution evidence on record, as well as the submissions by learned counsels for the accused persons have been carefully considered by me.

It is appropriate to point out at this stage that the 2nd accused person is now deceased having passed on the 27/11/2005.

By then, the hearing of this case had not commenced dispute the fact that accused 2 – accused 6 had been arraigned before court on 8/9/2003. It is no wonder however since the state took over the case from the police on 7/3/2005.

The hearing of this case did commence on 11/7/2005 while Accused 2 was still alive. The court proceeded and heard the evidence of three (3) witnesses before it learned on 2/12/2005 that Accused 2 had passed on. So the hearing of the rest of the witnesses proceeded on upto the 7/6/2006, when Mr. Gikonyo state counsel closed the prosecution case.

Having carefully considered the same and in light of the charges preferred with respect to count I, I find that the prosecution has not been able to show any connection of all the accused persons that would lead to me to draw the inference that they conspired to defraud Telkom (K) of anything.

Indeed let me state from the outset that there was no evidence adduced to show that Telkom (K) had any complaint or claim against any of the accused persons. The

only connection made among the accused persons is that Accused 1 is the brother to Accused 3 but has no connection with Accused 4 – Accused 6. Accused 2 – Accused 6 were all employees of Data Global which it is alleged by the prosecution was the company through which all the accused operated telecommunications systems and provided telecommunications services without a license.

The prosecution did not endeavour even by way of submissions to bring out the connection I have set out above. The charge in count I therefore has no legs to stand on and must collapse at this stage.

With respect to the charge in count II I must agree with Mr. Kibet for A1 that there is absolutely no evidence to show that the 1st accused person made calls to the United States of America on behalf of Edward Keter Accused 3 herein. First of all the prosecution did not set out the purported benefit to A3 who was not a director at M/s Data global company Evidence led by the Manager in charge of Consumer Affairs at CCK one Liston Cheruiyot related to his analyzing the call data on a CD Rom from both Safaricom and Kencell (now Celtel) communicating companies with a view to determining if they were made by operators or switched automatically by a system.

Even from his testimony there was no connection made to the calls he analyzed and any that may have been made, if at all by Accused 1 while he was working in Telkom (K) Department of Fraud Management where he had access to telephone number 340 811 and 213 598 through which he could call any part of the world while conducting his duties.

His colleague in the said department one Hezekeah Yobera PW7 testified that indeed A1 made calls on the said lines to the USA and several other countries like Rwanda, USA, South Africa & UAE but he was not asked to establish the nature of these calls and did not find any restrictions placed on the 1st accused while making these calls. PW7's evidence remained hanging and the prosecution failed to show the nexus between it and the evidence of Linus Cheruiyot PW11 That led Inspector Prosper Bosire PW12 to want to charge the 1st accused with respect to count II almost (2) two years after the others were charged. It is not this court's duty whatsoever to tie up the prosecution's case. The charge in count II which in any case is in congruent with the other charges preferred against the accused persons in counts I, III and IV must also collapse at this stage.

With respect to counts III and IV, if indeed Accused 2 – Accused 6 were employees at Data global Communications as 1P Etyang testified then the prosecution needed to adduce evidence to show how they can be held liable for

offences committed by their employer. Indeed there was no attempt made by the prosecution to explain the reason for not preferring charges against the directions of Data Global Ltd. The prosecution did not even bother to set out specifically what each of the accused persons i.e. 2 – 6th accused did that led to the conclusion that they committed the offences set out in counts III and IV. To even connect A1 with the charges in counts III & IV is just ridiculous.

I must in conclusion say this, the prosecution failed to present its case in a systematic manner even if it may not have had any substance.

It is possible that Mr. Gikonyo was badly briefed by the investigations hence the bungling that I evidenced during the prosecution's case. This however does not discount the fact that the prosecution's case lacked substance and was improperly put together.

In any case, the prosecution has failed totally to establish a prima facie case against all the accused persons in all the charges they face and they are each found to have no case to answer and are each acquitted under section 210 Criminal Procedure Code. The court so orders.

R.A. MUTOKA

SENIOR PRINCIPAL MAGISTRATE

28/6/2006

Court order:

Ruling read and signed before Mr. Gikonyo – State counsel, Mr. Kebet for Accused 1 and holding brief for Kipkorir for Accused 2. Mr. Maina for Accused 4.

R.A. MUTOKA

SENIOR PRINCIPAL MAGISTRATE

28/6/2006

Court order:

Securities and cash bail to be released to their depositors.

Mr. Gikonyo:

I apply for certified copy of the ruling.

Court order:

Applicant granted.

R.A. MUTOKA

SENIOR PRINCIPAL MAGISTRATE

28/6/2006

I certify that this is a true copy of the Original 9/12/15

CHIEF MAGISTRATE
MILIMANI LAW COURTS

D/Commitees

989
1005

Victor

① Bring it to the attention of the nominee.
② Get the legal officer to analyse it
7/12/2015

WILLIAM J. OMBESE

P.O.BOX 34800-00100

NAIROBI

Cell: 0710-966632

Email:ombesew@yahoo.com

4/12/2015

THE CLERK OF THE NATIONAL ASSEMBLY

P.O. BOX 41842-00100

NAIROBI

Dear Sir,

SUBMISSION OF MEMORANDA

Please here attached find my written statement on oath **(Affidavit)** against nomination to the cabinet of **Mr. Charles C. Keter.**

Hoping for your quick action.

Yours faithfully,

WILLIAM J. OMBESE

RECEIVED
04 DEC 2015
CLERK'S OFFICE

REPUBLIC OF KENYA

IN THE MATTER OF STATUTORY DECLARATION ACT CAP 15 LAWS OF KENYA

AFFIDAVIT

AGAINST THE APPOINTMENT OF MR. CHARLES CHERUIYOT KETER AS CABINET SECRETARY/ MINISTRY OF ENERGY AND PETROLEUM

I WILLIAM JEREMIAH OMBESE *holder of* ***ID No.0564851*** *of Post Office Box Number 34800-00100 Nairobi in the Republic of Kenya do hereby make oath and state as follows:-*

1. ***THAT I*** *am an adult male of sound mind and thus competent to swear this affidavit.*

2. ***THAT I*** *am a former employee of the defunct Kenya Posts & Telecommunications Corporation (KP&TC) which later split into Telkom – Kenya (TKL) Postal Corporation of Kenya (PCK) and Communication Commission of Kenya (CCK) now known as Communications Authority (CA).*

3. ***THAT*** *while in employment, I worked in the Telecommunication Department as a Senior Technical Officer – Installation and Maintenance Section-I have a bit of technical background.*

4. ***THAT*** *by virtue of employment I knew Mr. Keter as a colleague.*

5. ***THAT*** *Mr. Keter joined Kenya Posts & Telecommunications Corporation at the rank of Assistant Telecommunications Controller (ATC) which was an entry point for fresh graduates.*

6. ***THAT*** *MR. Keter over time rose to the rank of Assistant Manager – working at an* ***Internal Investigation Department*** *– Investigation Branch then commonly known as I.B.*

7. ***THAT*** *being one of the Senior officers within the investigation department Mr. Keter had unlimited access to many other departments*

and sections within the Corporation when carrying out the investigations on suspected wrong doing.

8. ***THAT*** *Mr. Keter's duties among others involved detecting and investigating crimes committed by staff e.g. fraudulent dealings and theft of the Corporation's properties, assets and finances.*

9. ***THAT*** *by virtue of his position as an investigator Mr. Keter's duties were cross-sectional, meaning that he could have access to any section within the organization to get information.*

10. ***THAT*** *while carrying out his duties he could use intimidation and thoraxes on other staff to extract information.*

11. ***THAT*** *He, (Keter) took advantage of his position and duties for personal gain.*

12. ***THAT*** *while in the Company's service he had his own network of dealings which deprived the employer financial income.*

13. ***THAT*** *even after leaving employment he could still carry on with his networks which were detrimental to his former employer.*

14. ***THAT*** *one of the good examples of the dealings he had, was and still is in the public domain.*

15. ***THAT*** *the Court case involving operating Telecommunications services without a license at Lonrho House, had more than meets the eye.*

16. ***THAT*** *to get a good picture of what was involved in the illegal operation of the Telecommunications services – I request the vetting panel to read, THE DAILY NATION NEWSPAPER MAGAZINE – SMART COMPANY & MONEY on MULTI BILLION CALLS FRAUD of 1st December 2015*

17. ***THAT*** *I have attached a copy of the newspaper story and annexed it herewith for your ease of reference and understanding of this Technical subject.*

18. ***THAT*** *rigorous and more intense vetting should be carried out to a certain the suitability of Mr. Keter's nomination.*

19. **THAT** INTEGRITY & TRUST go hand in hand and once the issue of Trust and integrity has been raised more investigations have to be carried out on past background check on the nominee.

20. **THAT** Chapter Six of the Constitution and more particularly Leadership and Integrity ACT 2012 (First Schedule (S.13) Self Declaration Form must be scrutinized thoroughly.

21. **THAT** I have been compelled by the desire to contribute to the betterment of the Kenyan Society and to assist the President have a clean Public Service manned by men and women of integrity.

22. **THAT** at 50 years and above I must say that I have had more than affair share of the salt of life and my desire is to contribute for a better Kenya for the generations to come.

23. **THAT** the above information and accusations have been given without any malice whatsoever.

24. **THAT** the matter deponed to herein above is true to the best of my knowledge, information and believe.

SWORN by the said
WILLIAM JEREMIAH OMBESE } .....
} Deponent

At Nairobi this...4th... day of December 2015

BEFORE ME

COMMISSIONER OF OATHS

cover

LOOT » COMMUNICATION AUTHORITY ESTIMATES THE FRAUDSTER COULD HAVE POCKETED OVER SH3 BILLION LAST YEAR,

Multi-billion calls fraud pits

At the centre of the tussle is a growing number of cases where international calls are illegally terminated locally by use of SIM box

BY LILIAN OCHIENG
@LilianNerab
laochieng@ke.nationmedia.com

Communications Authority of Kenya Director General Francis Wangusi (left) and the board chairman Ngene Gituku. FILE/NATION

Telecom regulator and mobile firms are entangled in a blame game over a multi-billion shilling fraud that has been robbing government of massive taxes.

At the centre of the tussle is a growing number of cases where international calls are illegally terminated as local calls by use of SIM box - a device housing numerous SIMs cards routing away traffic from operators' network to one operated by a fraudster.

The international calls are then routed to the recipient, appearing on phone as local calls.

Communication Authority estimates the fraudster could have pocketed over Sh3 billion last year. A report by an African Union High level panel on illicit flows in Africa released in May noted that the telecom fraud had surged and could cost the country over Sh6 billion this year.

But it is the question of who should bear responsibility of the fraud that is causing friction between telcos and the regulator.

Last week, the Communications Authority (CA) wrote to all the mobile phone companies informing them of a planned crackdown, warning that they would be slapped with hefty fines if found culpable.

"WE ARE USING DIFFERENT METHODS TO DETECT THE PRACTICE IN REAL TIME,"

Telkom Kenya CEO Vincent Lobry

Monitoring systems

"The authority is acquiring monitoring systems that will be used to track SIM box fraud in a historic exercise," said CA Director General Francis Wangusi. "Enforcement will follow soon, and it will not leave operators off the hook because they provide the SIM cards."

Mobile firms, however, say CA is oversimplifying the problem in an attempt to pass the buck. They say the regulator must come out clearly on the position of the SIM boxes being sold freely in the market, adding that the government must also issue a policy guideline on the matter.

"Our industry regulator needs to give stakeholders a clear position on the status of SIM boxing and its effect to the country, most especially on the institution and enforcement of laws that can help deter the spread of this fraud," Telkom Kenya CEO Vincent Lobry told *Smart Company*.

Mr Lobry noted that it is alarming to see SIM boxes being sold freely in many online platforms.

ICT Association of Kenya Secretary General Kamotho Njenga said the SIM fraud is deep and could involve elaborate connections that have kept the vice going for quite some time. He said the vice could even have existed since the 1990s. However, he added, sophistication of gadgets brought about by the Internet revolution now enables ease of monitoring.

"These fraudsters take advantage of loopholes in the network of operators that make it possible for them to convey their communication without being detected," said Mr Njenga.

In other instances, mobile companies question the genuineness of CA in fighting the vice saying there are cases where the regulator takes even six months to act on reported cases.

The slow response by CA, the telcos say, points to either lack of capacity or the inability of the Computer Incident Response Team (KE-CIRT) to execute its task of investigating cyber fraud.

Efforts to reach the CyberCrime Unit of the Directorate of Criminal Investigations (DCI), who are also charged with tackling fraud in the telecom industry, were futile.

Neither the DCI Ndegwa Muhoro nor Mr Jackson Cheboi, the cellular forensic investigator at the CyberCrime unit, picked our calls to state whether Kenya has in the recent times arrested any SIM box fraudsters.

The fraud is carried out through the SIM box which hosts multiple low-cost prepaid SIM cards. It terminates international calls through local phone numbers such as Safaricom, Airtel and Orange lines in respective countries, making the calls appear as local.

A fraudster could operate more than 10,000 SIM cards from different SIM boxes through one server. The calls are sent through the Internet to a SIM box — that houses eight to 32 illegal SIM cards— which redirects the illegal Voice over Internet Protocol (VoIP) traffic to mobile networks.

"The devices provide very poor quality service because of poor encryption. They also pose security risks since they can be used by criminals without trace," said Mr Wangusi during an interview last week.

"We have written to telecom operators and cautioned them of inspection on their own switches ahead of the exercise."

The major players in this elaborate fraudulent business are two; the fraudsters who are based in the terminating country and the illegal international carriers from across the border.

The fraudster operates as a SIM box operator, or a national licence holder such as a big telecom operator, or an insignificant telecom operator as a new entrant.

In this case, the fraudster hosts the SIM boxes, server, hands-on employees and constant SIM card supplies usually packed up in bulk in a box.

CA now wants to fine telecom operators for allowing the illegal SIM cards to operate on their network. Telecom firms however want the regulator to collaborate with them in the fight against SIM box fraud instead of holding them liable through fines.

A global body, The Communications Fraud Control Association (CFCA) states that telecoms lose over 15 per cent of their interconnection termination revenue through SIM boxing.

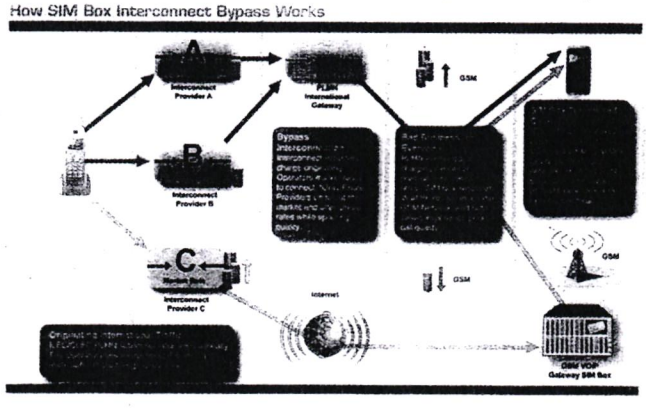
"We believe the CA should take a collaborative approach in this exercise instead of blaming operators. Any person can purchase SIMs from the open market, register them as required by law and put them to whatever use they want," said Safaricom corporate affairs director Stephen Chege.

"This does not make any operator complicit in any illegal action undertaken by such fraudsters. Co-operation between mobile operators, the CA and law enforcement agencies is what is needed to stamp out this practice."

Because calls made through SIM box connections are of poor quality, the customer is compelled to spend more while the government and the regulator get less. It also overloads base stations as many SIM cards (they could be in thousands). This ends up affecting the quality of network services

Mr Chege said the revenue of mobile

How SIM Box Interconnect Bypass Works



cover

WITH THE AMOUNT SAID TO BE INCREASING AND COULD REACH SH6 BILLION THIS YEAR

telcos against regulator

"T THE EEDS TO RE..LISE IS THAT WE CANNOT VENT A ...ON FROM BUYING A SIM CARD WHEN HE HAS THE NECESSARY REQUIREMENTS," Safaricom corporate affairs director Stephen Chege.

firms are affected when the SIM cards used on the SIM boxes are cut from the network , contributing to "churn", which refers to the amount of customers or subscribers who cut ties with a telecom firm within a given time period.

Airtel and Telkom Kenya also share the same sentiments.

The menace slows revenue growth for operators who have to frequently deal with huge numbers of SIM cards leaving the network.

"Within our networks, we have systems that detect SIM box businesses and stop them. What the CA needs to realise is that we cannot prevent a person from buying a SIM card when he has the necessary requirements," said Mr Chege.

He added that CA should, "take a collaborative approach instead of punishing operators to ensure that SIM boxes are removed from operation."

Airtel Kenya CEO Adil El Youssefi told *Smart Company* in a statement that operator mechanisms and tools to monitor and prevent SIM boxes must evolve to out pace fraudsters' tricks.

"The organisation actively monitors traffic partners on a constant basis to sniff out SIM boxers, as well as manage customers on board to detect early stages of the fraud," said Mr El Youssefi last week.

Mr Lobry said CA should check and remedy the situation as soon as possible taking into account the best international approaches.

"We are using different methods to detect the practice in real time and we are closing in on perpetrators," said Mr Lobry.

SIM boxing telecom fraud is not unique to Kenya. Countries like Uganda, Tanzania, Ghana and the rest of Africa are up in arms against the menace.

Uganda's Financial Intelligence Authority for instance in March this year, probed the loss of Sh14.7 billion a year through revenue diversion in telecoms.

"The FIA has received reports of suspicious activities, pointing to possible fraud, tax evasion, money laundering and suspected terrorist financing via illegal international traffic, also known as 'grey traffic," FIA Executive Director Mr Sydney Asubo is quoted by *The East African*, in a written alert to Uganda Communications Commission Godfrey Mutabazi.

Sh3bn

Amount that illegal operators of SIM box are said to have pocketed last year. It is feared this could rise to a whopping Sh6 billion this year as the fraud is increasingly becoming rampant

The letter also noted that Ugandan government loses 45 per cent in tax revenue in the fraud while the telcos — MTN, Airtel, Africell, Uganda Telecom Ltd and Vodafone — lose over 80 per cent of their revenue.

Tanzania has managed to curtail SIM box fraud through harsh penalties while Ghana is deep in the fight.

The Ghana Criminal Investigative Department (CID) of Police Service in January stated that the fraud is on the rise and it costs the country over Sh3.3 billion yearly.

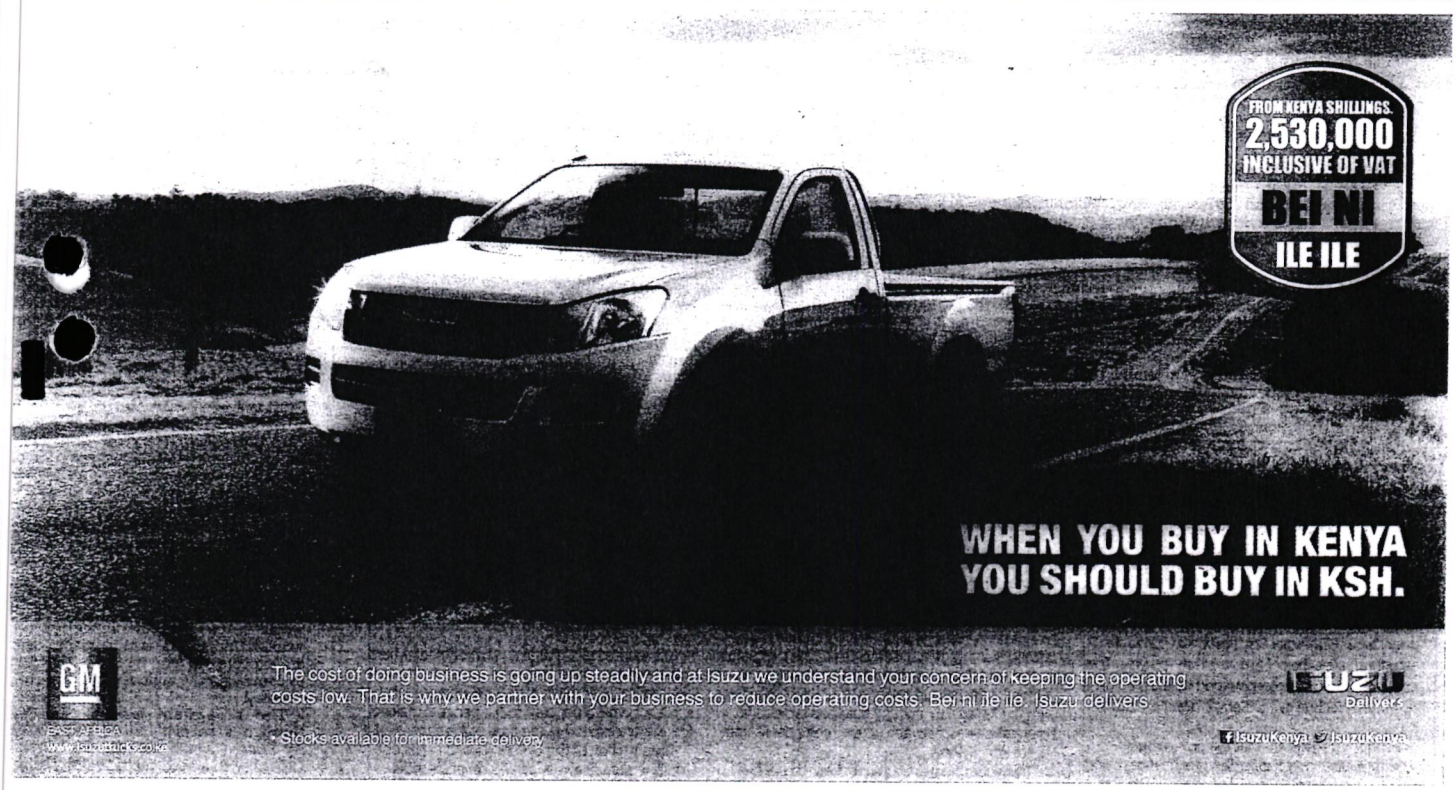
The African Union panel on illicit financial flows stated in a report early this year that the fraud contributes the most to the Sh4 trillion lost annually in tax evasion in the continent.

According to the International Telecommunications Union (ITU), a single operator cannot deal with the problem on its own hence the need to team up.

Research by the telecom union states that telecom operators need better SIM box detection equipment, greater regulations that will stop the sale of SIM cards to fake subscribers.

In regulations aimed at stopping SIM boxing, there is need to check multiple SIMs in the same name, prevent the sale of pre-activated SIMs, and verify credentials before SIM activation.

There is also need for operators to work closely with regulators to device legislation that will keep off this fraud from the country and prescribe stiff penalties to perpetrators.



DEALER CONTACTS: ASSOCIATED MOTORS LIMITED NAIROBI Tel: 020 650560-4/2346126/8, 0723 650560/0735 650560, MOMBASA Tel: 041 2490504-6/2, 493240/2/0724 583555, MERU Tel: 064 30091/ 31214/0724 780555. ELDORET Tel: 053 2063938/43. CENTRAL FARMERS GARAGE KITALE Tel: 054-30277,31335, 020-3522434, NAIROBI Tel: 020-3522435-8. KENYA COACH INDUSTRIES NAIROBI Tel: 553770/8, 554390, 536795-7. RYCE EAST AFRICA LTD NAIROBI Tel: 020-6531786-9, Cell: 0735985858, 0724256665, RYCE EAST AFRICA LTD MOMBASA Tel: 2315567, 2226365, 2229737, 020 2435056, 0732 777266, 0716 777266. THIKA MOTOR DEALERS THIKA Tel: 0721 726654, 0706 726654, 0733 726654: 0733 726650, 020 2321605, 0774 726654, MACHAKOS Tel: 0726605550, 0703605556,0733604414,0744605550. AFRICA COMMERCIAL MOTOR GROUP LTD NAKURU Tel: 0736928928 KISUMU Tel: 0733636183. GENERAL MOTORS EAST AFRICA LIMITED Tel: 0703 013 222/111.

(1) D/Committees
Kindly bring this to the attention of the Committee on Appointments. Notify also the nominee, in [illegible] to the notification of memoranda.

(2) D/Legal – to
Pls update your brief to the Committee.
D.D. L.S.J.
9/12

WILLIAM J. OMBESE

P. O. BOX 34800 – 00100

NAIROBI

8/12/2015

THE CLERK OF THE NATIONAL ASSEMBLY

P. O. BOX 41842 – 00100

NAIROBI

Dear Sir,

WITHDRAWAL OF MEMORANDA

Please refer to my letter dated 4th December 2015 attaching my written Statement on Oath (Affidavit) against the nomination to the Cabinet of Mr. Charles C. Keter.

Having re-considered the matter, I wish to wholly withdraw my statement and complaint against the nomination of Mr. Charles C. Keter. Please treat the matter as closed.

Yours faithfully

WILLIAM J. OMBESE

NATIONAL ASSEMBLY
RECEIVED
09 DEC 2015
CLERK'S OFFICE
P. O. Box 41842, NAIROBI

REPUBLIC OF KENYA

IN THE MATTER OF OATHS AND STATUTORY DECLARATION

CAPS 15. LAWS OF KENYA

AFFIDAVIT

I, **JOSEPH GITURU MAHUGU** of **P.O. BOX 1203-00100 Nairobi** in the Republic of Kenya do hereby make oath and state as follows:

1. **THAT** I am an adult male individual of sound mind and holder of National Identity Card Number **23 502755**
2. **THAT** on 3rd July 2012 I was confirmed in permanent employment by the Nairobi Hospital under the watch of CEO Dr. CLEOPA MAILU.
3. THAT on 16th March 3013 I was terminated on flimsy ground by the said Dr. CLEOPA MAILU even upon tabling evidence to that effect through the footage of CCTV camera at the Nairobi Hospital that I was not involved in the allegation of fraudulent backdating to 4th June 2012 attached and marked JGM I are copies of correspondence exchanged.
4. THAT I have learnt from the media that the said Dr. CLEOPA MAILU is a Nominee for the CS in the Ministry of Health.
5. THAT from the onset of how the said Dr. CLEOPA MAILU handled my matter at Nairobi Hospital I personally object for him to be granted the post of CS in the Ministry of Health in terms of reputation and integrity.
6. THAT the said Dr. CLEOPA MAILU failed to conduct my case with due diligence, humility, and he is bias and not fit to hold the CS position for the Republic of Kenya.
7. THAT I swear this Affidavit in affirming my objection for the said Dr. CLEOPA MAILU not to be confirmed by the vetting panel for the post of CS.

8. **THAT** what is stated herein is true to the best of my knowledge, information and belief.

SWORN AT NAIROBI BY THE SAID)
JOSEPH GITURU MAHUGU)
DEPONENT

This 4th day of December 2015)
)
BEFORE ME)
)
COMMISSIONER FOR OATH)
)

DRAWN & FILED BY:
WAMWAYI & COMPANY ADVOCATES
SHANKARDASS HOUSE, 3RD FLOOR, ROOM 308
MOI AVENUE
P.O BOX 16670-06200
NAIROBI

NATIONAL ASSEMBLY
RECEIVED
09 DEC 2015
CLERK'S OFFICE
P. O. Box 41842, NAIROBI

THE NAIROBI HOSPITAL

Our Ref: TNH/ADMIN/HRD/16/03/13

16th March 2013

Mr. Joseph Mahugu
P.O. Box 1203 - 00100
NAIROBI

Dear Mr. Mahugu,

RE: APPEAL

Reference is made to your letter dated 14th January 2013 and the subsequent appeal hearing held on 8th March 2013.

After careful review of your appeal and the facts of the case, the decision to terminate your services is upheld.

Yours sincerely,
FOR: THE NAIROBI HOSPITAL

Dr. Cleopa Mailu, EBS
CHIEF EXECUTIVE OFFICER

P.O. Box 30026-00100 Nairobi - Kenya • Tel: 254 - 020 - 2845000 • Fax: 254 - 020 - 2728003
E-mail: hosp@nbihosp.org • website: www.nairobihospital.org

THE NAIROBI HOSPITAL

Our Ref: HRD/13107/CMW.jd

7th March 2013

Mr. Joseph Gitiru Mahugu
P. O. Box 1203 - 00100
NAIROBI

Dear Mr. Mahugu,

RE: APPEAL HEARING

Reference is made to your letter dated 14th January 2013 appealing against your termination.

As discussed with the undersigned, the hearing will take place on Friday, 8th March 2013 at 02:15 p.m. at the Old Boardroom.

Yours sincerely,
FOR: THE NAIROBI HOSPITAL

Christina M. Were
FOR: CHIEF EXECUTIVE OFFICER

P.O. Box 30026-00100 Nairobi - Kenya • Tel: 254 - 020 - 2845000 • Fax: 254 - 020 - 2728003
E-mail: hosp@nbihosp.org • website: www.nairobihospital.org

JOSEPH GITURU MAHUGU,
P.O. BOX 1203 – 00100
NAIROBI

14th February, 2013

THE CHIEF EXECUTIVE OFFICER,
THE NAIROBI HOSPITAL,
P.O. BOX 30026 – 00100
NAIROBI

REF: HRD/13107/CMW.ZKK

Dear Sir,

REF: REMINDER OF APPEAL FOR TERMINATION OF EMPLOYMENT.

I hereby write to express my sincere concern of a letter I addressed to your office on 14th January, 2013 and still awaiting to hear from you with regard to the above subject matter.

I humbly request for an audience to confirm and substantiate my innocence in the unfortunate alleged fraud case so as to safeguard my job, reputation and my integrity.

Looking forward to hearing from your office.

Yours sincerely,

JOSEPH MAHUGU

C.C
Finance Director

JOSEPH GITURU MAHUGU,
P.O. BOX 1203 – 00100,
NAIROBI.

14th January, 2013

THE CHIEF EXECUTIVE OFFICER,
THE NAIROBI HOSPITAL,
P.O. BOX 30026 – 00100,
NAIROBI.

Dear Sir,

RE: APPEAL FOR TERMINATION OF EMPLOYMENT
(REF:HRD/13107/CMW.ZKK)

I hereby write to express my sincere request to lounge an appeal due to my termination of duty dated 10th January, 2013.

I was employed in the Nairobi Hospital on 5th December, 2011 and confirmed as a permanent and pensionable staff on 30th June 2012. Since my employment, the institution has been my family and I have always enjoyed working with the team of professions. I have always been a loyal and dedicated member of staff and I have always performed my duties ethically in accordance with the institution's policies and guidelines. During my entire employment tenure, I have never been on a disciplinary platform.

I hereby humbly request for an audience to confirm and substantiate my innocence in the unfortunate alleged fraud case.

Am looking forward to hearing from your office so as to safeguard my job, reputation and my integrity.

Yours Sincerely,

JOSEPH MAHUGU

C.C.
Finance Director

THE NAIROBI HOSPITAL

Ref: HRD/13107/cmw.zkk

10th January 2013

Mr. Joseph Peter Gituru Mahugu
Payroll No. 13107
Through Finance Director
The Nairobi Hospital

Dear Mr. Mahugu,

RE: TERMINATION OF SERVICES

Reference is made to the investigations into the fraudulent transactions done under your login profile leading to the loss of Kshs. 28,300/= by the Hospital.

Your explanations are not satisfactory. In accordance with your contract in which either party may terminate services by giving one month's notice or one month's pay in lieu of notice, your appointment is hereby terminated and your last working day with The Nairobi Hospital is 10th January 2013.

Your final dues will be processed as follows:-

- Salary upto and including 10th January 2013.
- Pay One (1) month's salary in lieu of notice.
- Pay any outstanding leave days owed.
- Pay any public holidays days earned not taken.
- Recover any leave days taken not yet earned.
- Recover any outstanding medical expenses.

Please note that this does not include recovery of any medical expenses such as undelivered consultants bills that you may have incurred as at your last working date.

You are required to hand over to the Senior Accountant, ACL with immediate effect. To enable us process your dues, kindly return the attached clearance checklist duly completed.

The Retirement Benefits Act allows you to access your own contribution, transfer it to a new employer's retirement scheme or to an individual retirement scheme (list attached). Please advise us in writing how you would like your contributions handled.

Yours sincerely,
FOR: THE NAIROBI HOSPITAL

Christina M. Were
FOR: CHIEF EXECUTIVE OFFICER

Encl.

c.c. Chief Executive Officer
Financial Controller
Payroll Officer
Personal File

P.O. Box 30026-00100 Nairobi - Kenya • Tel: 254 - 020 - 2845000 • Fax: 254 - 020 - 2728003
E-mail: hosp@nbihosp.org • website: www.nairobihospital.org

THE NAIROBI HOSPITAL

Ref: HRD/13107/CMW.kan

5th December 2012

Mr. Joseph Gituru Mahugu
Through unit Manager, Gigiri
Through Financial Controller
Through Finance Director
The Nairobi Hospital

Dear Mr. Mahugu,

RE: SUSPENSION

Reference is made to the investigations into the fraudulent "ORR" transactions while performing your duties.

We herby advise that you have been suspended from duty with immediate effect for a period of one week up to 11th December 2012, to enable us conclude our investigations. During the suspension you are prohibited from coming to the Hospital except for medical attention. We urge you to respect this condition as non-compliance will be treated as a security breach.

However, you may be required to report to the Hospital to provide information to facilitate conclusion of our investigations. Should this be the case, you will be contacted by the Human Resources Manager.

Yours sincerely,
For: The Nairobi Hospital

Christina M. Were
For: Chief Executive Officer

cc Senior Accountant, ACL
Security Officer
Personal File

THE NAIROBI HOSPITAL

Ref: HRD/13107/cmw.kan

3rd July 2012

Mr. Joseph Gituru Mahugu
Thro' Unit Manager,
Gigiri Outpatient Center
The Nairobi Hospital

Dear Mr. Mahugu

Re: Employment Confirmation

We are pleased to inform you that after successful completion of your probation with the Hospital, you have been confirmed in permanent employment in the position of **Cashier** backdated to 4th June 2012.

We urge you to continue working hard for your own personal growth and that of the Hospital and show marked improvement in the following areas:

- Being neat in appearance at all times.
- Cooperating with other staff members, customer and patients.
- Interpersonal skills in relation to colleagues and patients.

Your positive and undivided attention towards issues that affect your employment will go a long way in attaining our organizational goals.

We wish you all the best in your employment.

Yours sincerely,
For: The Nairobi Hospital

Christina M. Were
FOR: CHIEF EXECUTIVE OFFICER

cc. Senior Accountant ACL

P.O. Box 30026-00100 Nairobi - Kenya • Tel: 254 - 020 - 2845000 • Fax: 254 - 020 - 2728003
E-mail: hosp@nbihosp.org • website: www.nairobihospital.org

Ibrima pse advise 4/12/19 10/12

REPUBLIC OF KENYA

IN THE MATTER OF THE OATHS & STATUTORY DECLARATION ACT

CAP 15 LAWS OF KENYA

REPLYING AFFIDAVIT

I, **Dr. Cleopa Kilonzo Mailu, EBS** of P.O. Box 30026-00100, Nairobi make oath and state as follows:

1. **THAT** I am an adult male of sound mind and the holder of National Identity Card Number 4829569.
2. **THAT** I am the Chief Executive Officer of The Nairobi Hospital, having held this position since 24th November 2003.
3. **THAT** I am aware that Mr. Joseph Gituru Mahugu was an employee of The Nairobi Hospital employed as a Cashier having been formally engaged on 22nd October 2011.
4. **THAT** subsequent to an internal audit investigation carried out by the Internal Audit Manager, certain fraudulent transactions involving Mr. Mahugu, which resulted in loss of substantial revenue by the Hospital were discovered.
5. **THAT** I instructed the Human Resources Manager to carry out the HR process in line with the law, Hospital policies and protocol which involved inter alia, issuance of a show cause letter, suspension with pay to allow for proper investigations to be carried out, issuance of a disciplinary hearing notice and the subsequent constitution of a Disciplinary Hearing Committee to conduct the hearing.
6. **Annexed hereto and marked "CKM 1" is a bundle of true copies of the documentation to this effect**
7. **THAT** prior notification of the allegations against him was given to Mr. Mahugu to accord him a fair chance to prepare for the disciplinary hearing and respond to the allegations.
8. **THAT** Mr. Mahugu was afforded an opportunity to tender his evidence in his defense at the Disciplinary Hearing Committee.
9. **THAT** the Disciplinary Hearing Committee, having considered the evidence available, found Mr. Mahugu culpable and recommended his separation from the Hospital.
10. **THAT** further, the Hospital's Human Resources process allows for an opportunity to appeal the decisions to terminate services through the office of the Chief Executive Officer.
11. **THAT** Mr. Mahugu did in fact appeal the decision to terminate his services and an independent Appellate Hearing Committee was constituted to determine his appeal.

122.

THE NAIROBI HOSPITAL

CERTIFICATE OF SERVICE

Ref: HRD/13107/CMW.sw

24th April 2013

RE: JOSEPH GITURU MAHUGU

The above named worked at The Nairobi Hospital as Cashier from 5th December 2011 to 10th January 2013.

Yours sincerely,
For: The Nairobi Hospital

Christina Were
For: Chief Executive Officer

This is the exhibit marked CKW-1
referred to in the annexed Affidavit of
Mr. Cleopa Kilonzo Mulu
sworn before me this 10th
day of December 2015
at Nairobi

P.O. Box 30026-00100 Nairobi - Kenya • Tel: 254 - 020 - 2845000 • Fax: 254 - 020 - 2728003
E-mail: hosp@nbihosp.org • website: www.nairobihospital.org

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THE NAIROBI HOSPITAL

Our Ref: TNH/ADMIN/HRD/16/03/13

16th March 2013

Mr. Joseph Mahugu
P.O. Box 1203 - 00100
NAIROBI

Dear Mr. Mahugu,

RE: APPEAL

Reference is made to your letter dated 14th January 2013 and the subsequent appeal hearing held on 8th March 2013.

After careful review of your appeal and the facts of the case, the decision to terminate your services is upheld.

Yours sincerely,
FOR: THE NAIROBI HOSPITAL

Dr. Cleopa Mailu, EBS
CHIEF EXECUTIVE OFFICER

P.O. Box 30026-00100 Nairobi - Kenya • Tel: 254 - 020 - 2845000 • Fax: 254 - 020 - 2728003
E-mail: hosp@nbihosp.org • website: www.nairobihospital.org

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THE NAIROBI HOSPITAL

Our Ref: HRD/13107/CMW.jd

7th March 2013

Mr. Joseph Gitiru Mahugu
P. O. Box 1203 - 00100
NAIROBI

Dear Mr. Mahugu,

RE: APPEAL HEARING

Reference is made to your letter dated 14th January 2013 appealing against your termination.

As discussed with the undersigned, the hearing will take place on Friday, 8th March 2013 at 02:15 p.m. at the Old Boardroom.

Yours sincerely,
FOR: THE NAIROBI HOSPITAL

Christina M. Were
FOR: CHIEF EXECUTIVE OFFICER

106

THE NAIROBI HOSPITAL
ADMINISTRATION
15 JAN 2013
RECEIVED

JOSEPH GITURU MAHUGU,
P.O. BOX 1203 – 00100,
NAIROBI.

14th January, 2013

THE CHIEF EXECUTIVE OFFICER,
THE NAIROBI HOSPITAL,
P.O. BOX 30026 – 00100,
NAIROBI.

Dear Sir,

RE: APPEAL FOR TERMINATION OF EMPLOYMENT
(REF:HRD/13107/CMW.ZKK)

15.1.13

I hereby write to express my sincere request to lounge an appeal due to my termination of duty dated 10th January, 2013.

I was employed in the Nairobi Hospital on 5th December, 2011 and confirmed as a permanent and pensionable staff on 30th June 2012. Since my employment, the institution has been my family and I have always enjoyed working with the team of professions. I have always been a loyal and dedicated member of staff and I have always performed my duties ethically in accordance with the institution's policies and guidelines. During my entire employment tenure, I have never been on a disciplinary platform.

I hereby humbly request for an audience to confirm and substantiate my innocence in the unfortunate alleged fraud case.

Am looking forward to hearing from your office so as to safeguard my job, reputation and my integrity.

Yours Sincerely,

JOSEPH MAHUGU

C.C.
Finance Director

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THE NAIROBI HOSPITAL

Ref: HRD/13107/cmw.zkk

10th January 2013

Mr. Joseph Peter Gituru Mahugu
Payroll No. 13107
Through Finance Director
The Nairobi Hospital

Dear Mr Mahugu,

RE: TERMINATION OF SERVICES

Reference is made to the investigations into the fraudulent transactions done under your login profile leading to the loss of Kshs. 28,300/= by the Hospital.

Your explanations are not satisfactory. In accordance with your contract in which either party may terminate services by giving one month's notice or one month's pay in lieu of notice, your appointment is hereby terminated and your last working day with The Nairobi Hospital is 10th January 2013.

Your final dues will be processed as follows.-

- Salary upto and including 10th January 2013.
- Pay One (1) month's salary in lieu of notice.
- Pay any outstanding leave days owed.
- Pay any public holidays days earned not taken.
- Recover any leave days taken not yet earned.
- Recover any outstanding medical expenses.

Please note that this does not include recovery of any medical expenses such as undelivered consultants bills that you may have incurred as at your last working date.

You are required to hand over to the Senior Accountant, ACL with immediate effect. To enable us process your dues, kindly return the attached clearance checklist duly completed.

The Retirement Benefits Act allows you to access your own contribution, transfer it to a new employer's retirement scheme or to an individual retirement scheme (list attached). Please advise us in writing how you would like your contributions handled.

Yours sincerely,
FOR: THE NAIROBI HOSPITAL

Christina M. Were
FOR: CHIEF EXECUTIVE OFFICER

24.01.13

Encl.

c.c Chief Executive Officer
Financial Controller
Payroll Officer
Personal File

ISO 9001: 2008 Certified

Healthcare with a difference

THE NAIROBI HOSPITAL

CONFIDENTIAL

INTER- OFFICE MEMORANDUM

TO:	JOSEPH MAHUGU, P/NO 13107
THROUGH:	FINANCIAL CONTROLLER
CC:	FINANCE DIRECTOR
FROM:	HUMAN RESOURCES MANAGER
DATE:	7th DECEMBER 2012
SUBJECT:	**DISCIPLINARY COMMITTEE HEARING**

Reference is made to investigations regarding fraudulent "ORR" transactions.

You are therefore invited to attend a disciplinary committee hearing on Monday 10th December 2012 at the HR Interview Room at Awori Centre, 1st Floor from 10.50 a.m.

Please note that you may have another employee present during the hearing should you so wish.

Christina M. Were

62.

THE NAIROBI HOSPITAL

Ref: HRD/13107/CMW.kan

5th December 2012

Mr. Joseph Gituru Mahugu
Through unit Manager, Gigiri
Through Financial Controller
Through Finance Director
The Nairobi Hospital

Dear Mr. Mahugu,

RE: SUSPENSION

Reference is made to the investigations into the fraudulent "ORR" transactions while performing your duties.

We herby advise that you have been suspended from duty with immediate effect for a period of one week up to 11th December 2012, to enable us conclude our investigations. During the suspension you are prohibited from coming to the Hospital except for medical attention. We urge you to respect this condition as non-compliance will be treated as a security breach.

However, you may be required to report to the Hospital to provide information to facilitate conclusion of our investigations. Should this be the case, you will be contacted by the Human Resources Manager.

Yours sincerely,
For: The Nairobi Hospital

Christina M. Were
For: Chief Executive Officer

cc Senior Accountant, ACL
Security Officer
Personal File

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THE NAIROBI HOSPITAL

INTER- OFFICE MEMORANDUM

TO: JOSEPH PETER GITURU MAHUGU, P/NO. 13107

CC FINANCIAL CONTROLLER

CC: FINANCE DIRECTOR

FROM: HUMAN RESOURCES MANAGER

DATE: 5TH DECEMBER 2012

SUBJECT: **SHOW CAUSE**

Reference is made into your involvement in the fraudulent ORR transactions.

Show cause why disciplinary action should not be taken against you. Your response should be submitted to the Financial Controller by 9.00am today, Wednesday, 5th December 2012.

Were

Christina M. Were

THE NATIONAL ASSEMBLY
RECEIVED
07 DEC 2015
DIRECTOR COMMITTEE SERVICES
Time:.....

Director - Committees
Pls deal JN 7/12

Sammy Tonui
P.O Box 441
LITEIN

Cell – 0722-227-770

7th December 2015

The Clerk
National Assembly
P.O Box 41842-00100
NAIROBI

Dear Sir

RE: COMPLAINT AGAINST WILLY BETT

I refer to the above.

I wish to state that I was wrongly dismissed as per the attached letter of complaint dated 1st October 2015.

All the facts to my dismal are attached hereto for your perusal and understanding.

I hope that you will hand over the same to the vetting committee for their further action.

Thank you in advance

Yours faithfully

SAMMY TONUI

Susan Maritim

1. Bring it to the attention of the nominee
2. Get legal officer to analyze

7/12/15
P.K. CHEMWENO

Sammy Tonui,
P.O. Box 441
LITEIN.

1st October, 2015

The chairman, COMPlaint On
Board of Directors, MD Kenya Seed
Kenya seed co. Ltd., MR Belt
P.O. Box 553,
KITALE.

Dear Sir,

RE: APPEAL TO MY DISMISSAL VIDE LETTER DATED 25TH SEPTEMBER, 2015.

The above subject refers.

On 25th September, 2015 I was served with a dismissal letter dated same day. Attached is a copy marked "a".

The reasons for my dismissal were indicated as (a) and (b) in the letter.

I hereby appeal against my dismissal on the following grounds;-

1. That the nature of Gross misconduct was not explained or spelled out in the letter.

2. That the show cause letter dated 11th May, 2015 did not required me to give explanation on any gross misconduct. Attached is a copy marked "b".

3. That a letter dated 7th August, 2015 marked as "c" as well did not spell out the nature of Gross Misconduct. Attached is a copy marked "c".

4. That the dismissal letter indicates that I appeared before the staff disciplinary committee on 28th August, 2015. There was no staff Disciplinary Committee held on 28th August, 2015.

5. That the show cause and dismissal letter marked as "a" and "b" did not spell out the detail of the procedures that I breached or details of breach on my part.

6. That on my letter dated 13th May, 2015, I showed cause I gave a satisfactory explanation on how the 300 bags of maize 3rd grade were sold which explanation was never considered in any manner. Attached is a copy marked "d".

7. That the company never lost any cash neither was there any complain from my head of department.

8. That section 15 of the company manual on Discipline and Grievance procedure was never followed for following reasons;-

a) That my case did not fall under section 15.1 subsection (3).

b) That no disciplinary action was taken against me by Head of Department in line with section 15.1 subsection 7.

c) That no report was compiled by Head of Department in this case Finance Director in regard to the alleged breach in line with section 15.1 sub section 8.

d) That no facts were documented by Head of Department and no advise was sought from Human Rescoure Manager before action was taken according to section 15.1 sub section 10.

9. That the dismissal letter was written by one K.S Malakwen. The said Malakwen is Acting Human Resource Manager. He had no authority nor capacity whatsoever to write a dismissal letter on behalf of the Managing Director who is currently in the office.

Hence the dismissal letter was not drawn by an authorized office.

10. The composition of the purported staff disciplinary committee was not proper as the legal department was never represented. Further, Finance Director who is the Chairman of the Staff Disciplinary committee was not in attendance yet he was within the offices.

My dismissal was as a result of witch hunting due to the following grounds;-

1) That I was following up a syndicate where the company must have lost Kshs.3,200,000 through dubious Disposal of non-confirming seed maize of 2000 bags of 90 kg each. Attached are copies of Memorandums dated 29/7/2015, 19/8/2015, 27/8/2015, 9/4/2015 and 16/9/2015 marked "**e**". The letters are self explanatory.

2) That through memo dated 16/9/2015, the Finance Director wrote to me and congratulated me for what I was doing hence the reason why he was not included in the staff Disciplinary committee.

3) That since June, 2014 I found out that some goods were being taken away by staff member **free of charge** from Head office. I stopped it and there was an increment of sale on those goods which did not go down well in some quarters. Attached is an internal audit marked **"f".**

4) That in April, 2015, I did a follow -up of a bull which was purportedly sold but there was no documentation nor money remitted. I did a memo dated 20/4/2015 and Finance Director responded via letter dated 22/4/2015. Attached are copies marked **"g"** which memos are self explanatory.

5) In February, 2015 I was following-up a syndicate in which the company lost Kshs.3,300,000 through under pricing of commercial maize. After purporting to deliberate on the price through Planning Committee, the Head of production then requested for sale of the commercial maize. Attached are copies of minutes marked "h" and request marked "I".

I questioned the whole transaction vide my Report dated 10/6/2015. Attached is a copy marked "j". This did not go down well on some quarters hence I was marked for witch hunting.

6) In or about June, 2013, K.S Malakwen made false allegations and reported to the police that I wanted to kill him. The said report was rubbished by the police and since then he has been on my neck.

7) That I was doing a follow-up of parcels of land which were leased out but no documented and money accounted for. This lead to the company loosing huge amount of money. Attached is summary of leased farm by the company but one was leased out before the expiry without any documents and we were paying casual workers in the farm "k".

It's now my appeal that the said dismissal was baseless and a witch hunt hence the same should be set aside or quashed. I have worked with the company for the last 30 years without suspension or demotion.

Also Elgon down farm where I work as senior accountant, we can make a turnover of more than a billion but due to some poor management it is not possible, it needs some changes.

Yours faithfully,

Sammy K. Tonui

P. O. Box 553, Kitale, Kenya, 30200
Tel: 054 - 31909-14
Fax: 254 - 54 - 31775 / 30385
E-mail: info@kenyaseed.co.ke
http://www.kenyaseed.com

Cell: 0733 623 668
07.22 585 152
07.22 205 144

"a"

Our Ref: KSC/HR/P.F. No. 201

Your Ref:

25th September, 2015

Mr Sammy K. Tonui
Senior Accountant, Job Group 05

Dear Mr. Tonui,

DISMISSAL

Refer to your appearance before the Staff Disciplinary Committee on 28th August, 2015 where you were given an opportunity to defend yourself against the charges that had been preferred against you as follows :-

a) Gross misconduct.

b) Selling 300 bags of 3rd grade commercial maize without following the laid down procedure of sale of Company property

We regret to inform you that your explanation during the hearing notwithstanding and having considered all circumstances, it was found that you were culpable of the charges.

Consequently, the Management has decided that you be dismissed from the Company with immediate effect in accordance with Clause **15.7** of the Company's Human Resource Policy and Procedure Manual and the Employment Act, 2007.

In the circumstances therefore, and in accordance with your terms of appointment, you will be settled by payment of the equivalent of your one month's salary in lieu of notice, pension contribution in accordance with the rules of the scheme, payment of outstanding leave days together with any unpaid salary at the time of this termination less any amount you may be owing the Company. This will be paid upon handing over any of the Company's property that may be in your possession and obtaining the necessary clearance.

Enclosed is a Clearance Form for your use

We warrant to the extend of the purchase price only that the seeds sold by us are as described with recognised tolerances We give no other warranty expressed or implied and can in no circumstances be held responsible for the crop. Crop failure or any other force majeure releases us entirely from delivery obligations

NB - ALL CORRESPONDENCES ARE TO BE ADDRESSED TO THE MANAGING DIRECTOR

We wish you success in your future endeavors.

Note however that you have a right to appeal against this decision within 14 days.

Yours

K.S. Malakwen
For : MANAGING DIRECTOR

c.c. Managing Director
Director (Finance & Administration)
Head of Production (EDF & BSU)
Ag. Chief H.R. Officer

Encl.

P.O. Box 553, Kitale, Kenya 30200
Tel: 054 - 31904-14
Fax: 254 - 54 - 31775 / 30415
E-mail: info@kenyaseed.co.ke
http://www.kenyaseed.com

Our Ref:

KSC/HR/P.F No. 201

Your Ref:

11th May, 2015

Mr. Sammy K. Tonui
Senior Accountant, Job Group 05,
ELGON DOWNS FARM

Dear Mr. Tonui,

SHOW CAUSE LETTER

Management has received a report that on 11th March, 2015, you sold or you caused to be sold 300 bags of 3rd grade commercial maize from the mother seed store of the Company at Elgon Downs Farm to a customer by the name Grace Mwangi without following the laid down procedure of sale of Company property.

You are therefore required to show cause why disciplinary action should not be taken against you for this omission. Your response should reach the undersigned on or before Wednesday 13th May, 2015.

Yours Sincerely,

K.S Malakwen
For **Managing Director**

c.c. Managing Director
Director, Finance & Administration
Head of Production (EDF/BSU)
Head of Security
Finance Manager

We warrant to the extend of the purchase price only that the seeds sold by us are as described with recognised tolerances We give no other warranty expressed or implied and can in no circumstances be held responsible for the crop Crop failure or any other force majeure releases us entirely from delivery obligations

NB - ALL CORRESPONDENCES ARE TO BE ADDRESSED TO THE MANAGING DIRECTOR

KENYA SEED COMPANY LIMITED

P. O. Box 553, Kitale, Kenya, 30200
Tel: 054 - 31909-14
Fax: 254 - 54 - 31775 / 30385
E-mail: info@kenyaseed.co.ke
http://www.kenyaseed.com

Cell: 0733 623 668
0722 585 152
0722 205 144

"C"

Our Ref: KSC/HR/P.F. No. 202

Your Ref:

7th August, 2015

Mr. Sammy K. Tonui
Senior Accountant, Job Group 05

Dear Mr. Tonui,

APPEARANCE BEFORE THE STAFF DISCIPLINARY COMMITTEE

Refer to our letter dated 27th July, 2015 wherein you were required to show cause why disciplinary action should not be taken against you for alleged gross misconduct.

We now write to inform you that you are required to appear before the Staff Disciplinary Committee on Wednesday, 12th August, 2015 at 8.30 a.m. in the Boardroom, Mbegu Plaza to answer to the above charge.

Please note that you are free to have a colleague of your choice to be present during the session.

Yours Sincerely,

K.S. Malakwen
For : Managing Director

c.c. Managing Director
Head of Production (EDF/BSU)
Finance Manager
Head of Security

...Growing Seeds for the Future

We warrant to the extend of the purchase price only that the seeds sold by us are as described with recognised tolerances. We give no other warranty expressed or implied and can in no circumstances be held responsible for the crop. Crop failure or any other force majeure releases us entirely from delivery obligations.

NB - ALL CORRESPONDENCES ARE TO BE ADDRESSED TO THE MANAGING DIRECTOR

KENYA SEED COMPANY LTD
ELGON DOWNS FARM
P.O. Box 13, ENDEBESS

FROM: Senior Accountant	TO: Ag. Head of Human Resource Manager
REF: KSC/EDF/5/2015	DATE:13/05/2015

RE: REASONS I SHOULD NOT BE DICIPLINED

Thank you for your letter dated 11th May, 2015. I am surprised about the letter because I followed the due procedure as follows:

1. I wrote a list of items to be disposed in our stores to our Head of Production Elgon Downs Farm/ BSU on 19th January, 2015 to seek approval for the same with recommended prices, see attached list.

   On February 2015, the planning committee met and came up with the price list plus some of my recommendation list. The minutes were signed by Mr. Hosea Sirma who is the committee chairman and also Mr. Oloibe, the secretary to the committee.

   On 16th February, 2015, our Managing Director Mr. Willy Bett approved the same for implementation; see the attached minutes and approval comments for the same.
2. The reason why I came up with the list, I had a discussion with the accounts staff and stores clerks, whereby I was informed that most of the by products from the stores were being given for free, that's why according to 2013/2014 sales, some items like chippings, 3rd grade and pre-cleaning dust were not there.
3. During that period, we had cash flow problems and we had to look for items to be sold to get cash

The company never lost anything since the money was banked and the prices was correct as approved by the Managing Director.

4. Since I joined Elgon Downs Farm, I have been strict and I have followed the procedures and no goods can go out without a delivery note whether free or sold which used not to be the case.

*NB.*I have not received due laid down procedures

Sammy Tonui

C.c Managing Director

Director, Finance and Administration.

Head Of Production (EDF/BSU)

Head Of Security

Finance Manager

KENYA SEED COMPANY LTD
ELGON DOWNS FARM
FARM PRODUCE PRICE - 2015

Head of Production EDF/BSU

No.	Items pricing	Staff price	Commercial price
(a) Livestock	Fat stock (Live Weight)		145 per kg
	Fat lamb		3,500/=
	Breeding bull		30,000/=
	Breeding ram		10,000/=
	Ewes		4,000/=
	Nannies		2,000/=
	Bucks		1,800/=
	Cows		80,000/=
	Heifers		50,000/=
	Mutton		
	Beef	150/= per kg	
	Milk	30/= per litre	30/= per litre
(b) Culls	Cow		110/= per kg
	Sheep to Staff	1,500/=	
	Goats to Staff	1,000/=	
(c) Maize	Commercial Grain	20% below market price	Market price
	3rd Grade maize		500/=
	Cleaning grain		As per Seed Driers price
	Chippings to Staff	100/= per bag	
	Animal feed (Chenga)	500/=	700/=
(d) Beans	Commercial		3,000/=
	Rejects (selected)		500/= per bag
(e) Wheat	Commercial		Market price
	Cleanings to Staff	20/= per kilo	
(f) Miscellaneous	Polls to Staff	50/=	
	Hay		200/=
	Off cuts to Staff	30/=	
	Firewood to Staff	Free	
	Maize cob to Staff	Free	
	Maize reject with cobs to Staff	150/= per bag	
	Maize (Off colour) to Staff	300/= per bag	
	Pre-cleaning dust	Free but pay 50/= for poly bag	
	Tree to Staff	4,000/=	

Kindly get approval for the above items; we have them in the store to be disposed

Prepared by: ..... Sign ..... Date 19.1.15

KENYA SEED COMPANY LIMITED

P.O. BOX 553, KITALE KENYA

KENYA SEED COMPANY LIMITED
RECEIVED
16 FEB 2015
STRATEGY & BUS DEVELOPMENT

MEMORANDUM

FROM: Head of Strategy & Business Devt

To: Managing Director

REF: KSC/SBD/MD/PCM/02/09/2015

DATE: 10th February 2015

RE: PRICE REVIEW OF BY PRODUCTS

The planning committee meeting held on 9th February 2015 deliberated and resolved that the prices of these products be revised once again after earlier review that was held on 27th August 2014 owing to the changes in the prevailing market prices.

Please find attached the minutes of the planning committee for your approval/advice.

Fred Oloibe

HPSAS

This is approved for implementation except beans. Plus check again the Market price of beans.

16.02.2015

KENYA SEED COMPANY LTD

MINUTES OF PLANNING COMMITTEEE MEETING HELD AT MBEGU PLAZA BOARD ROOM ON MONDAY 09.02.2015.

PRESENT:

1.	Mr. Hosea Sirma	– Head of Production EDF and Basic Seed (Chairman)
2.	Mr. Fred Oloibe	– Head of Strategy and Business Development(Secretary)
3.	Mr. Alphonse Laboso	– Research & Development Manager
4.	Mr. Anthony Korir	–Ag. Procurement Manager
5.	M/s. Eunice Ombachi	–Head of Production(Maize, Pasture/Sunflower)
6.	Mr. Dominick Chemweno	–Pasture/Sunflower
7.	Mr. William Kiberen	–Senior Sales and Marketing Officer
8.	Mrs. Esther Bii	–Operations Manager
9.	Mr. Sammy Chepsiror	–Head of Sales & Marketing
10.	Eng. Andrew Ng'eno	-Head of Processing & Engineering
11.	Mr. Charles Osii	– Planning Officer-Taking minutes
12.	Mr. Wycliffe Muchanji	-Planning Officer-In attendance
13.	Mr. George Miruka	-Chief Production Officer

Apologies

1. Patrick Thuo

AGENDA

1. Opening prayer
2. To receive apologies if ay
3. Confirmation of the Agenda
4. Opening Remarks by Chairman
5. Remarks from planning secretariat
6. Confirmation of minutes of previous meeting and matters arising if any
7. Price review of by products
8. Price review of EDF products
9. Price review of low germ Sunflower
10. AOB.

MIN 4: 09/02/2015 Chairman's Welcoming Remarks

The Chairman called the meeting to order at 11.11 am and an opening prayer was offered by Eunice Ombachi. The chairman apologized for the late take off for the meeting because of the other meeting that

commenced at 8.30 am where some of the committee members were expected to attend. He further noted that the mandate of the committee besides sales and production projections was to also discuss and approve prices for various products within the company.

MIN 5: 09/02/2015 Remarks from planning Secretariat

The secretary to planning committee reminded members that the prices of these products were reviewed during the meeting of 27/08/14. However the prevailing market prices have changed due to the reduction in commercial maize purchase price by National Cereal and Produce Board (NCPB) from Kshs. 3,000 to Kshs. 2,300, though current prevailing price in Kitale in the region is Kshs. 1,600 per 90 kg bag. In view of this the company is not able to dispose off these by products which keeps on accumulating high handling charges and occupying storage space which should be used for storing seeds. The secretary also noted the proceeds from the sales will also be used to improve the cash flow.

MIN 6:09/02/15-Price review of by products

The Sales and Marketing department presented the request for the review as per the earlier remarks by the secretary to the committee. The Head of Sales and Marketing department noted that the change in prices of commercial maize also fluctuates due to cheap maize coming from Uganda. The proposal was done together with the finance department and its worth noting that not all by products were affected since other products prices had been determined during the planning committee meeting of 27.08.14.

The committee during the deliberations noted the following;

1. There was need to be a policy on pricing of by products
2. The pricing should be guided by Agricultural Food and Fisheries Authority (AFFA) prices.
3. The grading of maize into 1st, 2nd and 3rd grade should be spearheaded by Quality Assurance department.
4. Future price review should be accompanied by departmental price proposals.

After a lengthy deliberation the committee resolved that the prices be reviewed as follows and this proposal be presented to the board.

S/No.	Item	Unit/pack	Previous Approved price	Current approved price	Approx. current market price	New proposed price	New approved price
1	Maize rejects 1st grade	90kgs	3,000.00	2,500.00	1,800.00	1,800.00	1,600.00
2	Maize rejects 2nd grade	90kgs	1,250.00	2,500.00	1,200.00	1,250.00	1,100.00
3	Maize rejects 3rd grade	90kgs	1,250.00	1,800.00	800.00	800.00	700.00
4	Finger millet	90kgs	-	6,750.00	4,500.00	4,500.00	4,950.00
5	Commercial Wheat	90kgs	3,500.00	3,000.00	2,600.00	2,600.00	3,000.00

MIN 8: 09/02/2015- Price review of low germ sunflower

The committee was briefed on existence of low germ sunflower stocks in the company. Some of these had been approved by board for disposal/sale. The committee tasked Pasture/Sunflower, Finance, Marketing and Planning team to meet and work on the proposal and present the proposal to a sub-committee of planning committee for approval.

MIN 9: 09/02/2015- Any Other Business.

Being no other business the meeting came to an end with a word of prayer from Mr. Alphonse Laboso at 2.30 pm.

Minutes Prepared by..... Secretary .....Date 10/02/2015

Minutes confirmed ..... Chairman .....Date 10/02/2015

KENYA SEED COMPANY LIMITED

RECEIVED
31 JUL 2015
KENYA SEED COMPANY LIMITED
SEED DRIERS

MEMORANDUM

FROM: Senior Engineer

TO: Managing Director

REF: KSC/PROC/DNCM/015

DATE: 29th July, 2015

RE: DISPOSAL OF NON CONFORMING SEED MAIZE/MAIZE CLEANINGS

Please refer to the Disposal of the above items that was done early 2015.

In the process of disposal it was realized that there were customers who were issued with offer letters to purchase 3,482 x 90 Kilo bags of 1st Grade maize and they paid for the same, unfortunately the department did not have the goods at that time.

Several discussions were made between the Head of sales and Marketing and the processing department on the same in trying to get a way forward on the matter, upon which the customers were advised and they agreed to wait as the company tried to resolve the matter.

In the Research, Production and Marketing Board meeting held on 10th of July, 2015 a total of 2,367 x 90Kilo bags which do not meet the quality standards were presented for approval, and only 2,045 x 90 Kilo bags were approved for disposal.

This therefore is to request as follows-:

i) That all the approved non conforming products be repacked into unmarked poly bags and transferred to EDF store.

ii) That 1st grade maize available in EDF (1,000 x 90 Kilo bags) intended for staff food ration is mixed with the non conforming maize seed.

iii) That the mixed grains up to a maximum of 2,000 x90 kilo bags be issued to the customers as attached (Appendix I) after verification of the payment receipts.

iv) The outstanding balances after the above is issued are given priority in the next disposal.

HSFM, HPacking, HProd^n EDF

Submitted for your approval and further advice

Shadrack Lagat

SNR-ENGINEER (SDL) Handle the Matter as Suggested by Engineer and Ensure Only the Customers who Paid for the products earlier are Served i.e a total of 3,482 bags

Please IMPLEMENT IN A FAIR MANNER AS DOCUMENTED.

Eng. ANDREW K NGENO
HEAD OF PROCESSING & ENGINEERING

KENYA SEED COMPANY LTD

ELGON DOWNS FARM

P.O. Box 13, ENDEBESS

KENYA SEED COMPANY LIMITED RECEIVED 20 AUG 2015 FINANCE

MEMORANDUM

FROM: Senior Farm Accountant

TO: Peter Wasike

REF: KSC/EDF/08/15

DATE: 19th Aug, 2015

REF: SALE OF REJECT MAIZE UNPROCEDURALLY

In reply to the letter you wrote to Head of Production EDF/BSU and a copy to me, I wish to inform that:-

1. The company sold rejects maize to some individuals which were not in the stores according to the Senior Engineer but later it was availabled at Elgon Downs Farm.
2. One of the resolutions was that the goods should be given out after **verification of the payment receipts**. Unfortunately there was no verification by either the finance department.

The company normally sells its goods through cash sale not on credit especially by – products but you went ahead and issued the goods without production of either bank slip or cash sale receipt showing payments. To make the matter worse you used delivery notes to buyers who don't have accounts with us, some are third parties as per the Memo of Senior Engineer.

As per now out of the 2000 x 90kgs reject maize you gave out using Delivery Notes is wrong and no payment has been received.

In order to rectify the situation, I urgently need the original cash sale receipts or bank slips showing payments of each individual transactions.

Regards

Sammy Tonui

CC: Head of Production EDF/BSU
Farm Manager.
Head of Processing and Engineering
Finance Manager
Finance Director ✓
Managing Director
Senior Engineer (Mr.Lagat, next time you sell reject maize, you should involve the finance who are in better position to know where to debit or credit the revenue from the sales. Kindly get the original receipts and bank slips for us to reconcile our books)

KENYA SEED COMPANY LIMITED.

P. O. Box 553, Kitale, Kenya. 30200
Tel: 054 - 31909-14
Fax: 254 - 54 - 31775 / 30385
E-mail: info@kenyaseed.co.ke
http://www.kenyaseed.com

Cell: 0733 623 668
0722 585 152
0722 205 144

KENYA SEED COMPANY LIMITED
RECEIVED
0 3 SEP 2015
FINANCE

Our Ref:

Your Ref:

From: Senior Farmer Accountant

To: Finance Director

REF; KSC/EDF/08/15

Date: 27th August, 2015

RE: NON –CORNFORMING SEED MAIZE- DH02 FROM SEED DRIERS

Refer to my letter dated 19th august 2015. It is now about one and a half weeks waiting for the receipts and I have not seen anybody bringing them. The normal procedure of disposing seeds with low germination is that there should be somebody from security, finance, audit, quality and processing department.

The way the recent disposal was done was incorrect. Normally after the disposal the certificate is issued and signed by the above departments. Now that am still waiting for the receipts, the people who signed the delivery notes to show that the goods have gone out are two clerks and head of production EDF and BSU who is Mr. Sirma, I now suspect that we might have lost a lot of money in this kind of sales.

Kindly note that we are talking of 1,562 bags which we bought at Kshs. 5,450 per bag and we sold at kshs.1600 per bag.

Please use your powers to make Mr. Sirma or Lagat to bring the receipts.

Regards.

Sammy Tonui

CC: MANAGING DIRECTOR

We warrant to the extend of the purchase price only that the seeds sold by us are as described with recognised tolerances. We give no other warranty expressed or implied and can in no circumstances be held responsible for the crop. Crop failure or any other force majeure releases us entirely from delivery obligations.

NB - ALL CORRESPONDENCES ARE TO BE ADDRESSED TO THE MANAGING DIRECTOR

KENYA SEED COMPANY LTD

P.O. Box 553, KITALE, Kenya

MEMORANDUM

FROM: Finance Director | TO: HOD's

REF: KSC/FD/00005515 | DATE: April 09, 2015

Exclusion of Finance Director and his team from key Inventory movement Information and communication

As you are aware, more than 60% of the Balance Sheet of Kenya Seed Company is made up of both Inventory and Cash. Inventory and cash move in inverse proportions, high inventory and less cash or lower inventory and high cash balances.

Managing Inventory and Cash is a key function of the Finance Director and his team. Any transaction in the company will ultimately end up in the bank books and FD has a responsibility of ensuring proper accounting and accurate reporting.

Normal sales of seeds are automated through POS or the module and these reflect directly in the system.

FD has noted with concern instances where the FD and his team are kept in the dark on the transactions relating to inventory movements outside the automated sales.. This is a major and worrying lapse. A case in point is the two attached memos KSC/MKT/MR/059/15 and KSC/MKT/BS/021/15. The entries and proper accounting of these two transactions is complex, engaging and involving. When the FD is not informed, this certainly ends up causing "accounting chaos", reconciliation nightmares and inaccurate reporting. Before issuing these two memo's for instance, there was need by the Head of Marketing to initiate and ensure that FD and his team have processed downgrading entries in the system and is aware of the expected cash in and stock out.

Please ensure that the FD is involved, informed and copied in all such transactions, communications and correspondences that will impact inventory, assets and cash.

Thank you,

Patrick Thuo

CC: Managing Director
Head of Internal Audit

KENYA SEED COMPANY LTD

P.O. Box 553, KITALE, Kenya

MEMORANDUM

FROM: Finance Director

TO: Senior Farm Accountant

REF: KSC/FD/027/016

DATE: September 16, 2015

Re: Sale of Reject Maize Unprocedurally

Reference is made to your communications KSC/EDF/08/15 dated 19th August 2015 and 27th August 2015 as well as our telephone conversation today that you have not received any feedback on the same to date.

I thank you for your continuous effort in enforcing accurate, timely and correct accounting treatment of each item and entry affecting the company's books of accounts.

Keep it up.

In your financial control and oversight role, you must ensure that you understand and are aware of every transaction impacting on the books of the company. Consequently, you have responsibility to ensure compliance with communication KSC/FD/00005515 (attached) and escalate any exception or non-compliance.

I will follow up to ensure that you receive the documents for your verification upon which please urgently submit your findings and conclusions if or not the company lost any money in the process.

Thank you.

Patrick Thuo

CC: Managing Director
Head of Processing & Engineering
Head of Production EDF/BSU
Internal Audit Manager
Finance Manager
Farm Manager
Senior Engineer

KENYA SEED COMPANY

To: Director, Finance, Strategy & Administration

From: Internal Audit Manager

Date: 29th November, 2013

RE: Sale of Maize Chenga, Hay, Off-cuts and other products from EDF Farm

Your memo Reference No. KSC/FD/130924/2013 on the above subject matter dated September 24, 2013 refers.

The special review was carried out between the dates of 15th and 28th of October, 2013.

Introduction

The products of maize chenga, hay, off-cuts, etc arise out of farm produce. Grated maize or chenga is as a resulted of milling selected rotten maize that is on cob.

Scope

To review the issuance of the above mentioned farm by-products based on available policy(ies), if any.

Audit Objectives

- Review and advise/confirm policy guidelines/infringements of sales of such farm products
- Quantity the losses, if any, and advise on any surcharge

Findings:

The Disposal Policy, approved in April 2013, spells out methods of disposing off the various types of items mentioned herein above as follows:

1. **Maize chenga, maize waste on cob & maize cobs**

Maize chenga is not mentioned in the policy. However, according to paragraph or clause 9.3 of the policy, the other by-products of maize waste on cob and maize cobs may be sold to staff. This implies that the Disposal Committee needs to determine prices for these products.

Maize chenga is maize waste on cob (rotten maize on cob) that is milled for animal feed. Costs are inquired on this product in terms of transport from the various EDF farms, milling (using power at the EDF), labour in handling the products and at issuance, transporting the same to staff residences at the expense of EDF (using EDF vehicles).

From the documents that we were able to peruse (see appendix I), a number of staff have benefited from this product. However, since there was price attached to it until recently in September 2013, the staff has been getting it for free.

Appendix I indicates a list of staff who obtained the chenga for free. Considering that the chenga had/has a value, even though there was no policy in place on how to handle the product, management could ask the staff to pay for what they obtained, probably at 800/= per bag because costs were incurred as mentioned above in paragraph 2.

No.	NAME	CHENGA – BAGS	ESTIMATED MARKET PRICE	AMOUNT –K.Shs
1	S. K. LAGAT	185	800	148,000.00
2	J. K. METTO	104	800	83,200.00
3	DIRECTOR W. KISIERO	85	800	68,000.00
4	ALFRED BUSOLO	77	800a	61,600.00
5	EUNICE OMBACHI	74	800	59,200.00
6	CHARLES BII	45	800	36,000.00
7	SAMSON NDENGU	42	800	33,600.00
8	ELIJAH KOSGEI	36	800	28,800.00
9	BARNABAS CHEMASE	35	800	28,000.00
10	ABRAHAM BIWOTT	26	800	20,800.00
11	JULIUS MASAI	23	800	18,400.00
12	ROBERT NAMANGA	22	800	17,600.00
1	DIRECTOR JUSTINA SITTI	20	800	16,000.00
3	WILLY BETT (MD)	20	800	16,000.00
14	ENG. NGENO	18	800	14,400.00
15	HARON KOROSS	18	800	14,400.00
16	AZARIAH SOI	17	800	13,600.00
17	ANTONY AMBANI	16	800	12,800.00
18	BURMEN NDIWA	14	800	11,200.00
19	AMBROSE NGARE	10	800	8,000.00
20	JAMES CHEMWENO	7	800	5,600.00
21	JANE SUDI	6	800	4,800.00
22	PATRICK WALUMBE	6	800	4,800.00
23	CHARLES A. BULUMA	5	800	4,000.00
24	CHRISTINE CHUMO	5	800	4,000.00
25	DAVID MATARA	5	800	4,000.00
26	DAVID ROTICH	5	800	4,000.00

27	JOHN WANYAMA	5	800	4,000.00
28	NATHAN KIPSANG	5	800	4,000.00
29	STEPHEN MALAKWEN	5	800	4,000.00
30	WINNIE NGULAT	5	800	4,000.00
31	KENNEDY MRANDA	4	800	3,200.00
32	MITEI	4	800	3,200.00
33	PATRICE TOMNO	4	800	3,200.00
34	DAVID LELEI	3	800	2,400.00
35	PHILEMON MAIYO	3	800	2,400.00
36	THOMAS ODINGA	3	800	2,400.00
37	ANDREW MUTEMBI	2	800	1,600.00
38	BAITONY BUNYALI	2	800	1,600.00
39	DAMARIS SANG	2	800	1,600.00
40	NELLY MATETAI	2	800	1,600.00
41	SIMION OTIDI	2	800	1,600.00
42	TAITA KORIR	2	800	1,600.00
43	TIMO (IT)	2	800	1,600.00
44	TOM MOKUA	2	800	1,600.00
45	W. KOSGEI	2	800	1,600.00
46	PETER KIMANI	1	800	800.00
47	R. KAMAU	1	800	800.00
48	DAVID KHATETE	30 KGS	800	480.00
				790,080.00

2. Hay, milk, trees & perishables

Clause 9.2 of the Disposal policy says that these products should be sold through public tender or to staff subject to the requirements of the Section 131 of the Procurement Act and Procurement Regulations, section 93 (1a).

Hay has a price determined by the Disposal Committee @120/= per a bale. As per appendix II, the following need to be surcharged for obtaining hay without paying for it:

No.	Name	Quantity	Unit Price	Amount – K.Shs	Remarks
1	Dr. Andrew Mulei	100	120/=	12,000/=	Former Board Chairman
2	Elijah Kosgei	80	120/=	9,600/=	EDF staff
3	Eunice Ombachi	100	120/=	12,000/=	Former EDF staff
4	Harun Koross	80	120/=	9,600/=	EDF staff
5	Robert Namanga	50	120/=	6,000/=	Security staff
6	Shadrack Lagat	100	120/=	12,000/=	EDF staff
7	Samson Ndengu	50	120/=	6,000/=	EDF staff
8	William Walubengo	20	120/=	2,400/=	EDF staff
				69,600/=	

The current market price of a bale of hay is more than 500/=. It is time the price of 120/= per bale was reviewed upwards.

3. Droppers, posts & off-cuts

These products are not mentioned in the Disposal policy although they definitely have an economic value. The off-cuts are going for about 80/= in the market while the posts go for about 150/=.

Appendices III & IV, indicate as follows:

Appendix III

No.	NAME	OFF-CUTS	ESTIMATED MARKET PRICE	AMOUNT –K.Shs
1	ABDALLAH TARUS	10	80	800.00
2	ALFRED BUSOLO	200	80	16,000.00
3	AMOS KASILI	60	80	4,800.00
4	CAROLYNE NAKITARE	20	80	1,600.00
5	DAVID ROTICH	35	80	2,800.00
6	EUNICE OMBACHI	120	80	9,600.00
7	JACKTON ODAWA	42	80	3,360.00
8	KENNEDY MRANDA	20	80	1,600.00
9	MARTIN WITIKA	20	80	1,600.00
10	PAMELLA RAGONI	10	80	800.00
11	PETER OWITI	20	80	1,600.00
12	RICHARD JUMA	20	80	1,600.00
13	S. K. LAGAT	160	80	12,800.00
14	SAMMY BULULU	20	80	1,600.00
15	SAMSON NDENGU	30	80	2,400.00
				62,960.00

Appendix IV

No.	NAME	POSTS	ESTIMATED MARKET PRICE	AMOUNT –K.Shs
1	AMOS KASILI	12	150	1,800.00
2	SAMMY BULULU	50	150	7,500.00
3	SAMSON NDENGU	10	150	1,500.00
4				**10,800.00**

4. Drums, jerricans, gunnies & waste paper

The Disposal policy, clause 9.5(a), states that these products should be disposed off through a method recommended by the Disposal Committee.

Prices for empty drums, jerricans and 3rd grade gunnies are 200/=, 20/= and 10/= respectively per a unit.

As per appendices V & VI, the following staff needs to be surcharged for obtaining these items without paying for them:

No.	Name	Drums / Jerricans / Gunnies	Unit Price	Amount – K.Shs	Remarks

1	Betty Khaemba	5	200/=	1,000/=	EDF staff
2	David Khatete	1	200/=	200/=	EDF staff
3	John Ongaro	10	200/=	2,000/=	EDF staff
4	Samson Ndengu	2	20/=	40/=	EDF staff
5	James Okeyo	5	10/=	50/=	EDF staff
6	Robert Namanga	20	10/=	200/=	Security staff
7	Richard Juma	74	10/=	740/=	EDF staff
8	Robert Nalima	20	10/=	200/=	EDF staff
			69,600/=	**4,430/=**	

All the above items were issued using simple notebook chits that are difficult to trace and maintain. Proper official pre-printed issue notes are required.

Conclusions:

There have been serious internal control issues with regard to accounting for the above mentioned products. The farm does not seem to have a policy on handling products such as maize chenga, off-cuts and posts that are obtainable at the Farm.

The Disposal Committee should be able to include these and similar items under its purview and dispose off the same as per policy.

Recommendations:

- For hay, empty drums, empty jerricans and gunnies with prices as set by the Disposal Committee, all the staff that obtained these items should be made to pay for them as highlighted under findings above. These items have always been sold to staff or outsiders at the set prices.

  In summary, they should be surcharged as follows:

No.	Name	Hay	Drums / Jerricans / Gunnies	Totals – K.Shs
1	Dr. Andrew Mulei	12,000/=	-	12,000/=
2	Elijah Kosgei	9,600/=	-	9,600/=
3	Eunice Ombachi	12,000/=	-	12,000/=
4	Harun Koross	9,600/=	-	9,600/=
5	Robert Namanga	6,000/=	200/=	6,200/=
6	Shadrack Lagat	12,000/=	-	12,000/=
7	Samson Ndengu	6,000/=	40/=	6,040/=
8	William Walubengo	2,400/=	-	2,400/=
9	Betty Khaemba	-	1,000/=	1,000/=
10	David Khatete	-	200/=	200/=
11	John Ongaro	-	2,000/=	2,000/=
12	James Okeyo	-	50/=	50/=
13	Richard Juma	-	740/=	740/=
14	Robert Nalima	-	200/=	200/=
	Totals		**4,430/=**	**62,030/=**

- For maize chenga that is not specifically mentioned in the Disposal policy, management could still ask the staff that benefited to pay or consider the same as sales only from 17/09/2013 when a price was set @800/= a bag.

- Finance needs to design an official accountable document (pre-printed Issue Notes) for issuance of the products mentioned in this report and for issuance of farm inputs destined for EDF farms. The Issue Notes for farm inputs will assist in monitoring usage and movement of these products.

David Matara

Internal Audit Manager

cc. Managing Director,
Finance Manager
Head of Security
Farm Operations Manager -EDF

KENYA SEED COMPANY LTD

MINUTES OF PLANNING COMMITTEEE MEETING HELD AT MBEGU PLAZA BOARD ROOM ON MONDAY 09.02.2015.

PRESENT:

1. Mr. Hosea Sirma – Head of Production EDF and Basic Seed (Chairman)
2. Mr. Fred Oloibe – Head of Strategy and Business Development(Secretary)
3. Mr. Alphonse Laboso – Research & Development Manager
4. Mr. Anthony Korir –Ag. Procurement Manager
5. M/s. Eunice Ombachi –Head of Production(Maize, Pasture/Sunflower)
6. Mr. Dominick Chemweno –Pasture/Sunflower
7. Mr. William Kiberen –Senior Sales and Marketing Officer
8. Mrs. Esther Bii –Operations Manager
9. Mr. Sammy Chepsiror –Head of Sales & Marketing
10. Eng. Andrew Ng'eno -Head of Processing & Engineering
11. Mr. Charles Osii – Planning Officer-Taking minutes
12. Mr. Wycliffe Muchanji -Planning Officer-In attendance
13. Mr. George Miruka -Chief Production Officer

Apologies

1. Patrick Thuo

AGENDA

1. Opening prayer
2. To receive apologies if ay
3. Confirmation of the Agenda
4. Opening Remarks by Chairman
5. Remarks from planning secretariat
6. Confirmation of minutes of previous meeting and matters arising if any
7. Price review of by products
8. Price review of EDF products
9. Price review of low germ Sunflower
10. AOB.

MIN 4: 09/02/2015 Chairman's Welcoming Remarks

The Chairman called the meeting to order at 11.11 am and an opening prayer was offered by Eunice Ombachi. The chairman apologized for the late take off for the meeting because of the other meeting that

commenced at 8.30 am where some of the committee members were expected to attend. He further noted that the mandate of the committee besides sales and production projections was to also discuss and approve prices for various products within the company.

MIN 5: 09/02/2015 Remarks from planning Secretariat

The secretary to planning committee reminded members that the prices of these products were reviewed during the meeting of 27/08/14. However the prevailing market prices have changed due to the reduction in commercial maize purchase price by National Cereal and Produce Board (NCPB) from Kshs. 3,000 to Kshs. 2,300, though current prevailing price in Kitale in the region is Kshs. 1,600 per 90 kg bag. In view of this the company is not able to dispose off these by products which keeps on accumulating high handling charges and occupying storage space which should be used for storing seeds. The secretary also noted the proceeds from the sales will also be used to improve the cash flow.

MIN 6:09/02/15-Price review of by products

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The committee during the deliberations noted the following;

1. There was need to be a policy on pricing of by products
2. The pricing should be guided by Agricultural Food and Fisheries Authority (AFFA) prices.
3. The grading of maize into 1st, 2nd and 3rd grade should be spearheaded by Quality Assurance department.
4. Future price review should be accompanied by departmental price proposals.

After a lengthy deliberation the committee resolved that the prices be reviewed as follows and this proposal be presented to the board.

S/No.	Item	Unit/pack	Previous Approved price	Current approved price	Approx. current market price	New proposed price	New approved price
1	Maize rejects 1st grade	90kgs	3,000.00	2,500.00	1,800.00	1,800.00	1,600.00
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3	Maize rejects 3rd grade	90kgs	1,250.00	1,800.00	800.00	800.00	700.00
4	Finger millet	90kgs	-	6,750.00	4,500.00	4,500.00	4,950.00
5	Commercial Wheat	90kgs	3,500.00	3,000.00	2,600.00	2,600.00	3,000.00

For commercial wheat the committee was reminded that the board had set a reserve price of Kshs. 3,000 and therefore any change would only be effected after the Managing Director has had a consultation with Cereal Association of Kenya.

The committee agreed that the purchase price of maize rejects should also be revised in tandem with the prevailing changes in the market prices.

The committee also resolved that the staff price be set at 10% below the commercial price i.e Kshs. 1,450 for 1st grade maize.

MIN 7:09/02/2015- Price review of EDF products

After lengthy deliberations the committed resolved that the prices for these products be set as follows;

No.	Products	Staff price (Kshs)	Commercial price (Kshs)
(a) Livestock	Fat stock (live weight) per kg		125.00
	Fat lamb		3,500.00
	Breeding bull (semintal)		150,000.00
	Breeding ram		10,000.00
	Ewes		6,000.00
	Nannies		3,000.00
	Bucks		3,000.00
	Milk per litre		30.00
(b) Culls	Sheep	1,500.00	
	Goats	1,000.00	
(c) Maize	Commercial	1,450.00	1,600.00
	Cleanings		700.00
	Chippings per bag	100.00.	
	Animal feed (chenga)		500.00
(d) Beans	Commercial		4,000.00
	Rejects (selected) per bag		500.00
(e) Wheat	Commercial		3,000.00
	1st grade screening (90kg)		2,600.00
	3rd grade screening (90kg)		1,600.00
	4th grade screening (80kg)		1,300.00
(f) Miscellaneous	Hay		200.00
	Off cuts		30.00
	Pre-cleaning dust without bag		100.00

MIN 8: 09/02/2015- Price review of low germ sunflower

The committee was briefed on existence of low germ sunflower stocks in the company. Some of these had been approved by board for disposal/sale. The committee tasked Pasture/Sunflower, Finance, Marketing and Planning team to meet and work on the proposal and present the proposal to a sub-committee of planning committee for approval.

MIN 9: 09/02/2015- Any Other Business.

Being no other business the meeting came to an end with a word of prayer from Mr. Alphonse Laboso at 2.30 pm.

Minutes Prepared by..... .....Date 10/02/2015

Secretary

Minutes confirmed ....Date 10/02/2015

Chairman

KENYA SEED COMPANY LIMITED

P.O. BOX 553, KITALE KENYA

KENYA SEED COMPANY LIMITED
RECEIVED
16 FEB 2015
STRATEGY & BUS. DEVELOPMENT

MEMORANDUM

FROM: Head of Strategy & Business Devt

To: Managing Director

REF: KSC/SBD/MD/PCM/02/09/2015

DATE: 10th February 2015

RE: PRICE REVIEW OF BY PRODUCTS

The planning committee meeting held on 9th February 2015 deliberated and resolved that the prices of these products be revised once again after earlier review that was held on 27th August 2014 owing to the changes in the prevailing market prices.

Please find attached the minutes of the planning committee for your approval/advice.

Fred Oloibe

HPS*S

This is approved for implementation except beans. Please check again the Market price of beans.

16.02.2015

KENYA SEED COMPANY LTD.

P.O. Box 553, KITALE, Kenya.

MEMORANDUM

FROM: Finance Director | TO: Underlisted

REF: KSC/FD/00004515(b) | DATE: April 22, 2015

Bull Fattener

I refer to the attached memo KSC/EDF/AONL/4/2015 dated 20th April 2015. I also refer to memo KSC/FD/00004515 dated 20th March 2015 and which was distributed to all in this memo.

As indicated in memo KSC/FD/00004515, *The Senior Farm Accountant as the Finance professional in the farm is generally responsible for overseeing the financial activities of the farm and should participate, either directly or indirectly, and should guide the financial impact of each decision, under the leadership of the HOD, in all farm activities since these will ultimately have a financial impact.* I am glad, satisfied and take due recognition that the farm accountant is exercising his accounting and oversight role effectively in ensuring all assets in the company are properly accounted for in line with laid down procedures and I am encouraging him to keep it up.

Unless this transaction did not comply with disposal procedures and the applicable authorized prices, I am requesting the Head of Production to remit the entire sales proceeds to the company cashier as requested and requesting the farm accountant to inform me immediately this is remitted.

Thank you,

Patrick Thuo

Distribution: Head of Production-EDF & BSU
Senior Farm Accountant

CC: Managing Director
Head of Security
Finance Manager
Head of Procurement
Ag. Farm Manager
Internal Audit Manager

KENYA SEED COMPANY LTD

ELGON DOWNS FARM

P.O. Box 13, ENDEBESS

KENYA SEED COMPANY LIMITED RECEIVED 21 APR 2015 FINANCE

FROM: Senior Accountant	TO: Finance Director
REF: KSC/EDF/AODNL/4/2015	DATE: 20/04/2015

On 13th April 2015, I got information that a bull (fattener) was sold on 11th April, 2015. I went ahead and spoke with the Head of Production, Mr. Sirma and he confirmed it. Also the money was in his Mpesa account, which I requested him to forward it to the cashiers Account or bring the cash on the same day.

Today 20th April, 2015 according to our cashier, he has only been given Ksh. 16,000 by the Head of Production, Mr. Sirma out of the Ksh.46,250.
The beneficiary is an outsider customer who's not our staff.

Procedure

The whole process was unprocedural. I kindly request you to demand cash from our Head of Production, Mr. Sirma

Attached is a copy of Delivery note.

Sammy Tonui

C.C: Managing Director

KENYA SEED COMPANY LTD

ELGON DOWNS FARM

P.O. Box 13, ENDEBESS

MEMORANDUM

FROM: Head of Production EDF/BSU	TO: Managing Director
REF: KSC/EDF/GS/8/03/15	DATE: 18th March, 2015

RE: GRAIN STOCK AT ELGON DOWNS FARM

The following is available for sale:

Grain Type	Quality	Quantity (Bags)	Location
Maize	1st Grade	2,000	EDF - Maji Mazuri
	2nd Grade	1,000	EDF- Mother seed store
	Poor germinating Basic seed	21,612 kgs	Basic Seed Unit
Wheat	1st Grade	600	EDF Mother seed store
	2nd Grade	1,500	EDF Mother seed store

This is to seek your approval for sales of the listed grains to be effected.

Hosea Sirma

KENYA SEED COMPANY LTD

ELGON DOWNS FARM
P.O. Box 13, ENDEBESS

KSC/EDF/TWMC/1 /06/15

10th June, 2015

REPORT ON SALE OF BY PRODUCT 2014/2015

After receiving quotation from buyers saying that they could buy our products as follows:-

	Kshs.
1st grade	2,500.00 per 90 kg
2nd grade	2,300.00 per 90 kg
3rd grade	700.00 per 90 kg

The following happened at and sold at Kenya Seed Company: -

1st grade 1000 x 1600	=	1,600,000/=
2nd grade 2000 x 1100	=	2,200,000/=
3rd grade 300 x 700	=	210,000/=
		4,010,000/=

If we had sold by above quotation

1st grade 1000 x 2500	=	2,500,000/=
2nd grade 2000 x 2300	=	4,600,000/=
3rd grade 300 x 700	=	210,000/=
		7,310,000/=

The Company Loss **3,300,000/=**

Yours faithfully,
Kenya Seed Company Ltd.

Sammy Tonui
Senior Accountant

Alfred Busolo

From: Millicent Ngetich [millicent@kenyaseed.co.ke]
Sent: Thursday, January 24, 2013 1:39 PM
To: 'Alfred Busolo'
Cc: lynet@kenyaseed.co.ke
Subject: DURATION OF LEASED FARMS:

Dear Sir,

Please find here-in below, the duration of the farms leases by the Company:

	Farm:	Acreage:	Duration:	Rate per acre:	Commencement:	Expiry:
1.	Kapsitwet Farm	478	3 years	7,500.00	January 2012	December 20
2.	Saisi Farm	170	3 years	6,000.00	January 2011	December 20
3.	Rutto Farm	138	3 years	6,000.00	January 2011	December 20
5.	Endebess Estate	600	1 year	6,000.00	January 2012	December 20
6.	Mwisho Farm	948	3 years	7,500.00	January 2011	December 201
7.	Khamulati Farm	350	6 years	7,500.00	January 2011	December 201
8.	Asai Farm	463	1 year	7,500.00	January 2012	December 201
9.	Kabobo Farm	350	3 years	7,500.00	January 2012	December 201
10.	Huruma Farm	500	3 years	7,500.00	January 2012	December 201
11.	Kibogy Farm	130	2 years	7,500.00	January 2012	December 201
13.	Makhonge Church Farm	10	2 years	7,500.00	January 2012	December 201
14.	ADC – Sabwani	614	1 year	6,000.00	January 2012	December 201
	Total	5,066				

Millicent Ng'etich
Legal Officer
Kenya Seed Company Ltd
P. O. Box 553 - 30200
KITALE
Tel - 054 31909 - 14/ 0721 224448
email: info@kenyaseed.co.ke

KENYA SEED COMPANY LIMITED
RECEIVED
30 JAN 2013
ELGON DOWNS FARM

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REPUBLIC OF KENYA

22 OCT 2015

KENYA NATIONAL AUDIT OFFICE

Paper Laid
By Hon (Dr.) Naomi Shabaan, MP (Deputy Leader of the Majority)
Under Order No. 05 at 1456 Hrs on 22.10.2015
IBM

REPORT

OF

THE AUDITOR-GENERAL

ON

THE FINANCIAL STATEMENTS OF CONSTITUENCIES DEVELOPMENT FUND-MALINDI CONSTITUENCY

FOR THE YEAR ENDED 30 JUNE 2014

REPUBLIC OF KENYA

Telephone: +254-20-342330
Fax: +254-20-311482
E-mail: oag@oagkenya.go.ke
Website: www. kenao.go.ke

P.O. Box 30084-00100
NAIROBI

OFFICE OF THE AUDITOR-GENERAL

REPORT OF THE AUDITOR–GENERAL ON CONSTITUENCIES DEVELOPMENT FUND - MALINDI CONSTITUENCY FOR THE YEAR ENDED 30 JUNE 2014

REPORT ON THE FINANCIAL STATEMENTS

I have audited the accompanying financial statements of Constituencies Development Fund - Malindi Constituency set out on pages 4 to 15, which comprise the statement of financial assets and liabilities as at 30 June 2014, and the statement of receipts and payments, statement of cash flows and summary statement of appropriation statement for the year then ended, and a summary of significant accounting policies and other explanatory information in accordance with the provisions of Article 229 of the Constitution of Kenya and Section 8 of the Public Audit Act, 2003. I have obtained all the information and explanations which, to the best of my knowledge and belief, were necessary for the purpose of the audit.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with International Public Sector Accounting Standards (Cash Basis) and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

The management is also responsible for the submission of the financial statements to the Auditor-General in accordance with the provisions of Section 7 of the Public Audit Act, 2003.

Auditor-General's Responsibility

My responsibility is to express an opinion on these financial statements based on the audit and report in accordance with the provisions of Section 9 of the Public Audit Act, 2003 and submit the report in accordance with Article 229(7) of the Constitution of Kenya. The audit was conducted in accordance with International Standards on Auditing. Those standards require compliance with ethical requirements and that the audit be planned and performed to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Fund's internal control. An audit also includes

evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

I believe that the audit evidence obtained is sufficient and appropriate to provide a basis for my qualified audit opinion.

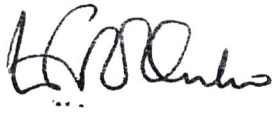
Basis for Qualified Opinion

Bank Balance

The statements of financial assets and liabilities as at 30 June 2014 reflects bank balance of Kshs.32,405,597.10. However, examination of the bank reconciliation statement for the month of June 2014 revealed unpresented cheques amounting to Kshs.4,514,507 but some of the cheques have remained unpresented since year 2005 and no explanation has been provided for not reversing the amounts to the cashbook. Consequently, the accuracy and validity of cash and bank balance of Kshs.32,405,597 as at 30 June 2014 could not be confirmed.

Qualified Opinion

In my opinion, except for the effect, of the matter described in the Basis for Qualified Opinion paragraph, the financial statements present fairly, in all material respects, the financial position of the Fund as at 30 June 2014, and its financial performance and cash flows for the year then ended in accordance with International Public Sector Accounting Standards (Cash Basis), and comply with the Constituencies Development Fund Act, 2013.



Edward R. O. Ouko, CBS
AUDITOR-GENERAL

Nairobi

16 September 2015

CONSTITUENCIES DEVELOPMENT FUND – MALINDI

REPORTS AND FINANCIAL STATEMENTS

FOR THE FINANCIAL YEAR ENDED JUNE 30, 2014

Prepared in accordance with the Cash Basis of Accounting Method under the International Public Sector Accounting Standards (IPSAS)

OFFICE OF THE AUDITOR GENERAL
KENYA NATIONAL AUDIT OFFICE
02 SEP 2015
RECEIVED
MOMBASA HUB 'ADAM H

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I. KEY CONSTITUENCY INFORMATION AND MANAGEMENT

(a) Background information

The Constituencies Development Fund (CDF) was set up under the CDF Act, 2003 now repealed by the CDF Act, 2013.The CDF Act 2013 aligns the Fund with the Constitution of Kenya 2010 and the Public Finance Management Act 2012 that lay emphasis on citizen participation in public finance management and decision making, transparency and accountability together with equity in public resource utilization. The overall management of the Fund is the responsibility of the Constituencies Development Fund Board.

(b) Key Management

The *Constituency's* day-to-day management is under the following key organs:

i. Constituencies Development Fund Board (CDFB)
ii. Constituency Development Fund Committee (CDFC)

(c) Fiduciary Management

The key management personnel who held office during the financial year ended 30th June 2014 and who had direct fiduciary responsibility were:

No.	Designation	Name
1.	Chief Executive Officer	**Yusuf Mbuno**
2.	Fund Account Manager	**Nyang'wara Nelson**
3.	District Accountant	**Margret Mwanyiro**

(d) Fiduciary Oversight Arrangements

List the CDFC as gazzetted

NO	NAME	POSITION
1	SAMMY KAZUNGU	CHAIRMAN
2	AMINA VISCHI	SECRETARY
3	NAJAT IBRAHIM	MEMBER
4	SAMSON KAHINDI	MEMBER
5	EMMANUEL OGUTU	MEMBER
6	LUCY JUMWA KAINGU	MEMBER
7	MATRENA S NYIRO	MEMBER
8	SAMUEL YAA JEFWA	MEMBER
9	DEPUTY COUNTY COMMISSIONER	MEMBER
10	NYANG'WARA NELSON	FUND MANAGER
11	HON DAN KAZUNGU	MEMBER OF PARLIAMENT

(e) **Entity Headquarters**

Provide box and physical address of the constituency CDF office

P.O. Box 244
Next to breezepoint Hotel
Off msa malindi road
Malindi, KENYA

(f) **Entity Contacts**

Provide telephone number and email of the constituency CDF office

Telephone: (254) 714867986
E-mail: cdfmalindi.go.ke
Website: www.go.ke

(g) **Entity Bankers**

Constituency CDF main banker (provide the bank, branch, account number and address)

1. Equity Bank
0450262081943

...
...
...

(h) **Independent Auditors**

Auditor General
Kenya National Audit Office
Anniversary Towers, University Way
P.O. Box 30084
GOP 00100
Nairobi, Kenya

(i) **Principal Legal Adviser**

The Attorney General
State Law Office
Harambee Avenue
P.O. Box 40112
City Square 00200
Nairobi, Kenya

II. STATEMENT OF CONSTITUENCY MANAGEMENT RESPONSIBILITIES

Section 81 (1) of the Public Finance Management Act, 2012 requires that, at the end of each financial year, the accounting officer for a national government entity shall prepare financial statements in respect of that entity. Section 81 (3) requires the financial statements so prepared to be in a form that complies with relevant accounting standards as prescribed by the Public Sector Accounting Standards Board of Kenya from time to time.

The Fund Account Manager in charge of the Malindi *CDF* is responsible for the preparation and presentation of the Constituency's financial statements, which give a true and fair view of the state of affairs of the Constituency as at the end of the financial year ended on June 30, 2014. This responsibility includes: (i) maintaining adequate financial management arrangements and ensuring that these continue to be effective throughout the reporting period; (ii) maintaining proper accounting records, which disclose with reasonable accuracy at any time the financial position of the constituency; (iii) designing, implementing and maintaining internal controls relevant to the preparation and fair presentation of the financial statements, and ensuring that they are free from material misstatements, whether due to error or fraud; (iv) safeguarding the assets of the constituency; (v) selecting and applying appropriate accounting policies; and (vi) making accounting estimates that are reasonable in the circumstances.

The Fund Account Manager in charge of the Malindi *CDF* accepts responsibility for the Constituency'sfinancial statements, which have been prepared on the Cash Basis Method of Financial Reporting, using appropriate accounting policies in accordance with International Public Sector Accounting Standards (IPSAS) and relevant legal framework of the Government of Kenya. The Fund Account Manager is of the opinion that the Malindi *CDF* financial statements give a true and fair view of the state of Constituency's transactions during the financial year ended June 30, 2014, and of the Constituency's financial position as at that date. The Fund Account Manager in charge of the Malindi *CDF* further confirms the completeness of the accounting records maintained for the Constituency, which have been relied upon in the preparation of the Constituencyfinancial statements as well as the adequacy of the systems of internal financial control.

The Fund Account Manager in charge of the Malindi CDF confirms that the entity has complied fully with applicable Government Regulations and that the Constituency's funds received during the year under audit were used for the eligible purposes for which they were intended and were properly accounted for. Further the Fund Account Manager confirms that the Constituency's financial statements have been prepared in a form that complies with relevant accounting standards prescribed by the Public Sector Accounting Standards Board of Kenya.

Approval of the financial statements

The Malindi CDF financial statements were approved and signed on **09/09/2014**.

Sammy Kaingu
Chairman - CDFC

Nyang'wara Nelson
Fund Account Manager

III. STATEMENT OF RECEIPTS AND PAYMENTS
MALINDI CONSTITUENCY DEVELOPMENT FUND
STATEMENT OF RECEIPTS AND EXPENDITURE AS AT 30TH JUNE 2014

	Note	2013-2014
		Kshs
RECEIPTS		
Transfers from CDF board-AIEs' Received	1	141,274,305.00
Other Receipts (From Oil Corporation)	2	2,000,000.00
TOTAL RECEIPTS		143,274,305.00
PAYMENTS		
Compensation of Employees:	3	1,098,641.00
Use of goods and services:	4	3,295,246.50
Committee expenses	5	1,319,000.00
Transfers to Other Government Units:	6	63,700,000.00
Other grants and transfers:	7	35,650,281.20
Social Security Benefits:	8	20,800.00
Other Payments:	9	8,434,237.00
TOTAL PAYMENTS		113,518,205.70
SURPLUS/DEFICIT		29,656,099.30

The accounting policies and explanatory notes to these financial statements form an integral part of the financial statements. The Malindi CDF financial statements were approved on **09/09/2014** and signed by:

Sammy Kaingu
Chairman - CDFC

09 SEP 2014
P.O. Box 244 MALINDI

Nyang'wara Nelson
Fund Account Manager

IV. MALINDI CONSTITUENCY FUND
STATEMENT OF FINANCIAL ASSETS AND LIABILITIES

	FOR THE YEAR ENDED 30TH JUNE 2014-2	
	Note	2013-2014
		Kshs
FINANCIAL ASSETS		
Cash and Cash Equivalents		
Bank Balances (as per the cash book)		32,405,597.10
TOTAL FINANCIAL ASSETS		**32,405,597.10**
REPRESENTED BY		
Fund balance b/fwd 1st July...		2,749,497.80
Surplus/Deficit for the year (from stm of receipt & expenditure		29,656,099.30
NET LIABILITIES		**32,405,597.10**

The accounting policies and explanatory notes to these financial statements form an integral part of the financial statements. The entity financial statements were approved on 09/09/ 2014 and signed by:

Sammy Kaingu
Chairman - CDFC

09 SEP 2014
P. O. Box 244
MALINDI

Nyang'wara Nelson
Fund Account Manager

14 SEP 2014

V: SUMMARY STATEMENT OF APPROPRIATION

MALINDI CONSTITUENCY FUND						
SUMMARY STATEMENT OF APPROPRIATION AS AT 30TH JUNE 2014						
Revenue/Expense Item	**Original Budget**	**Adjustments**	**Final Budget**	**Actual on Comparable Basis**	**Budget Utilization Difference**	**% of Utilization Difference to Final Budget**
	a	b	c=a+b	d	e=c-d	f=e/c %
Compensation of Employees	1,098,641.00	-	1,098,641.00	539,844.00	558,797.00	51%
Use of goods and services	3,295,246.50	-	3,295,246.50	2,509,558.00	785,688.00	34%
Committee Members Expenses	1,319,000.00	-	1,319,000.00	674,000.00	645,000.00	50%
Transfers to Other Government Units	63,700,000.00	-	63,700,000.00	63,700,000.00	-	-
Other grants and transfers	35,650,281.20	2,000,000.00	37,650,281.20	19,135,281.20	18,515,000.00	49%
Social Security Benefits	20,800.00	-	20,800.00	10,800.00	10,000.00	48%
Acquisition of Assets	-	-	-	-	-	-
Other Payments	8,434,237.00	-	8,434,237.00	1,960,376.00	6,473,861.00	77%
TOTALS	**113,518,205.70**	**2,000,000.00**	**115,518,205.70**	**88,529,859.00**	**26,988,346.00**	**23%**

The Malindi CDF financial statements were approved on **09/09/2014** and signed by:

Sammy Kaingu
Chairman - CDFC

CONSTITUENCY DEVELOPMENT COMMITTEE
09 SEP 2014
P. O. Box 244
MALINDI

Nyang'wara Nelson
Fund Account Manager

09 SEP 2014

VI. SIGNIFICANT ACCOUNTING POLICIES

The principle accounting policies adopted in the preparation of these financial statements are set out below:

a) Statement of compliance and basis of preparation

The financial statements have been prepared in accordance with and comply with International Public Sector Accounting Standards (IPSAS) with particular emphasis on Cash Basis Financial Reporting under the Cash Basis of Accounting and relevant legal framework of the Government of Kenya. The financial statements comply with and conform to the form of presentation prescribed by the Public Sector Accounting Standards Board of Kenya.

The financial statements are presented in Kenya Shillings,. The accounting policies adopted have been consistently applied to all the years presented.

The financial statements have been prepared on the cash basis following the Government's standard chart of accounts. The cash basis of accounting recognises transactions and events only when cash is received or paid by the Constituency.

b) Recognition of revenue and expenses

The Constituency recognises all revenues from the various sources when the event occurs and the related cash has actually been received by the Constituency. In addition, the Constituency recognises all expenses when the event occurs and the related cash has actually been paid out by the Constituency.

c) In-kind contributions

In-kind contributions are donations that are made to the Constituency in the form of actual goods and/or services rather than in money or cash terms. These donations may include vehicles, equipment or personnel services. Where the financial value received for in-kind contributions can be reliably determined, the Constituency includes such value in the statement of receipts and payments both as revenue and as an expense in equal and opposite amounts; otherwise, the contribution is not recorded.

d) Cash and cash equivalents

Cash and cash equivalents comprise cash on hand and cash at bank, short-term deposits on call and highly liquid investments with an original maturity of three months or less, which are readily convertible to known amounts of cash and are subject to insignificant risk of changes in value. Bank account balances include amounts held at various commercial banks at the end of the financial year. For the purposes of these financial statements, cash and cash equivalents also include short term cash imprests and advances to authorised public officers and/or institutions which were not surrendered or accounted for at the end of the financial year.

e) **Receivables and payables**

Receivables are funds due to the Constituency at the end of the financial year from the CDF Board and other sources but not yet received while payables are funds due to other parties at the end of the financial year but not yet paid. As receivables and payables do not involve the receipt or payment of cash in the reporting period, they are recorded as 'memorandum' or 'off-balance' items to provide a sense of the overall net cash position of the Constituency at the end of the year. When the receivables or payables are finally settled, such payments are included in the statement of receipts and payments in the year in which the payments are made.

f) **Budget**

The budget is developed on the same accounting basis (cash basis), the same accounts classification basis, and for the same period as the financial statements. The Constituency'sbudget was approved as required by Law and as detailed in the Government of Kenya Budget Printed Estimates. A high-level assessment of the Constituency's actual performance against the comparable budget for the financial year under review has been included in an annex to these financial statements.

g) **Comparative figures**

This is the first year the Constituency is preparing financial statements and hence we do not have comparative figures.

h) **Subsequent events**

There have been no events subsequent to the financial year end with a significant impact on the financial statements for the year ended June 30, 2014.

VII. NOTES TO THE FINANCIAL STATEMENTS

1.TRANSFER FROM CDF BOARD

Description	2013 - 2014
	Kshs
AIE NO... A709894	2,000,000.00
AIE NO.....A735802	39,211,429.50
AIE NO.....A750067	38,118,008.50
AIE N.....A711845	61,944,867.00
TOTAL	**143,274,305.00**

2 OTHER RECEIPTS

Description	2013 - 2014
	Kshs
Other Receipts Not Classified Elsewhere	2,000,000.00
Total	**2,000,000.00**

3 COMPENSATION OF EMPLOYEES

Description	2013 - 2014
	Kshs
Basic wages of contractual employees	1,098,641.00
Total	**1,098,641.00**

4 USE OF GOODS AND SERVICES

Description	2013 - 2014
	Kshs
Electricity	41,306.00
Water	22,621.00
Postal	20,880.00
Office rent	735,000.00
Communication, supplies and services	390,480.00
Domestic travel and subsistence	352,666.00
Office and general supplies and services	1,732,293.50
Total	**3,295,246.50**

5. COMMITTEE EXPENSES

Description	2013 - 2014
	Kshs
Commitee allowance	1,319,000.00
TOTAL	**1,319,000.00**

6 TRANSFER TO OTHER GOVERNMENT ENTITIES

Description	2013 - 2014
	Kshs
Transfers to primary schools	38,250,000.00
Transfers to secondary schools	19,250,000.00
Transfers to Health institutions	6,200,000.00
TOTAL	**63,700,000.00**

7 OTHER GRANTS AND OTHER PAYMENTS

Description	2013 - 2014
	Kshs
Bursary -Secondary	6,858,500.00
Bursary -Tertiary	6,131,500.00
Bursary-Special schools	10,000.00
water	5,800,000.00
Electricity	3,815,000.00
Security	6,200,000.00
Sports	1,435,281.20
Environment	2,600,000.00
Emergency	2,800,000.00
Total	**35,650,281.20**

8 SOCIAL SECURITY BENEFITS

Description	**2013 - 2014**
	Kshs
Employer contribution to NSSF	20,800.00
Total	**20,800.00**

9. OTHER PAYMENTS

Description	**2013-2014**
Mkenge social hall	2,000,000.00
Malindi Farmers	250,000.00
Gede market	1,000,000.00
Maasai village langobaya	500,000.00
Langobaya Dos office	500,000.00
Recurrent	1,188,635.00
NHIF	16,500.00
CDF Office	102,379.00
Monitoring and evaluation	2,876,723.00
Total	**8,434,237.00**

10 Bank Balances (cash book bank balance)	
Name of Bank, Account No. & currency	**2013 - 2014**
	Kshs
Equity Bank Malindi a/c	29,656,099.30
KCB Bank malindi a/c	2,749,497.70
total	**32,405,597.10**

11 Balance brought forward 1st july	
Description	**2013-2014**
KCB Bank Malindi	2,749,497.80
Total	**2,749,497.80**

MINUTES OF THE TWENTY SIXTH SITTING OF THE COMMITTEE ON APPOINTMENTS HELD ON TUESDAY, 15TH DECEMBER 2015, IN COMMITTEE ROOM NO.7, PARLIAMENT BUILDINGS AT 5.00 P.M.

PRESENT

1. The Hon. Justin Muturi, EGH, MP - **Speaker (Chairperson)**
2. The Hon. (Dr.) Joyce Laboso, MGH, MP - **Deputy Speaker**
3. The Hon. Aden Duale, EGH, MP - **Leader, Majority Party**
4. The Hon. Francis Nyenze, EGH, MP - **Leader, Minority Party**
5. The Hon. (Dr.) Naomi Shaban, EGH, MP - **Deputy Leader, Majority Party**
6. The Hon. (Dr.) Chrisantus Wamalwa, CBS, MP - **Deputy Chief Whip, Minority Party**
7. The Hon. Cecily Mbarire, MGH, MP
8. The Hon. Moses Cheboi, MGH, MP
9. The Hon. Jackson Kiptanui, MP
10. The Hon. Isaak Ali Shaban, MP
11. The Hon. Abass Ahmed Ibrahim, MP
12. The Hon. Boniface Gatobu, MP
13. The Hon. David Wafula, MP
14. The Hon. Mishi Juma Khamis, MP
15. The Hon. Stephen Mule, MP

ABSENT WITH APOLOGY

16. The Hon. Katoo Ole Metito, EGH, MGH, MP - **Chief Whip, Majority Party**
17. The Hon. Jakoyo Midiwo, MGH, MP - **Deputy Leader, Minority Party**
18. The Hon. Manson Nyamweya, MP
19. The Hon. Amina Abdalla, CBS, MP
20. The Hon. Jamleck Kamau, EGH, MP
21. The Hon. Nelson Gaichuhie, MP
22. The Hon. Gideon Konchellah, EGH, OGW, MP
23. The Hon. Esther Murugi, EGH, MP
24. The Hon. Ibrahim Sane, MP
25. The Hon. Maj. (Rtd) Marcus Muluvi, MP
26. The Hon. Roselinda Soipan, MP

IN-ATTENDANCE

NATIONAL ASSEMBLY SECRETARIAT

1. Mrs. Florence Abonyo -Director, Committee Services
2. Ms. Susan Maritim -Clerk Assistant I
3. Mr. Adan Gindicha - Clerk Assistant I
4. Mr. Victor Imbo - Clerk Assistant II
5. Ms. Marale Sande -Senior Researcher
6. Ms. Jemimah Muriithi -Legal Counsel II

MIN. NO. 118/2015 **PRAYER AND PRELIMINARIES**

The Chairperson called the meeting to order at five o'clock followed by the Prayer read by Hon. Boniface Gatobu, M.P.

MIN. NO. 119/2015 **CONFIRMATION OF MINUTES OF THE PREVIOUS SITTINGS**

The Committee confirmed Minutes of the previous sittings as follows:

Minutes of the 25th Sitting held on Monday, 14th December, 2015 were confirmed as true record of the proceedings having been proposed by Hon. (Dr.) Naomi Shaban, EGH, MP and seconded by Hon. David Wafula, MP.

MIN. NO. 120/2015 **MATTERS ARISING**

Under Min.114/2015 on the nomination of Dr. Cleopa Kilonzo Mailu, the Committee resolved to delete the word "poor" in reference to the nominee's performance.

The Committee also resolved to separate the recommendations on Directorate of Criminal Investigations and Ethics and Anti Corruption Commission appearing under Min. 114/2015.

MIN. NO. 121/2014 **ANY OTHER BUSINESS**

The Committee observed that there is need for the Committee to benchmark on vetting processes which will inform the review of the Public Appointments (Parliamentary Approval) Act, Cap. 136. The Committee recommended the US and Scandinavian countries such as Norway, Denmark Sweden as probable benchmarking countries. The secretariat was tasked to follow up and plan the visit for March, 2016.

MIN. NO. 122/2014 **ADJOURNMENT OF THE MEETING**

There being no other business, the meeting was adjourned at thirty-five minutes past four o'clock until Tuesday, 15th December, 2015 at 12.00pm.

SIGNED_____

THE HON. JUSTIN B.N. MUTURI, EGH, MP
SPEAKER OF THE NATIONAL ASSEMBLY
(CHAIRPERSON)

DATE 15th December, 2015

MINUTES OF THE TWENTY FIFTH SITTING OF THE COMMITTEE ON APPOINTMENTS HELD ON MONDAY, 14TH DECEMBER 2015, IN THE MINI CHAMBER AT COUNTY HALL, PARLIAMENT BUILDINGS AT 3.00 P.M.

PRESENT

1. The Hon. Justin Muturi, EGH, MP - **Speaker (Chairperson)**
2. The Hon. Aden Duale, EGH, MP - **Leader, Majority Party**
3. The Hon. Francis Nyenze, EGH, MP - **Leader, Minority Party**
4. The Hon. (Dr.) Naomi Shaban, EGH, MP - **Deputy Leader, Majority Party**
5. The Hon. (Dr.) Chrisantus Wamalwa, CBS, MP - **Deputy Chief Whip, Minority Party**
6. The Hon. Amina Abdalla, CBS, MP
7. The Hon. Gideon Konchellah, EGH, OGW, MP
8. The Hon. Cecily Mbarire, MGH, MP
9. The Hon. Moses Cheboi, MGH, MP
10. The Hon. Jamleck Kamau, EGH, MP
11. The Hon. Nelson Gaichuhie, MP
12. The Hon. Jackson Kiptanui, MP
13. The Hon. Isaak Ali Shaban, MP
14. The Hon. Manson Nyamweya, MP
15. The Hon. Abass Ahmed Ibrahim, MP
16. The Hon. David Wafula, MP
17. The Hon. Mishi Juma Khamis, MP
18. The Hon. Stephen Mule, MP

ABSENT WITH APOLOGY

19. The Hon. (Dr.) Joyce Laboso, MGH, MP - **Deputy Speaker**
20. The Hon. Katoo Ole Metito, EGH, MGH, MP - **Chief Whip, Majority Party**
21. The Hon. Jakoyo Midiwo, MGH, MP - **Deputy Leader, Minority Party**
22. The Hon. Esther Murugi, EGH, MP
23. The Hon. Boniface Gatobu, MP
24. The Hon. Ibrahim Sane, MP
25. The Hon. Maj. (Rtd) Marcus Muluvi, MP
26. The Hon. Roselinda Soipan, MP

IN-ATTENDANCE

NATIONAL ASSEMBLY SECRETARIAT

1. Mrs. Florence Abonyo -Director, Committee Services
2. Ms. Susan Maritim -Clerk Assistant I
3. Mr. Adan Gindicha - Clerk Assistant I
4. Mr. Victor Imbo - Clerk Assistant II
5. Ms. Marale Sande -Senior Researcher
6. Ms. Jemimah Muriithi -Legal Counsel II

MIN. NO. 112/2015 **PRELIMINARIES**

The Chairperson called the meeting to order at three o'clock followed by the Prayer read by Hon. (Dr.) Naomi Shaban, EGH, M.P.

MIN. NO. 113/2015 **CONFIRMATION OF MINUTES OF THE PREVIOUS SITTINGS**

The Committee confirmed Minutes of the previous sittings as follows:

Minutes of the 22nd Sitting held on Thursday, 10th December, 2015 were confirmed as true record of the proceedings having been proposed by Hon. Adan Duale, EGH, MP and seconded by Hon. Francis Nyenze, EGH, MP.

Minutes of the 23rd Sitting held on Friday, 11th December, 2015 at 9.00 am were confirmed as a true record of the proceedings having been proposed by Hon. Francis Nyenze, EGH, MP and seconded by Hon. Moses Cheboi, MGH, MP.

Minutes of the 24th Sitting held on Friday, 11th 2015 at 2.30 pm-7.30pm were confirmed as a true record of the proceedings having proposed by Hon. Amina Abdalla, CBS, MP and seconded by Hon. (Dr.) Chrisantus Wamalwa, CBS, MP.

MIN. NO. 114/2015 **MATTERS ARISING**

Under Min.101/2015, on the Nomination of Hon. Festus Kiunjuri, the Committee received a copy of the court order by the Chief Magistrate at Milimani Courts dated 14th December, 2015 that the nominee has been discharged of the incitement to violence charges following withdrawal of Criminal Case No. 278 of 2000 pursuant to section 87(a) of the Criminal Procedure Code.

The Committee thereafter approved the nominee for appointment as Cabinet Secretary, Ministry of Devolution and Planning.

Under Min.102/2015 on the nomination of Senator Charles Cheruiyot Keter, the Committee approved his nomination for appointment to the position of Cabinet Secretary, Ministry of Energy and Petroleum.

Under Min.103/2015 on the nomination of Dr. Cleopa Kilonzo Mailu, the Committee discussed concerns raised by one of the Committee members on the suitability of the nominee owing to his performance in some of the core subjects in his A-Level examination. The Committee however concurred that indeed the nominee performed exceptionally well in the vetting process and has had a good medical career including being Chief Executive Officer of the Nairobi Hospital.

The Committee thereafter approved his nomination for appointment to the position of Cabinet Secretary, Ministry of Health.

Under Min.106/2015 on the nomination of Mr. Willy Kipkorir Bett, the Committee approved his nomination for appointment to the position of Cabinet Secretary, Ministry of Agriculture, Livestock and Fisheries.

Under Min.107/2015 on the nomination of Mr. Joseph Wakaba Mucheru, the Committee approved his nomination for appointment to the position of Cabinet Secretary, Ministry of Information, Communication and Technology.

Under Min.108/2015 on the nomination of Mrs. Sicily Kanini Kariuki, the Committee approved her nomination for appointment to the position of Cabinet Secretary, Ministry of Public Service, Youth and Gender Affairs.

Under Min.110/2015 on the nomination of Hon. Daniel Kazungu Muzee, the Committee's attention was drawn to an audit query raised by the Auditor General in the Financial Statements for Malindi Constituency for the financial year ended 30th June, 2014.

The Committee examined the Report and noted that the Auditor-General observed that "*in respect of the CDF funds for Malindi Constituency, the statements of financial assets as at 30th June, 2014 reflects bank balance of Kshs. 32, 405, 597.10. However, an examination of the bank reconciliation statement for the month of June, 2014 revealed unpresented cheques amounting to Kshs. 4,514, 507 but some of the cheques have remained unpresented since year 2005 and no explanation has been provided for not reversing the amounts to the cashbook. Consequently, the accuracy and validity of the cash and bank balance of Kshs. 32, 405, 597 as at 30th June, 2015 could not be confirmed.*" Further, the Committee observed that page 3 of the Report states that "*the Fund Account Manager in charge of Malindi CDF accepts responsibility for the Constituency's financial statements...*".

In view of the above, the Committee observed that the nominee was not involved either directly or indirectly in the issue raised by the Member.

The Committee thereafter approved the nomination of Hon. Daniel Kazungu Muzee, for appointment to the position of Cabinet Secretary, Ministry of Mining.

The Committee also made the following observations-

1) That the Directorate of Criminal Investigations and EACC should exercise care and due diligence while clearing candidates for purposes of Chapter Six of the Constitution and avoid sending information to Parliament that is unfounded and conflicting.
2) That the EACC should exercise care and due diligence while clearing candidates for purposes of Chapter Six of the Constitution and avoid sending information to Parliament that is unfounded and conflicting.
3) That staff of Parliament should also counter check with the Reports of the House Committees during vetting process to verify whether nominees have been adversely mentioned in any of the reports.

MIN. NO. 115/2015 **CONSIDERATION OF THE DRAFT REPORT ON THE VETTING OF THE NOMINEES FOR APPOINTMENT TO THE POSITION OF CABINET SECRETARY**

Members considered the draft report on the vetting of nominees for appointment to the position of Cabinet Secretary and made the following observations-

1. **On the nomination of Hon. Festus Mwangi Kiunjuri,** the Committee received a copy of the court order by the Chief Magistrate at Milimani Courts dated 14th December, 2015 that the nominee has been discharged of the incitement to violence charges following withdrawal of Criminal Case No. 278 of 2000 pursuant to section 87(a) of the Criminal Procedure Code.

   The Committee thereafter approved the nomination of the nominee as Cabinet Secretary, Ministry of Devolution and Planning.

2. **On the nomination of Senator Charles Cheruiyot Keter,** the Committee approved his nomination for appointment to the position of Cabinet Secretary, Ministry of Energy and Petroleum.

3. **On the nomination of Dr. Cleopa Kilonzo Mailu,** the Committee discussed concerns raised by one of the Committee members on the suitability of the nominee owing to 'his' poor performance in some of the core subjects in his A-Level examination. The Committee however concurred that indeed the nominee performed exceptionally well in the vetting process and has had a good medical career including being Chief Executive Officer of the Nairobi Hospital.

   The Committee thereafter approved the nomination of Dr. Cleopa Kilonzo Mailu, for appointment to the position of Cabinet Secretary, Ministry of Health.

4. **On the nomination of Mr. Willy Kipkorir Bett,** the Committee approved his nomination for appointment to the position of Cabinet Secretary, Ministry of Agriculture, Livestock and Fisheries.

5. **On the nomination of Mr. Joseph Wakaba Mucheru**, the Committee approved his nomination for appointment to the position of Cabinet Secretary, Ministry of Information, Communication and Technology.

6. **On the nomination of Mrs. Sicily Kanini Kariuki,** the Committee approved her nomination for appointment to the position of Cabinet Secretary, Ministry of Public Service, Youth and Gender Affairs.

7. **On the nomination of Hon. Daniel Kazungu Muzee,** the Committee's attention was drawn to an audit query raised by the Auditor General in the Financial Statements for Malindi Constituency for the financial year ended 30th June, 2014.

The Committee examined the Report and noted that the Auditor-General observed that "*in respect of the CDF funds for Malindi Constituency, the statements of financial assets as at 30th June, 2014 reflects bank balance of Kshs. 32, 405, 597.10. However, an examination of the bank reconciliation statement for the month of June, 2014 revealed unpresented cheques amounting to Kshs. 4,514, 507 but some of the cheques have remained unpresented since year 2005 and no explanation has been provided for not reversing the amounts to the cashbook. Consequently, the accuracy and validity of the cash and bank balance of Kshs. 32, 405, 597 as at 30th June, 2015 could not be confirmed.*" Further, the Committee observed that page 3 of the Report states that "*the Fund Account Manager in charge of Malindi CDF accepts responsibility for the Constituency's financial statements...*".

In view of the above, the Committee observed that the nominee was not involved either directly or indirectly in the issues raised by the Auditor General.

The Committee thereafter approved the nomination of Hon. Daniel Kazungu Muzee, for appointment to the position of Cabinet Secretary, Ministry of Mining.

MIN. NO. 116/2014 **ANY OTHER BUSINESS**

The Committee observed that there is need for the Committee to benchmark on vetting processes which will inform the review of the Public Appointments (Parliamentary Approval) Act, Cap. 136. The Committee recommended the US and Scandinavian countries such as Norway, Denmark Sweden as probable benchmarking countries. The secretariat was tasked to follow up and plan the visit for March, 2016.

MIN. NO. 117/2014 **ADJOURNMENT OF THE MEETING**

There being no other business, the meeting was adjourned at thirty-five minutes past four o'clock until Tuesday, 15th December, 2015 at 12.00pm.

SIGNED _____

THE HON. JUSTIN B.N. MUTURI, EGH, MP
SPEAKER OF THE NATIONAL ASSEMBLY
(CHAIRPERSON)

DATE 15th December, 2015

MINUTES OF THE TWENTY FOURTH SITTING OF THE COMMITTTE ON APPOINTMENTS HELD ON FRIDAY, 11TH DECEMBER 2015, IN THE MINI CHAMBER, COUNTY HALL, PARLIAMENT BUILDINGS AT 3.00 P.M.

PRESENT

1. The Hon. Justin B. Muturi, EGH, MP - Speaker **(Chairperson)**
2. The Hon. (Dr.) Joyce Laboso, MGH, MP - Deputy Speaker
3. The Hon. Aden Duale, EGH, MP - Leader, Majority Party
4. The Hon. Francis Nyenze, EGH, MP - Leader, Minority Party
5. The Hon. (Dr.) Naomi Shaban, EGH, MP - Deputy Leader, Majority Party
6. The Hon. Jakoyo Midiwo, MGH, MP - Deputy Leader, Minority Party
7. The Hon. Katoo Ole Metito, EGH, MGH, MP - Chief Whip, Majority Party
8. The Hon. (Dr.) Chrisantus Wamalwa, CBS, MP - Deputy Chief Whip, Minority Party
9. The Hon. Isaac Ali Shaaban, MP
10. The Hon. Jackson Kiptanui, MP
11. The Hon. Amina Abdalla, CBS, MP
12. The Hon. Gideon Konchellah, MP
13. The Hon. Cecily Mbarire, MP
14. The Hon. Moses Cheboi, MGH, MP
15. The Hon. Nelson Gaichuhie, MP
16. The Hon. Jamleck Kamau, EGH, MP
17. The Hon. Manson Nyamweya, MP
18. The Hon. Abass Ahmed Ibrahim, MP
19. The Hon. David Wafula, MP
20. The Hon. Major (Rtd) Marcus Muluvi, MP
21. The Hon. Mishi Juma Khamis, MP
22. The Hon. Stephen Mutinda Mule, MP

ABSENT WITH APOLOGY

23. The Hon. Roselinda Soipan, MP

ABSENT WITHOUT APOLOGY

24. The Hon. Esther Murugi, EGh, MP
25. The Hon. Boniface Gatobu, MP
26. The Hon. Ibrahim Sane, MP

IN-ATTENDANCE

1. Mr. James Mwangi - Director, Legislative and Procedural Services
2. Mr. Peter Chemweno - Deputy Director, Committee Services
3. Mr. Nicholas Emejen - Principal Clerk Assistant I
4. Mr. Daniel Mutunga - Principal Clerk Assistant II
5. Ms. Susan Maritim - Clerk Assistant I
6. Mr. Adan Gindicha - Clerk Assistant I
7. Mr. Victor Imbo - Clerk Assistant II

8. Ms. Marale Sande - Senior Researcher
9. Ms. Jemimah Muriithi - Legal Counsel II

MIN. NO. /105/2015 **PRAYER AND PRELIMINARIES**

The Chairman called the meeting to order at three o'clock and requested the Hon. Aden Duale, M.P, Leader of the Majority Party to read the Prayer.

MIN. NO. 106/2015: **VETTING OF MR. WILLY KIPKORIR BETT, CABINET SECRETARY NOMINEE, MINISTRY OF AGRICULTURE, LIVESTOCK AND FISHERIES**

Mr. Willy Kipkorir Bett, Cabinet Secretary nominee, Ministry of Agriculture, Livestock and Fisheries appeared before the Committee on Friday 11th December, 2015 at 3.00 pm and was orally interviewed under Oath pursuant to the provisions of the Constitution of Kenya, the Public Appointments (Parliamentary Approvals) Act, Cap. 136 and the Standing Orders of the National Assembly.

The nominee presented as follows, both orally and in writing: -

Date and Place of Birth

1. He is a Kenyan citizen born on 14th April 1963 in Nandi District.

Academic and Professional Qualifications

2. He attended Kaptel High School and Kaheti High School where he attained a Kenya Certificate of Education and and Kenya Advanced Certificate of Education respectively.
3. He holds a Bachelor's Degree in Arts (Economics and Sociology) from the University of Nairobi and a Master of Business Administration Degree (Marketing) also from the same University.

Employment Record

4. He started his career in 1991 as a Management Trainee at Post Bank Credit. He thereafter was employed at the Post Bank in 1992 where he rose through the ranks from Finance Officer to Senior Manager, Money Transfer Services.
5. He was appointed Managing Director Kenya Seed Company in 2006 where he served until his nomination as Cabinet Secretary.

Honours and Awards

6. He was awarded a recognition award by "Sahara Communities Abroad" for helping fundraise for children with special needs in Kenya (20th December 2004, London, UK).

Professional Affiliation

7. He is a Member of the Chartered Institute of Marketing, Marketing Society of Kenya and Kenya Institute of Management.

Published Writing

8. He has published one article being his Master of Business Administration Project Report titled "Differentiation Strategies used by Micro-Finance Institutions in Kenya" submitted to the University of Nairobi.

Net Worth

9. He estimated his net worth to be Kshs. 127.5 million mainly from employment, farming and rental income.

Potential Conflict of Interest

10. He declared that he currently does not have any persons or matter that would present a potential conflict of interest should he assume the position of Cabinet Secretary, Ministry of Agriculture, Livestock and Fisheries.

Pro-Bono/Charity Work

11. The nominee supports three (3) needy children through payment of school fees amounting to Kshs. 120,000 per year. He has also contributed to construction of a local church in Kitale contributing Kshs. 100,000 until it is completed.

Integrity

12. The nominee has neither been charged in a court of law nor mentioned in any investigatory report of Parliament or any Commission of Inquiry in the last three years. He has also never been dismissed or otherwise removed from office for contravention of the provisions of Article 75 of the Constitution.

13. He has fully complied with his tax obligations to the State as confirmed by the Commissioner General, Kenya Revenue Authority in a letter to the Clerk of the National Assembly Ref. CDT/HQ/54 dated 8th December 2015 and Tax Compliance Certificate No. KRAELD1690412015 dated 25th November, 2015.

14. He has also cleared his Higher Education Loans Board (HELB) and was issued with a Certificate of Clearance No. 0088243 dated 27th November, 2015. The same position was confirmed by the Head of Research, Strategy and Planning of Higher Education Loans Board in a letter to the Clerk of the National Assembly, Ref. HELB/RD/56593 dated 7th December, 2015.

15. The Director of Criminal Investigations issued the nominee with a clean Police Clearance Certificate No. 461836 dated 27th November, 2015.

16. In a letter Ref. EACC.7/10/5 VOL.II(3) dated 7th December 2015 to the Clerk of the National Assembly, the Chief Executive Officer of the Ethics and Anti-Corruption Commission confirmed that there are no outstanding issues or ongoing investigations against the nominee.

17. The nominee has also been cleared by MetroPol Credit Reference Bureau via CRB Certificate No. MCRB/C82913 dated 25th November, 2015.

GENERAL AND SECTOR SPECIFIC QUESTIONS TO THE NOMINEE

The Committee posed several questions to the nominee on his previous work experience and knowledge of the Agriculture, Livestock and Fisheries sector and he responded as follows: -

Successes at the Kenya Seed Company

18. He informed the Committee that his tenure as Managing Director at the Kenya Seed Company was successful. That prior to his tenure, the Country experienced shortage of seeds where production averaged 15 million kilograms of seed for two seasons. Currently, the Company boasts of 54 million kilograms of seed enough for a similar period. Other successes that he highlighted include:

    a. Expanded production.
    b. Introduction of irrigation.
    c. Modernization and expanded infrastructure in terms of seed production.
    d. Automation of the Company's operations.
    e. Financial viability where the current profits for the Company are Kshs. 200 million a significant improvement from the previous Kshs. 50 million while the turnover is Kshs. 5.2 billion also a significant improvement from the previous Kshs. 300 million.
    f. Enhanced research and development hence expanded portfolio in terms of seed varieties.

His Plans for the Ministry

19. He stated that he will focus on increasing national productivity by addressing the challenges arising from farm input. He also intends to strengthen institutions that handle food production.

20. He further informed the Committee that the focus area in the agriculture sector is revamping of extension services. He said that having worked with Kenya Seed Company and more so with farmers at the grassroots level, the major challenges bedevilling farmers at that level can be addressed through revamping of extension services.

21. He also informed the Committee that he intends to recognise and utilise the existing inter-governmental mechanisms bearing in mind that Agriculture is one of the functions that was fully devolved. This according to the nominee will ensure seamless working relationship and engagement with the County governments.

Implementation of AFFA Act

22. His informed the Committee that the sector had for a long time operated under an obsolete legal framework and piece-meal legislation that was confusing and caused implementation hiccups. Following the amalgamation of eight agencies under AFFA among them Coffee Board of Kenya, the Tea Board of Kenya among others, there is focus on resources in terms of marketing and efficiency. He however indicated that a lot more needs to be done on the Fisheries sector whose potential remains untapped.

Kenya Meat Commission (KMC) and Livestock Management in ASALs

23. He informed the Committee that technology challenges continue to ail the Kenya Meat Commission and if appointed he intends to engage with the Commission on whether modernisation of the factory or the establishment of a new factory is the way to go. Further, he indicated that management and governance issues ought to be addressed for viability of the Commission. The Committee heard that following the inception of the KMC, the farmers were expected to benefit from the Commission. He therefore intends to ensure that the Disease Free Zones are operationalised and also consider exploiting value

addition products while assisting the people of North Eastern province to market their animals.

Addressing Challenges affecting the Sugar Sector

24. He informed the Committee that the sugar sector is comparable to the challenges facing the Kenya Meat Commission, where technology is obsolete and archaic. He further added that sugar companies require additional capital to be injected hence the current policy on privatization. He however cautioned that for privatization to work, there is need for adequate consultation of all relevant stakeholders especially leadership from the sugar belt. He also informed the Committee that reduction in costs of sugar production is critical in the sustainability of the sugar industry and proposed that farmers should be engaged to adopt new varieties that have high sucrose content vis-à-vis the traditional high tonnage variety.

Irrigation as a Means of boosting Agricultural Production

25. He observed that following re-organisation of government, the infrastructure aspect of irrigation was moved to the Ministry of Water and Irrigation while the Ministry of Agriculture is charged with the agronomy aspect of it. There is therefore need to work closely with Ministry of Water and Irrigation to optimise irrigation as a means of boosting agricultural production.

MIN. NO. 107/2015: VETTING OF MR. JOSEPH MUCHERU, CABINET SECRETARY NOMINEE, MINISTRY OF INFORMATION, COMMUNICATION AND TECHNOLOGY (ICT)

Mr. Joseph Wakaba Mucheru, Cabinet Secretary nominee, Ministry of Information, Communication and Technology appeared before the Committee on Friday, 11th December, 2015 at 4.00 pm and was orally interviewed under Oath pursuant to the provisions of the Constitution of Kenya, the Public Appointments (Parliamentary Approvals) Act, Cap. 136 and the Standing Orders of the National Assembly.

The nominee presented as follows, both orally and in writing: -

Date and Place of Birth

1. The nominee is a Kenyan citizen born on 28th August 1968 in Kiambu District.

Academic and Professional Qualifications

2. He attended Lenana School where he attained both Kenya Certificate of Education ('O' Level) and Kenya Advanced Certificate of Education ('A' Level).

3. He holds a Bachelor of Science degree in Economics and Computer Science from Stanford School of Business, London United Kingdom. He also attended the Stanford University Executive Programme in 2008.

Work Experience

4. The nominee started his career in 1999 as a Technical and Product Development Manager at Webmaster. Since then he has had a very successful career in the ICT sector including co-founding Wananchi Online (now known as Zuku) in 1999 and working for Google

Sub-Sahara Africa Ambassador and East Africa Lead from the year 2007 to date. He is also the Investment Regional Lead of Energy Access and Investment.

Pro-Bono/Charity Work

5. He is also a Director in several firms including UAP Investments Ltd, AFB Ltd, GiveDirectly, BitPesa Ltd, M-Pesa Foundation Academy Advisory Board, Mango Tree Foundation and Telecommunications Service Provider Association of Kenya (TESPOK).

Honours and Awards

6. He was awarded the Moran of the Order of the Burning Spear (MBS) in December 2010 mainly for his contribution to the ICT sector.

Net Worth and Deferred Income

7. He estimates his net worth to be Kshs. 500 million and with a deferred income of Kshs. 267 million.

Professional Affiliations

8. He is the Chairman of the Telecommunications Service Providers Association, Director of the Kenya Internet Exchange Point and the Kenya Private Sector Alliance (KEPSA).

Potential Conflict of Interest

9. With regard to conflict of interest, he stated that BTC Africa Ltd and Wananchi Online Ltd fall under the Ministry of ICT in Regulation and Licensing. To resolve this conflict of interest, the nominee stated that in the process of liquidating his interests, he will recuse himself from any decisions touching on the two companies.

Pro-Bono/Charity Work

10. The nominee is involved in the following pro-bono work:

    a) *Monthly meetings at Mpesa Foundation Academy Advisory Board;*

    b) *Volunteered as a Trustee at the Mango Tree non-profit organisation supporting orphans; and*

    c) *Quarterly meetings at GiveDirectly, a non-profit organisation.*

Integrity

11. The nominee has neither been charged in a court of law nor mentioned in any investigatory report of Parliament or any Commission of Inquiry in the last three years. He has also never been dismissed or otherwise removed from office for contravention of the provisions of Article 75 of the Constitution.

12. He has fully complied with his tax obligations to the State as confirmed by the Commissioner General, Kenya Revenue Authority in a letter to the Clerk of the National Assembly Ref. CDT/HQ/54 dated 8th December 2015 and Tax Compliance Certificate No. KRASON2882532015 dated 7th December 2015.

13. He has also cleared his Higher Education Loans Board (HELB) loan and was issued with a Certificate of Clearance No.59140 dated 4th December 2015. The same position was confirmed by the Head of Research, Strategy and Planning of Higher Education Loans Board in a letter to the Clerk of the National Assembly, Ref. HELB/RD/56593 dated 8th December, 2015.

14. The Director of Criminal Investigations issued the nominee with a clean Police Clearance Certificate No. 512810 dated 4th December 2015.

15. In a letter Ref. EACC.7/10/5 VOL.II (3) dated 7th December 2015 to the Clerk of the National Assembly, the Chief Executive Officer of the Ethics and Anti-Corruption Commission confirmed to the Committee that there no outstanding issues or ongoing investigations against the nominee.

16. The nominee has also been cleared by the TransUnion Credit Reference Bureau via CRB Certificate No. 8578 dated 14th December 2015.

GENERAL AND SECTOR SPECIFIC QUESTIONS TO THE NOMINEE

The Committee posed several questions to the nominee on his previous work experience and knowledge of the ICT sector and he responded as follows: -

Cyber Security, Data Protection and Privacy

17. There is need for requisite laws to guide cyber security. Further, he stated that privacy controls are in existence, however what is required is education, sensitization and awareness of users.

Development of Konza Technopolis City

18. Konza city is one of the flagship projects under Kenya's Vision 2030. He therefore stated that the ingredients of ensuring its operationalization are already in place. However, structures on data protection and e-security laws will need to be enacted. He also added that he intends to leverage on his wide experience in the sector particularly his major achievement of establishing the "Wananchi Online" platform to ensure the Silicon Savannah of Kenya takes off.

His Relationship with Communication Authority of Kenya (CAK) given a previous petition against the Authority on market share

19. He informed the Committee that he did not have any ill feeling towards the Authority since the petition that he lodged against the parastatal at the time was a stepping stone in securing market share for his company Wananchi Online.

ICT vis-à-vis Radicalization/Terrorism

20. Given the job, he would utilize the already existing infrastructure including the legal framework to ensure that the use of ICT in radicalization and terrorism is dealt with.

Perceived dominance of Safaricom Ltd in the Telecommunication Sector

21. He was of the view that having worked in the sector for over two decades, Safaricom cannot be said to be dominant. Issues of dominance should not arise if there exists a level playing field for all investors. He therefore argued that what ought to be done is to ensure that there is a legal framework that allows for growth and encourages investors to seek opportunities.

MIN. NO. 108/2015: **VETTING OF MRS. SICILY K. KARIUKI, CABINET SECRETARY NOMINEE, MINISTRY OF PUBLIC SERVICE, YOUTH AND GENDER AFFAIRS**

Mrs. Sicily Kanini Kariuki, Cabinet Secretary nominee, Ministry of Public Service, Youth and Gender Affairs appeared before the Committee on Friday, 11th December, 2015 at 5.00pm and was orally interviewed under Oath pursuant to the provisions of the Constitution of Kenya, the Public Appointments (Parliamentary Approvals) Act, Cap. 136 and the Standing Orders of the National Assembly.

The nominee presented as follows, both orally and in writing: -

Date and Place of Birth

1. The nominee is a Kenyan citizen born on 27th December 1965 in Embu District.

Academic and Professional Qualifications

2. She attended Kangaru High School where she attained a Kenya Advanced Certificate of Education in 1985.

3. She holds a Bachelor of Commerce Degree (Business Administration) from the University of Nairobi, Certificate in International Food Laws and Regulations from Michigan State University, Executive Master of Business Administration from the ESAMI/Maastricht School of Management and is currently pursuing a Doctorate in Business Administration. In addition, she has attended several leadership skills enhancement trainings such as Leadership and Governance in the Public Sector, Lobbying and Advocacy Skills and Directors' Course in Corporate Governance among others.

Employment Record

4. She was first employed in 1990 as an Investment Promotion Officer at the Investment Promotion Centre (now Kenya Investment Authority) where she worked until 1997. She has several years of experience in the horticulture sector where she briefly worked as General Manager for Kenia Fresh Ltd and Export Marketing Manager and later Chief Executive Officer of the Fresh Produce Exporters Ltd from the year 2001 to 2006.

5. She was appointed Managing Director of the Tea Board of Kenya in June 2006 where she served until June 2013 when she was appointed Principal Secretary, State Department of Agriculture, Ministry of Agriculture, Livestock and Fisheries.

Honours and Awards

6. She holds the following honours and awards:

   a) *Order of the Moran of the Burning Spear (MBS) by H.E the President of Kenya (2015)*

   b) *Certificate of Recognition – Top Woman in Business and Government awarded by Business Woman Magazine/Ministry of Trade/UNDP (2009);*

   c) *Marketing Warrior awarded by the Marketing Society of Kenya (2008); and*

d) *Certificate of Recognition Chochran Fellowship – United States Department of Agriculture.*

Professional Affiliation

7. The nominee is a member of the Marketing Society of Kenya and Institute of Directors (Kenya). She is also a Member of the Food and Agriculture Organisation of the United Nations Inter-Governmental Group on Tea (IGG on Tea).

Published Writings

8. She has published the following Papers/Articles:

a) *Economic Review of Agriculture (2015);*

b) *Strategic Plan 2013 -2017 (Revised 2015);*

c) *Cassava Manual (2014)*

d) *Contracted Extension Service Delivery Model (2015);*

e) *Conference Paper –Soil "The Substance of Transformation"*

Net Worth and Deferred Income

9. She does not envisage any deferred income or future benefits and does not have outside commitments she plans to pursue outside employment.

10. She estimates her total net worth as Kshs. 168,331,000 being income from investments, assets and salary as at December 2015.

Potential Conflict of Interest

11. She declared that she has a relative who is an official of the Union of Kenya Civil Servants. The nominee stated that she will adhere to Article 73 of the Constitution in carrying out her duties.

Pro-Bono/Charity Work

12. The nominee is involved in the following pro-bono and charity work:-

a) *Motivations talks to upcoming corporate leaders and students – 4 days in a year*

b) *Giving talks to women on economic empowerment – 4 hours*

c) *Time and cash donation to churches – Kshs. 100,000 per year*

d) *Paying school for destitute children – Kshs. 100,000 per year.*

Integrity

13. The nominee has neither been charged in a court of law nor mentioned in any investigatory report of Parliament or any Commission of Inquiry in the last three years. She has also never been dismissed or otherwise removed from office for contravention of the provisions of Article 75 of the Constitution.

14. She has fully complied with her tax obligations to the State as confirmed by the Commissioner General, Kenya Revenue Authority in a letter to the Clerk of the National Assembly Ref. CDT/HQ/54 dated 8th December 2015 and Tax Compliance Certificate No. KRAWON28999222015 dated 7th December 2015.

15. She has also cleared her Higher Education Loans Board (HELB) loan and was issued with a Certificate of Clearance No.006945 dated 17th October 2006. The same position was confirmed by the Head of Research, Strategy and Planning of Higher Education Loans Board in a letter to the Clerk of the National Assembly, Ref. HELB/RD/56593 dated 8th December, 2015.

16. The Director of Criminal Investigations issued the nominee with a clean Police Clearance Certificate No. 513017 dated 8th December 2015.

17. In a letter Ref. EACC.7/10/5 VOL.II (3) dated 7th December 2015 to the Clerk of the National Assembly, the Chief Executive Officer of the Ethics and Anti-Corruption Commission confirmed to the Committee that there no outstanding issues or ongoing investigations against the nominee.

18. The nominee has also been cleared by the MetroPol Credit Reference Bureau via CRB Certificate No. MCRB/C58746 dated 7th December 2015.

GENERAL AND SECTOR SPECIFIC QUESTIONS TO THE NOMINEE

The Committee posed several questions to the nominee on her past work experience and knowledge of the Public Service, Youth and Gender Affairs sector and she responded as follows: -

Her Achievements as a Public Officer

19. She informed the Committee that following her employment in the Horticultural sector, foreign exchange arising from the sector had increased to over Kshs. 200 billion while at the same time she spearheaded the development of 'Kenya Gap', a quality and standards platform that contributed to increased yield in the sector.

20. She added having served in various capacities in the public service especially as a Principal Secretary, has equipped her with knowledge and experience required to serve in a higher capacity as Cabinet Secretary.

Huduma Centres as a concept to be rolled out across the country

21. She lauded the concept as one that provides a one-stop shop service with specific targets. She also indicated the need to have the concept rolled out countrywide and within the Counties since it is a reflection of result-based Management. She indicated that ICT-related challenges in roll-out of the Centres ought to be addressed.

Gender Issues

22. She informed the Committee that there is need to first demystify gender to ensure the issues of both men and women are appreciated. She acknowledged that indeed there exist several programs addressing matters on gender, however additional impetus is required to ensure the program have meaningful impact.

National Youth Service (NYS) and its role in Youth Development

23. The nominee stated that bearing in mind the role played by the youth, the future of Kenya is dependent upon their empowerment. NYS is therefore the best vehicle to realise youth empowerment within the framework of the Constitution. With the existing programs being implemented under the NYS, additional resources are required while focus should be shifted to streamlining the governance structures of the Service for efficiency.

24. On what she intends to do differently if appointed, she informed the Committee that she will first address the challenges associated with systems, governance control and capacity. Her solutions will be based on the model, structure and design of the NYS concept.

Public Wage Bill vis-à-vis Productivity

25. She told the Committee that the Public Service is reeling under an aging population with reduced energies. Given the position she intends to-:

    a. Ensure that the public service leverages on use of Information, Communication Technology;
    b. Undertake skills audit to determine skills gaps;
    c. Standardise salaries across all counties and across the two levels of Government;
    d. Ensure adequate succession planning in the public service; and
    e. Consider offering an attractive exit package to those willing to retire early.

Several overlapping Funds like the Youth, Women and Uwezo Funds

26. In her view, all these funds need to be rationalised for synergy and to ensure efficiency since they are all geared towards the same broad goal. She added that with her experience in reforming the agriculture sector following the passage of the AFFA Act, she indicated that she has the capacity to provide leadership on the matter.

Thirty Per Cent (30%) Preferential Government Tenders earmarked for Women, Youth and Persons with Disabilities (PWDs)

27. The success of the policy will require sustained awareness and this ought to form part of performance contract. She further added that there is need for change of attitude towards these vulnerable groups and their capacity to participate in these contracts and tenders.

MIN. NO. 109/2015: MEETING WITH HALAKHE WAQO, CHIEF EXECUTIVE OFFICER, ETHICS AND ANTI-CORRUPTION COMMISION (EACC)

The Chairperson informed the Committee that the meeting with the Chief Executive Officer of the EACC was necessitated by the contents of two letters dated 7th December 2015 and 10th December, 2015 to the Clerk of the National Assembly. In the first letter dated 7th December, 2015, the Chief Executive Officer of the Ethics and Anti-Corruption Commission informed the Committee that Hon. Daniel Kazungu was adversely mentioned in an unsubstantiated complaint. In the subsequent letter dated 10th December, 2015, the Commission confirmed that it had verified information it had received on the nominee and found no evidence to warrant an adverse recommendation on his appointment.

In his response to the Committee, the CEO informed the Committee that on receiving the list of nominees to be vetted by Parliament on 2nd December 2015, the Commission searched its records on any complaints and investigations touching on the nominees. It is based on these findings that the Commission found complaints on three of the nominees one of whom, is Hon. Kazungu, Cabinet Secretary nominee, Ministry of Mining. On further verification prompted by Clerk of the National Assembly in a letter dated 9th December, 2015, the Commission found the allegations of misuse of CDF funds by the nominee were unsubstantiated and could read malice bearing in mind the timing of filing the complaint.

He however committed that the Commission will undertake its investigations and report to the relevant authorities its findings of the corruption allegations against the nominee.

The Committee expressed its disappointment and dissatisfaction with the manner in which the Commission conducts investigations and releases reports on corruption-related cases without verifying facts and in the process costing innocent persons their jobs and integrity.

MIN. NO. 110/2015: VETTING OF HON. DANIEL KAZUNGU MUZEE, CABINET SECRETARY NOMINEE, MINISTRY OF FOR MINING

Hon. Daniel Kazungu Muzee, Cabinet Secretary nominee, Ministry of Mining appeared before the Committee on Friday, 11th December, 2015 at 6.00 pm and was orally interviewed under Oath pursuant to the provisions of the Constitution of Kenya, the Public Appointments (Parliamentary Approvals) Act, Cap. 136 and the Standing Orders of the National Assembly.

The nominee presented as follows, both orally and in writing: -

Date and Place of Birth

1. The nominee is a Kenyan citizen born on 2nd June 1970 at Langobaya, Malindi in Kilifi District.

Academic and Professional Qualifications

2. He attended Marikoni and Lango Baya Primary Schools where he emerged as the best student with a score of 65 points out of 72. He thereafter proceeded to Kwale Secondary School where he attained a Kenya Certificate of Secondary Education in 1989.

3. He holds a Bachelor's degree in Information Science, majoring in Information and Media Technology from Moi University in Eldoret. He also holds an Executive Master of Arts degree in Diplomacy and Foreign Policy from the same University.

Work Experience

4. Hon. Kazungu has vast experience in the ICT sector having started his career in 1995 as an intern at the Institute of Advanced Technology. He has also worked as a manager at Computech Group, Manager at Fintech Group in charge of Microsoft Products, Channel Development Manager at Mustek Electronics based in Johannesburg, South Africa, International Business Machines (IBM) Country Representative for Ethiopia and Kenya and East Africa Regional Manager Lenovo Africa, based in Johannesburg, South Africa.

5. Prior to his nomination as Cabinet Secretary, he served as Member of Parliament for Malindi Constituency since the year 2013 where he served as a Member of Energy, Information and Communication Committee and the Committee on Regional Integration.

Net Worth

6. He estimated his net worth to be Kshs. 100 Million.

Potential Conflict of Interest

7. He declared that he currently does not have any persons that would present a potential conflict of interest should he assume the position of Cabinet Secretary, Ministry of Mining. Should a conflict of interest arise, the nominee stated that he would adhere to the Mining Act, Policy and guidelines.

Pro-Bono/Charity Work

8. The nominee is involved in charity work through supporting Muslim School in Malindi, preparing for a Kshs. 500,000 anti-drug campaign in Malindi, visiting children homes and paying school fees for needy students in institutions of higher learning.

Honours and Awards

9. He has received the following honours and awards:

a) 100% Club of Global Achievers within IBM (2012)

b) Special mention on Ethiopia at the New York Stock Exchange as an example of the success of the IBM Africa Strategy (2012)

c) Single-handedly established Lenovo in East Africa from scratch and developed the brand and won market share in key market segments to position Lenovo as a leading brand in the region (2006-2009)

d) Compaq East Africa Top Business Executive in East Africa (2000)

e) SDAL Top Microsoft Business Executive in East Africa with (1999)

f) Admitted to the Faculty of Information Sciences at Moi University where only the top 40 national school students got admission (1990)

g) Award for top student in Kwale District (1986)

h) Top student KCSE Exams – Langobaya Primary School (1985)

Integrity

10. The nominee has neither been charged in a court of law nor mentioned in any investigatory report of Parliament or any Commission of Inquiry in the last three years. He has also never been dismissed or otherwise removed from office for contravention of the provisions of Article 75 of the Constitution.

11. He has fully complied with his tax obligations to the State as confirmed by the Commissioner General, Kenya Revenue Authority in a letter to the Clerk of the National Assembly Ref. CDT/HQ/81 dated 9th December 2015 and Tax Compliance Certificate No. KRASON2853332015 dated 8th December 2015.

12. He has also cleared his Higher Education Loans Board (HELB) and was issued with a Certificate of Clearance dated 20th December 2012. The same position was confirmed by the Head of Research, Strategy and Planning of Higher Education Loans Board in a letter to the Clerk of the National Assembly, Ref. HELB/RD/56593 dated 8th December, 2015.

13. The Director of Criminal Investigations issued the nominee with a clean Police Clearance Certificate No. 221971/2015 dated 8th December 2015.

14. In a letter dated 7th December 2015 to the Clerk of the National Assembly, the Chief Executive Officer of the Ethics and Anti-Corruption Commission informed the Committee that the nominee was adversely mentioned in an unsubstantiated complaint regarding the misuse of CDF funds in Malindi Constituency. In a subsequent letter dated 10th December, 2015, the Commission confirmed that it had verified information it had received on the nominee and found no evidence to warrant an adverse recommendation on his appointment.

15. The nominee has also been cleared by the TransUnion Credit Reference Bureau via CRB Certificate No. 9187724 dated 4th December 2015.

GENERAL AND SECTOR SPECIFIC QUESTIONS TO THE NOMINEE

The Committee posed several questions to the nominee on his past work experience and knowledge of the Mining sector and he responded as follows: -

Challenges facing the Mining Sector

16. He responded that indeed Kenya's mining sector contributes less than one per cent (1%) to the Gross Domestic Product yet it is referred to as a gold mine. To reverse this trend and given that only four per cent (4%) of Kenya's natural resources have been explored, there is need for a legal framework to guide the sector and an extensive survey on the county's natural resource including geophysical data. He also added that the Country ought to improve infrastructure in areas where mining is being undertaken to encourage investment. While concluding on why the mining sector is under performing, the nominee indicated that given that mining activities are high energy consumers, reducing cost of energy in the County should be a priority.

Mining and Community Benefits

17. He indicated that the Mining Bill still pending in Parliament seeks to address the challenge of community benefits among other challenges affecting communities with mineral deposits.

Multinationals and Royalties vis-à-vis Community Benefits

18. He informed the Committee that Kenya has pegged its royalties returns at 2.5% of investment while the global average is 10%. If appointed to the position of the Cabinet secretary he plans to work closely with the various stakeholder, in a bid to revisit the issue on royalties so as to balance investment in the mining sector and community benefits.

Corruption Allegations against him by EACC

19. The nominee distanced himself from any corruption allegations against him and informed the Committee that he is not aware of any such allegations since he has not been contacted by EACC to respond to the same.

His position on leaving elective politics for appointment as Cabinet Secretary

20. He informed the Committee that having served his constituents as a Member of Parliament, he believes that time has come for him to serve the nation in a higher capacity as Cabinet Secretary. He pledged to work with the Jubilee Government in fulfilling its manifesto.

Plans to address smuggling challenge in the Mining Sector

21. He reiterated that the Mining Bill, 2015 currently at the mediation stage in Parliament once enacted into law will be key in addressing challenges associated with smuggling, sharing of resources with communities and value addition.

MIN. NO. 111/2015: **ADJOURNMENT**

The Chairman adjourned the meeting at 7.20 p.m. until Monday at 2.30 p.m. for report consideration and adoption.

SIGNED.....

THE HON. JUSTIN B.N. MUTURI, EGH, MP

SPEAKER OF THE NATIONAL ASSEMBLY

(CHAIRPERSON)

DATE.....14th December, 2015

MINUTES OF THE TWENTY THIRD SITTING OF THE COMMITTTE ON APPOINTMENTS HELD ON FRIDAY, 11TH DECEMBER 2015, IN THE MINI CHAMBER, COUNTY HALL, PARLIAMENT BUILDINGS AT 9. 25 A.M.

PRESENT

1.	The Hon. Justin B. Muturi, EGH, MP	-	Speaker **(Chairperson)**
2.	The Hon. (Dr.) Joyce Laboso, MGH, MP	-	Deputy Speaker
3.	The Hon. Aden Duale, EGH, MP	-	Leader, Majority Party
4.	The Hon. Francis Nyenze, EGH, MP	-	Leader, Minority Party
5.	The Hon. (Dr.) Naomi Shaban, EGH, MP	-	Deputy Leader, Majority Party
6.	The Hon. Jakoyo Midiwo, MP	-	Deputy Leader, Minority Party
7.	The Hon. Katoo Ole Metito, EGH, MGH, MP	-	Chief Whip, Majority Party
8.	The Hon. (Dr.) Chrisantus Wamalwa, CBS, MP	-	Deputy Chief Whip, Minority Party
9.	The Hon. Isaac Ali Shaaban, MP		
10.	The Hon. Jackson Kiptanui, MP		
11.	The Hon. Amina Abdalla, MP		
12.	The Hon. Gideon Konchellah, MP		
13.	The Hon. Cecily Mbarire, MP		
14.	The Hon. Moses Cheboi, MP		
15.	The Hon. Nelson Gaichuhie, MP		
16.	The Hon. Jamleck Kamau, MP		
17.	The Hon. Manson Nyamweya, MP		
18.	The Hon. Abass Ahmed Ibrahim, MP		
19.	The Hon. David Wafula, MP		
20.	The Hon. Major (Rtd) Marcus Muluvi, MP		
21.	The Hon. Mishi Juma Khamis, MP		
22.	The Hon. Stephen Mutinda Mule, MP		

ABSENT WITH APOLOGY

23. The Hon. Roselinda Soipan, MP

ABSENT WITHOUT APOLOGY

24. The Hon. Esther Murugi, MP
25. The Hon. Boniface Gatobu, MP
26. The Hon. Ibrahim Sane, MP

IN-ATTENDANCE - KENYA NATIONAL ASSEMBLY STAFF

1.	Mr. James Mwangi	-	Director, Legislative and Procedural Services
2.	Mr. Peter Chemweno	-	Deputy Director, Committee Services
3.	Mr. Nicholas Emejen	-	Principal Clerk Assistant I
4.	Mr. Daniel Mutunga	-	Principal Clerk Assistant II

5.	Ms. Susan Maritim	-	Clerk Assistant I
6.	Mr. Adan Gindicha	-	Clerk Assistant I
7.	Mr. Victor Imbo	-	Clerk Assistant II
8.	Ms. Marale Sande	-	Senior Researcher
9.	Ms. Jemimah Muriithi	-	Legal Counsel II

MIN. NO. 100/2015 PRAYER AND PRELIMINARIES

The Chairman called the meeting to order at twenty-five minutes past nine o'clock and requested the Hon. Aden Duale, M.P Leader of the Majority Party to read the Prayer.

The Chairperson drew the Committee's attention to the letter from Dr. Otiende Amollo, Chairperson of the Commission on Administrative Justice Ref. CAJ/AO/4/2012/ VOL.1 dated 10th December 2015 to the Hon. Speaker on the vetting of persons nominated to the position of Cabinet Secretary and Principal Secretary. In the letter, the Commission noted that it is unconstitutional for the Committee to proceed with vetting of Sen. Charles Keter and Hon. Daniel Kazungu if at the time of vetting they will not have resigned in writing from their elected positions before the vetting exercise.

In respect to the above letter, the Committee observed that the Commission ought to have presented its position to the Committee as part of public hearing within the stipulated period of seven days which lapsed on 9th December 2015. The Committee also noted that Art. 152 of the Constitution relates to disqualification of MPs for appointment as Cabinet Secretaries. The two nominees in question are only nominees and not yet appointees. As such, the Committee resolved to dismiss the letter and proceed with the vetting of the nominees.

In conducting the vetting process, the Committee on Appointments examined the nominees against criteria that included the following as set out in the Public Appointment (Parliamentary Approval) Act, Cap. 136.

i. Academic qualifications
ii. Employment records
iii. Professional affiliations
iv. Potential conflict of interest\
v. Knowledge of relevant subject
vi. Expectations and key priorities
vii. Overall suitability of the position
viii. Integrity
ix. Vision and leadership

MIN.NO. 101/2015: VETTING OF HON. FESTUS MWANGI KIUNJURI CABINET SECRETARY NOMINEE, MINISTRY OF DEVOLUTION AND PLANNING

Hon. Festus Mwangi Kiunjuri, Cabinet Secretary nominee, Ministry of Devolution and Planning appeared before the Committee on Friday, 11th December, 2015 at 10.00 am and was orally interviewed under Oath pursuant to the provisions of the Constitution of Kenya, the Public

Appointments (Parliamentary Approvals) Act, Cap. 136 and the Standing Orders of the National Assembly.

The nominee presented as follows, both orally and in writing: -

Date and Place of Birth

1. He is a Kenyan citizen born on 18th January 1968 in Nyeri County.

Academic and Professional Qualifications

2. He attended Dr. Kiano Secondary School where he attained a Kenya Certificate of Education (1987) and Kangema High School for Kenya Advanced Certificate of Education (1989).

3. He holds a Master of Business Administration degree from the United States International University – Africa (2015) and Bachelor's Degree in Education from Moi University (1994).

Employment Record

4. He started his career as a graduate teacher between 1996 and 1997 at Kiaritha-ini Secondary School. He thereafter served as Member of Parliament for Laikipia East Constituency between the years 1997 and 2013.

5. During his tenure as a Member of Parliament, he also served as an Assistant Minister, Ministry of Energy between the years 2003 and 2008, Ministry of Water and Irrigation between the years 2008 and Ministry of Public Works between the years 2011 and 2013.

6. Prior to his nomination, he served as the Chairman of Athi Water Services Board.

Net Worth

7. He estimated his net worth to be Kshs. 798,000,000 mainly from land and buildings in Nanyuki, Sagana and Nairobi.

Honours and Awards

8. He was awarded the Moran of the Order of the Golden Heart of Kenya (MGH) on 12th December 2008.

Potential Conflict of Interest

9. He declared that he currently does not have any persons or matter that would present a potential conflict of interest should he assume the position of Cabinet Secretary, Ministry of Planning and Devolution. Should a conflict of interest arise, the nominee stated that he would declare the interest in writing to the appointing authority in accordance with the the law.

Pro-bono/Charity Work

10. The nominee is involved in charity work through supporting education of disadvantaged students in various institutions of learning.

Integrity

11. He has fully complied with his tax obligations to the State as confirmed by the Commissioner General, Kenya Revenue Authority in a letter to the Clerk of the National Assembly Ref. CDT/HQ/54 dated 8th December 2015 and Tax Compliance Certificate No. KRANON2828582015 dated 2nd December 2015.

12. In a letter Ref. EACC.7/10/5 VOL.II(3) dated 7th December 2015 to the Clerk of the National Assembly, the Chief Executive Officer of the Ethics and Anti-Corruption Commission confirmed that there are no outstanding issues or ongoing investigations against the nominee.

13. The nominee has also neither been charged in a court of law nor mentioned in any investigatory report of Parliament or any Commission of Inquiry in the last three (3) years. He has also never been dismissed or otherwise removed from office for contravention of the provisions of Article 75 of the Constitution.

14. The Director of Criminal Investigations issued the nominee with a Police Clearance Certificate No. 485860 dated 8th December 2015 with a **reservation** owing to an incitement to violence offence pending in court since 21st March 2000. The nominee informed the Committee that the incitement charge relates to his role in leading demonstrations against land injustices in Rumuruti area of the then Laikipia East Constituency which he represented as the Member of Parliament and does not regret his actions in the said demonstration. He however, expressed frustration by the Directorate of Criminal Investigations to have the matter concluded.

15. He cleared the loan owed to the Higher Education Loans Board (HELB) and was issued with a Certificate of Clearance No. 2271 dated 20th December 2012. The same position was confirmed by the Head of Research, Strategy and Planning of Higher Education Loans Board in a letter to the Clerk of the National Assembly, Ref. HELB/RD/56593 dated 8th December, 2015.

16. The nominee has also been cleared by the TransUnion Credit Reference Bureau via CRB Certificate No. 08656723 dated 4th December 2015.

GENERAL AND SECTOR SPECIFIC QUESTIONS TO THE NOMINEE

The Committee posed several questions to the nominee on his knowledge of the Devolution and Planning sector and he responded as follows: -

Immediate Issue to be Addressed in the Ministry

17. The immediate issue to be addressed in the Ministry relates to the misconception that the Jubilee Administration is anti-devolution. He indicated that to be able to address the issue, he intended to work very closely with all devolution stakeholders including the county and national government officials. Further, he stated that he has the requisite negotiating skills likely to assist him address the perception problem.

Capacity to Perform in the Ministry of Devolution and Planning

18. He has sufficient experience having served in various positions in the previous Governments including Assistant Minister in the Ministry of Water and Irrigation.

The Challenge of Corruption in the Ministry and his Plans to Reverse the Trend

19. He lauded the efforts by the Head of State to institute measures to curb the vice and indicated that if appointed to the position of Cabinet Secretary, Ministry of Devolution and Planning, he will undertake the following:

a. Implement the already instituted measures to curb corruption;
b. With his negotiating skills, he intends to bring together all stakeholders to ensure that the National and County Governments Coordinating Summit and other inter-governmental institutions already in place are utilized to enhance service delivery;
c. Ensure that Article 10 of the Constitution on national values is adhered to; and
d. Ensure that the National Government enhances capacity building of County governments to increase accountability.

The Matter of Umaa Dam

20. He reiterated that no accusations had been levelled against him as relates to the said issue of Umaa Dam and challenged any individual with evidence implicating him to follow the existing mechanisms to launch complaints which will be investigated by the relevant institutions.

Conflict between him and his former boss, Cabinet Minister, Ministry of Water and Irrigation and how he intends to deal with conflict as and when it arises

21. He informed the Committee that the conflict in the Ministry was as a result of his stand against corruption and not personality differences. If faced with the same challenge, he will tackle corruption head-on since he will be in charge of the Ministry.

Linking Planning to Research Evidence

22. He acknowledged that there can be no development in the absence of informed planning. He recognised the existence of competent public officers within the Ministry and existing institutions like the Kenya National Bureau of Statistics (KNBS) and the Kenya Institute of Public Policy and Research Analysis (KIPPRA) which support and provide the requisite data and information to inform planning. He further appreciated the need for public participation to ensure the needs of the people are appreciated. While concluding on the question, the nominee recognized the already existing national development blue print, Vision 2030 and the Jubilee Government manifesto which he said he will utilise while implementing the Ministry's projects and programmes.

Achievement as the Assistant Minister in the Ministry of Water and as a public Servant

23. He stated that while in the Ministry he presided over the rural electrification projects and the development of the water master plan including the privatization of major dams which have in the long-term contributed to the improved water supply in the Country

Key priorities for the Ministry of Devolution and Planning going forward

24. The nominee outlined the following key priorities areas:

a. Strengthening inter-governmental relations and mechanisms by ensuring consultation of relevant stakeholders takes place;
b. Implementation of the national policy on Devolution;
c. Capacity building of the Counties which is the function of the National Government in line with the Fourth Schedule to the Constitution;
d. Ensure timely allocation of resources to Counties by working closely with the Cabinet Secretary, National Treasury, Chair of the Economic and Social Council and the Council of Governors; and
e. Ensure the unbundling of the functions of either level of government to ensure clarity.

MIN.NO. 102/2015: VETTING OF SEN. CHARLES KETER, CABINET SECRETARY NOMINEE, MINISTRY OF ENERGY AND PETROLEUM

Hon. Charles Cheruiyot Keter, Cabinet Secretary nominee, Ministry of Energy and Petroleum appeared before the Committee on Friday 11th December, 2015 at 11.00 am and was orally interviewed under Oath pursuant to the provisions of the Constitution of Kenya, the Public Appointments (Parliamentary Approvals) Act, Cap. 136 and the Standing Orders of the National Assembly.

The nominee presented as follows, both orally and in writing: -

Date and Place of Birth

1. The nominee is a Kenyan citizen born on 22nd November 1969.

Academic and Professional Qualifications

2. He attended Litein High School where he attained a Kenya Certificate of Education (KCE) and Kericho High School for Kenya Advance Certificate of Education (KACE).

3. He holds a Bachelor of Education (Science) degree majoring in Double Mathematics from Kenyatta University and an Executive Master of Business Administration (MBA) from United States International University (USIU- Africa). He has also been trained in Curtailing Economic Fraud by Crown Agents, United Kingdom.

Employment Record

4. The nominee started working 1993 as Systems Analyst at Telkom Kenya and in 1996 worked as a Manager, Anti-Fraud Section in the same organisation.

5. He served as Member of Parliament for Belgut Constituency from the year 2002 to 2013 and Senator for Kericho County from the year 2013 up to the time of his nomination as Cabinet Secretary. He served as Deputy Leader of Majority Party in the Senate.

6. During his tenure as Member of Parliament for Belgut Constituency, he also served as Assistant Minister, Ministry of Energy from the year 2008 to 2010 when his appointment was revoked.

Honours and Awards

7. He achieved the following during his tenure as a Member of Parliament: -

   a) Sponsored Constitution (Amendment) Bill, also known as "Keter Bill" aimed at enhancing parliamentary autonomy;

   b) Awarded the Moran of the Order of the Golden Heart(MGH) by retired President Kibaki in 2009.

   c) National Tax Payers Association rated Belgut Constituency the best among 28 sampled constituencies in CDF management.

Net Worth

8. He estimated his net worth to be Kshs. 352, 873,016.

Potential Conflict of Interest

9. He declared that he currently does not have any persons or matter that would present a potential conflict of interest should he assume the position of Cabinet Secretary, Ministry of

Energy and Petroleum. Should a conflict of interest arise, the nominee stated that he would declare the interest as required.

Charity Work

10. The nominee was instrumental in establishing Social Economic Empowerment Women Organisation (SEEWO), an organisation which empowers women socially, economically through table banking, agribusiness and Small Medium Enterprises (SMEs).

Integrity

11. The nominee has neither been charged in a court of law nor been mentioned in any investigatory report of Parliament or any Commission of Inquiry in the last three years. He has also never been dismissed or otherwise removed from office for contravention of the provisions of Article 75 of the Constitution.

12. He has fully complied with his tax obligations to the State as confirmed by the Commissioner General, Kenya Revenue Authority in a letter to the Clerk of the National Assembly Ref. CDT/HQ/54 dated 8th December 2015 and Tax Compliance Certificate No. KRAWON2894212015 dated 4th December 2015.

13. He cleared the loan owed to the Higher Education Loans Board (HELB) and was issued with a Certificate of Clearance No. 0088437 dated 4th December 2015. The same position was confirmed by the Head of Research, Strategy and Planning of Higher Education Loans Board in a letter to the Clerk of the National Assembly, Ref. HELB/RD/56593 dated 7th December, 2015.

14. The Director of Criminal Investigations issued the nominee with a clean Police Clearance Certificate No. 491785 dated 8th December 2015.

15. In a letter Ref. EACC.7/10/5 VOL.II(3) dated 7th December 2015 to the Clerk of the National Assembly, the Chief Executive Officer of the Ethics and Anti-Corruption Commission confirmed that there are no outstanding issues or ongoing investigations against the nominee.

16. The nominee has also been cleared by MetroPol Credit Reference Bureau via CRB Certificate No. MCRB/C97944 dated 4th December 2015.

SECTOR SPECIFIC QUESTIONS TO THE NOMINEE

The Committee posed several questions to the nominee on his knowledge of the Energy and Petroleum sector and he responded as follows: -

Significant Achievement(s) in his Career

17. He stated that for 45 years in the history of Belgut Constituency, he was re-elected for the second term owing to his development record. Further, he observed that while working in the Ministry of Energy, he presided over substantial rural electrification in the Country.

Reasons for his removal from the Position of Assistant Minister in the Ministry of Energy

18. He was categorical that his removal from office as an Assistant Minister in the Coalition government was politically instigated and not as a result of incompetence.

Appointment of Members of Parliament as Cabinet Secretaries

19. He stated that he subscribes to the ideology of having Members of Parliament serve as Cabinet Secretaries as they are adequately seized of the development challenges and needs of the people.

Leveraging on Oil discovery in Kenya

20. He indicated that he intends to fast track the production of oil in Turkana and its marketing by leveraging on the use of tanks in Kitale and by rail to Mombasa, including the need to fast-track the completion of the Northern Corridor which will offer the requisite infrastructure necessary to ensure oil production in Turkana is sustainable. He further added that the revival of the Kenya Oil Refineries Ltd and refurbishing of the oil refinery in Mombasa will ensure reduction of imported refined oil in the Country.

21. On the issue of whether oil discovery will be a curse or a blessing, he indicated that the Energy Bill, 2015 will offer the legal framework to address the contentious issues of community benefit and environmental conservation among others. Further, the nominee committed to incorporate insurance aspect in the Bill.

Key Priority Areas in the Ministry of Energy and Petroleum

22. He highlighted the following key priority areas:

    a. Undertaking systems audit of the sector so as to restore confidence in the energy sector amidst corruption allegations;
    b. Address power tariffs that have resulted in high electricity costs;
    c. Increasing transmission lines particularly in the ASALs regions where electricity supply coverage is well below the national average of seventy per cent (70%); and
    d. Restructuring the law to clearly address the issues of partnerships between local and foreign investors.

Reasons for Change in Career

23. He informed the Committee that his decision to quit politics is informed by the fact that he has made his contribution as a politician and particularly as a Member of Parliament for fourteen (14) years including serving as a Senator in the current Parliament. He further added that his passion in the energy sector saw him undertake research on factors affecting geothermal production, some of which include lack of adequate resources and a proper legislative framework. He is keen to take a leading role to improve the Energy and Petroleum Ministry and the sector in general.

Challenges facing the Energy Sector and Issues to address in 100 days

24. He informed the Committee that the sector is experiencing funding challenges which if appointed, he will leverage on the Public –Private Partnership (PPP) and Build-Operate-Transfer (BOT) concepts among others to ensure increased investment in the sector. He will also seek to address the high power tariffs and alongside the ever fluctuating cost of fuel.

25. In the first 100 days of his appointment, he indicated that his priority will be reduction of high costs of fuel and LPG gas by addressing challenges arising from lack of storage facilities in Mombasa and between Mombasa and Nairobi. Further, he added that it will be critical to review the legal framework underpinning the Energy Regulatory Commission so as to streamline its operations while at the same time reviewing the Open Tender System in fuel acquisition.

MIN.NO. 103/2015: VETTING OF DR. CLEOPA K. MAILU, CABINET SECRETARY NOMINEE, MINISTRY OF HEALTH

Dr. Cleopa Kilonzo Mailu, Cabinet Secretary nominee, Ministry of Health appeared before the Committee on Friday 11th December, 2015 at 12.00 pm and was orally interviewed under Oath pursuant to the provisions of the Constitution of Kenya, the Public Appointments (Parliamentary Approvals) Act, Cap. 136 and the Standing Orders of the National Assembly.

The nominee presented as follows, both orally and in writing: -

Date and Place of Birth

1. He is a Kenyan citizen born on 29th April 1956 in Machakos District.

Academic and Professional Qualifications

2. He attended Kangundo High School and Friends School in Kamusinga where he attained East African School Certificate and East African Advanced Certificate of Education respectively.
3. He holds a Bachelors Degree in Medicine from the University of Nairobi (1984), Master of Science Degree in Medical Sciences (Genetics) from the University of Glasgow, United

Kingdom (1989) and Diploma in Advanced Management Programme from the Strathmore Business School/University of Navara (2007).

4. The nominee has attended several leadership and management courses and seminars including Strategic Leadership and Change Management Workshop for Directors of State Corporations (May 2010), Effective Management Seminar (April 1991) and Management of Public Enterprise Seminar (September 1990) all offered by the Kenya School of Government (formerly Kenya Institute of Administration).

Work Experience

5. He started his medical career at Kenyatta National Hospital in 1985 as a Casualty Manager/Quality Assurance Manager/Consultant Clinical Genetist (1985-1992) and between the years 1995 and 1999, he worked at Ministry of Health headquarters as a Director/National EPI Manager and Director, Health Sector Reform Programme.

6. He left Kenya's public health sector in the year 2000, where he worked for International Charity NGO in Nairobi as a Reproductive Health Advisor (2000 to 2003), Consultant for UNICEF and WHO (2001 -2003), Projects Officer for UNICEF in India (2003) and Chief Executive Officer of the Nairobi Hospital (2003 to date).

Honours and Awards

7. Dr. Mailu has been awarded the following honours/awards:
   a) International Who is Who of Professionals (2009);
   b) Distinguished Service Award – Kenya Medical Association (2008);
   c) Elder of the Order of the Burning Spear (E.B.S) (2006);
   d) Moran of the Order of Burning Spear (M.B.S) (2004);
   e) UNESCO Fellowship Scholarship – In Situ Ahybridization, Glasgow, UK (1991);and
   f) Scholarship for Masters Degree in Genetics sponsored by British Council Through Directorate of Personnel Management, Office of the President (1988).

Professional Affiliations

8. The nominee is a Member of the Kenya Medical Association, Gold Member of the University of Nairobi Alumni Association, Chairman of the University of Nairobi Alumni Association – Medicine Chapter, Member of the British Society of Human Genetics and Life Member of the Kenya Red Society.

9. He has also been a Director/Governing Council Member of the Kenya Private Sector Alliance (2011-2013), Council Member, Inoorero University (2009-2012), and Founding Chairman of the Kenya Healthcare Federation Board (2006-2007).

Published Writings

10. Dr. Mailu has published the following writings:

a) *Cost Attainment: The Key to Running Public Hospitals (2008)*

b) *Skills Drain: Applying Sound Employment Imperatives to Retain Nurses and Doctors in Hospitals (2005)*

c) *Lessons of the Bamako Initiative in Kenya (1997)*

d) *Female Surgical Contraception in Kenya – The Kenyatta National Hospital Experience (1989)*

Public Office(s) Previously Held

11. He has held the following public offices:

a) *Ag. Chairman, Global Fund Kenya (2013-2014)*

b) *Director, Federation of Kenya Employers (2004-2014)*

c) *Trustee, National Social Security Fund (2010-2013)*

d) *Council Chairman, Machakos University College (2012-2013)*

e) *National Chairman, Federation of Kenya Employers (2012-2013)*

f) *Director, National AIDS Control Council (2010-2012)*

g) *Director, National Labour Board (2010-2012)*

h) *Director, Consolidated Bank of Kenya (2007-2012).*

Income and Net Worth

12. The nominee does not envisage any deferred income or future benefits and does not have outside commitments he plans to pursue outside employment.

13. His main source of income in the preceding year is Kshs. 67,000,000 being salary from the Nairobi Hospital employment.

14. He estimates his net worth to be Kshs. 615,000,000 as at December 2015.

Potential Conflict of Interest

15. He declared that he currently does not have any persons or matter that would present a potential conflict of interest should he assume the position of Cabinet Secretary, Ministry of Health.

Pro-Bono/Charity Work

16. The nominee has contributed to charity work as follows:

a) *Member of Board of Governors – Friends School, Kamusinga (2012-2013)*

b) *Chairman, Board of Governors – Moi Girls Secondary School, Kibwezi (2005-2007)*

c) *Member, Board of Governors – Moi Girls Secondary School, Kibwezi (2002-2004)*

d) *Chairman and Member of Board of Governors, St. Mary's Girls High School, Kinyambu, Makueni (2001-2003)*

Integrity

17. The nominee has neither been charged in a court of law nor mentioned in any investigatory report of Parliament or any Commission of Inquiry in the last three years. He has also never been dismissed or otherwise removed from office for contravention of the provisions of Article 75 of the Constitution.

18. He has fully complied with his tax obligations to the State as confirmed by the Commissioner General, Kenya Revenue Authority in a letter to the Clerk of the National Assembly REF. CDT/HQ/54 dated 8th December 2015 and Tax Compliance Certificate No. KRASON2844412015 dated 2nd December 2015.

19. He cleared the loan owed to the Higher Education Loans Board (HELB) and was issued with a Certificate of Clearance No. 010077 dated 15th November 2007. The same position was confirmed by the Head of Research, Strategy and Planning of Higher Education Loans Board in a letter to the Clerk of the National Assembly, Ref. HELB/RD/56593 dated 8th December, 2015.

20. The Director of Criminal Investigations issued the nominee with a clean Police Clearance Certificate No. 260589 dated 13th July 2015.

21. In a letter Ref. EACC.7/10/5 VOL.II (3) dated 7th December 2015 to the Clerk of the National Assembly, the Chief Executive Officer of the Ethics and Anti-Corruption Commission confirmed to the Committee that there no outstanding issues or ongoing investigations against the nominee.

22. The nominee has also been cleared by the MetroPol Credit Reference Bureau via CRB Ref. NVY06Y1033U41YE dated 6th December 2015.

Endorsement by Medical Professionals

23. Following his nomination for appointment to the position of Cabinet Secretary, Ministry of Health, the nominee was endorsed and given a vote of confidence in writing by the following medical bodies: Kenya Medical Association (KMA), Kenya Medical Practitioners, Pharmacists and Dentists Union (KMPDU), Federation of Kenya Employers (FKE) and Association of Kenya Medical Laboratory Scientific Officers.

GENERAL AND SECTOR SPECIFIC QUESTIONS TO THE NOMINEE

The Committee posed several questions to the nominee on his knowledge of the Health sector and he responded as follows: -

Challenges facing Devolution of Health Services

24. The main reason devolution of health is facing numerous challenges is because it was undertaken without an existing legal framework. He, therefore, indicated that he intends to engage County Governments so that all parties can appreciate what devolution means in addition to ensuring that each level of Government understands its role in so far as health is concerned. The nominee also added that there is need to review the pending legislation to ensure that it addresses all the gaps.

Preventive Medicine

25. He will prioritize the allocation of additional resources to primary health care to address communicable diseases, vaccination services and curative and preventive services.

Improving Service Delivery at the Kenyatta National Hospital (KNH)

26. He proposed the following key strategies to improve service delivery at KNH:

a. The need to decongest the Hospital by improving the surrounding County health facilities especially in Nairobi County so that only referral cases requiring highly specialised attention are handled by KNH;
b. Put in place a clear referral mechanism;
c. Streamline procurement at the facility;
d. Review the legal framework which establishes KNH to determine the gaps in the constitution of the Hospital's Board; and
e. Review the KNH Board's strategic plan to determine if it is in line with Kenya's health strategy.

HIV/ AIDS and Tuberculosis Funding in the Country

27. Having served as Chairperson of the Committee on Global Fund in the Ministry of Health in 2013, there is need to review the innovative ways of raising funds locally for HIV/ AIDS including ensuring that the Government allocates adequate funds for HIV/AIDS management.

28. On issues of TB, he reiterated that the National government has a responsibility to oversee and set policies on cross cutting issues among them TB management, with clear cut boundaries on the role of each level of Government in TB management.

Welfare of Medical Personnel

29. The welfare of medical personnel is critical and the single most important ingredient for provision of health services. He further indicated the need to ensure the ability to train, sustain and maintain key personnel in the Country is enhanced. This function cannot be left

to the Counties only. While further addressing the issue of brain drain of health workers, he added that better working conditions is the ultimate solution.

30. On reducing the high cost of healthcare services, he added that the factors contributing to high cost of healthcare services may be attributed to the procurement mechanisms. As such, he proposed the need to engage with private and mission healthcare providers. He further added that the County Governments ought to be assisted to understand the needs of the health worker so as to reduce the ever increasing industrial conflict between the health workers and County Governments.

Managed Equipment Services Vis-à-vis Direct Purchase of Medical Equipment

31. Leasing of medical equipment is a concept that is gaining momentum in several jurisdictions including South Africa where a service level agreement is signed and equipment is paid for according to utilization. However, he added that the success of such a framework will depend on the preparedness of health workers in terms of training and skills to operate the equipment and that there is need for continuous consultation and consensus in handling the matter.

Universal Health Coverage (UHC)

32. He underscored the importance of reforming the National Hospital Insurance Fund (NHIF) to provide universal healthcare and ensure access to quality healthcare.

Capacity of Kenya Medical Supplies Authority (KEMSA) to Supply Medicines & Medicaments

33. He is of the opinion that there is need to review legislation on importation of drugs. While acknowledging the good intention with which KEMSA was established, which was to guarantee and standardize quality of medicines, he admitted that there seems to be a challenge preventing County Governments from utilising the pull system in requisitioning for medicines and other medicaments from KEMSA. As such, he will work towards ensuring that the situation is improved.

Establishment of Referral Facilities in Each of the 47 Counties

34. In his view, the establishment of forty-seven (47) referral health facilities ought to be a long-term goal. He indicated that bearing in mind that the referral centres offer specialised services, this may be a challenge to the sector given the capacity in terms of health personnel. He reiterated the need to build capacity for County governments.

Right to Emergency Care in line with Art 43 (2) of the Constitution

35. He informed the Committee that access to emergency care is a right in line with Article 43(2) of the Constitution. However, there need for legislation that will among other things define emergency care, explain how it can be accessed and most importantly provide for the resources to support the service through a fund.

Matters raised in the Affidavit by deponent Mr. Joseph Gituru Mahugu.

36. He confirmed that the deponent is a former employee of the Nairobi Hospital who was sacked in 2013 following misappropriation of funds involving fifteen cashiers at the Hospital. The nominee informed the Committee that due process was followed in handling the matter as follows:

a. He was issued with a show cause letter following investigations and audit in 2013;
b. He appeared before the Disciplinary Committee which recommended his dismissal; and
c. He appealed before the Appeal Committee which affirmed the Disciplinary Committee's decision.

MIN. NO.104/2015: ADJOURNMENT

The meeting was adjourned at ten minutes to two o'clock until half past two o'clock in the afternoon, same venue.

SIGNED.....

THE HON. JUSTIN B.N. MUTURI, EGH, MP
SPEAKER OF THE NATIONAL ASSEMBLY
(CHAIRPERSON)

DATE..... 14th December, 2015