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THE NATIONAL ASSEMBLY

THIRTEENTH PARLIAMENT – SECOND SESSION – 2023

DIRECTORATE OF DEPARTMENTAL COMMITTEES
DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS

REPORT ON THE APPROVAL HEARING OF DR. DAVID OGINDE, NOMINEE FOR APPOINTMENT AS CHAIRPERSON OF THE ETHICS AND ANTI-CORRUPTION COMMISSION (EACC).

 THE NATIONAL ASSEMBLY	
DATE: 18 APR 2023	
TUESDAY	
TABLED BY:	Chairperson, Justice & Legal Affairs committee Hon. Gibonga Murugara, MP
CLERK-AT-THE-TABLE:	A. Shubuko

CLERK'S CHAMBERS
DIRECTORATE OF DEPARTMENTAL COMMITTEES
PARLIAMENT BUILDINGS
NAIROBI

APRIL, 2023

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LIST OF ABBREVIATIONS AND ACRONYMS

H.E.	-	His Excellency
KRA	-	Kenya Revenue Authority
EACC	-	Ethics and Anti-Corruption Commission
DCI	-	Directorate of Criminal Investigations
HELB	-	Higher Education Loans Board
ORPP	-	Office of the Registrar of Political Parties
PAPAA	-	Public Appointments (Parliamentary Approval) Act
UDA	-	United Democratic Alliance
ODM	-	Orange Democratic Movement
WDM	-	Wiper Democratic Movement
MCCP	-	Maendeleo Chap Chap Party
PSC	-	Public Service Commission

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CHAIRPERSON'S FOREWORD

This report contains the proceedings of the Departmental Committee on Justice and Legal Affairs during the approval hearing of Dr. David Adang Oginde, nominee for appointment as the Chairperson of the Ethics and Anti-Corruption Commission (EACC) as forwarded by H.E. the President and communicated to the House by the Speaker on Wednesday 15th March, 2023.

Pursuant to Section 10 of the EACC Act, 2011, the Head of Public Service vide a letter of Ref. No. OP/CAB.1/12A dated 19th January, 2023 declared the Office of the Chairperson of the Ethics and Anti-Corruption Commission vacant. Consequently, the PSC placed an advertisement in the print media and its website on 20th January, 2023 inviting applications from qualified persons for nomination to the Office.

In the exercise of his powers conferred by Article 250 (2) (c) of the Constitution, Section 11(2) of the Ethics and Anti-Corruption Commission Act, 2011 as read together with Sections 3 and 5 of the Public Appointments (Parliamentary Approval) Act 2011, H.E. The President vide his Message, No. 5 of 2023, notified the National Assembly of the nomination of Dr. David Adang Oginde as Chairperson of Ethics and Anti-Corruption Commission. The Rt. Hon Speaker vide Communication No. 007 of 2023 made on Wednesday 15th March, 2023 conveyed to the House the Message from H.E. the President and subsequently referred the name of the nominee, his *Curriculum Vitae*, and the Report of the Public Service Commission on the nominee's recruitment to the Departmental Committee on Justice and Legal Affairs for approval hearing. While referring the matter to the Committee, the Speaker directed that the Committee undertakes the vetting exercise within twenty-eight (28) days pursuant to Section 8 of the Public Appointments (Parliamentary Approval) Act, 2011. The Rt. Hon. Speaker further directed the Clerk of the National Assembly to notify the nominee and the general public of the time and place of holding the approval hearing, by placing advertisements in two newspapers of nationwide circulation and the Parliamentary Website.

In compliance with Article 118 (b) of the Constitution and Section 6 (4) of the Public Appointments (Parliamentary Approval) Act, 2011, the Clerk of the National Assembly placed an advertisement in the print media on Thursday 23rd March, 2023 informing the public of the nomination, date, time and place of the approval hearing. He invited the public to submit memoranda by way of written statements on oath (*affidavit*) on the suitability of the nominee in conformity with section 6 (9) of the Public Appointments (Parliamentary Approval) Act, 2011. The memoranda were to be received on or before Monday 3rd April, 2023 at 5.00 p.m. (East African Time). By the close of the submission deadline, the Committee had not received any memorandum against the nominee's suitability.

The Clerk of the National Assembly also wrote to the Kenya Revenue Authority (KRA), Ethics and Anti-Corruption Commission (EACC), Directorate of Criminal Investigations (DCI), Higher Education Loans Board (HELB) and Office of the Registrar of Political Parties (ORPP) seeking references and background checks relating to the suitability of the nominee.

The nominee appeared before the Committee on Wednesday 5th April, 2023 for the approval hearing. The Committee examined his suitability based on the criteria set out in section 7 of the Public Appointments (Parliamentary Approval) Act, 2011. In addition, the Committee examined his academic credentials, relevant experience, knowledge of sector issues and on leadership and integrity. The Committee paid due regard to the procedure used to arrive at the nominee, the constitutional or statutory requirements relating to the office in question and the suitability of the nominee for the appointment proposed having regard to whether the nominees' abilities, experience and qualities meet the needs of the State Department.

Report of the Departmental Committee on Justice and Legal Affairs on the Approval Hearing of the Nominee for Appointment as Chairperson of the Ethics and Anti-Corruption Commission

Committee Recommendation

The Committee, having held the approval hearing of the nominee regarding his suitability, observed that due process was followed on the recruitment process as provided for under Section 10 of the Ethics and Anti-corruption Act, 2011 and Sections 3 and 5 of the Public Appointments (Parliamentary Approval) Act, 2011. The Committee, therefore, recommends that the National Assembly **approves** the nomination of Dr. David Adang Oginde for appointment as Chairperson of the Ethics and Anti-Corruption Commission.

Acknowledgements

The Committee registers its appreciation to the Office of the Speaker, Office of the Clerk of the National Assembly, Office of the Director of Departmental Committees and the Committee Secretariat for the logistical support extended during the approval hearing process.

In addition, the Committee thanks the nominee for his cooperation during the Parliamentary approval hearing process. Finally, the Committee appreciates KRA, EACC, DCI, HELB and ORPP for providing references and background checks relating to the suitability of the nominee.

I acknowledge and appreciate Members of the Committee for their patience, sacrifice and commitment which enabled the Committee to complete the task within the required timelines.

On behalf of the Departmental Committee on Justice and Legal Affairs, and pursuant to Section 10 (3) of the Ethics and Anti-corruption Act, 2011, Sections 3 and 5 of the Public Appointments (Parliamentary Approval) Act, 2011 and provisions of Standing Orders 45 (1), it is my pleasure to present the Report of the Committee on the Approval Hearing of Dr. David Adang Oginde, Nominee for Appointment as Chairperson of the Ethics and Anti-Corruption Commission for debate and adoption by the House.

Hon. Murugara George Gitonga, MP
Chairperson, Departmental Committee on Justice and Legal Affairs



1 PREFACE

1.1 Establishment and Mandate of the Committee

1. The Departmental Committee on Justice and Legal Affairs is one of twenty departmental committees of the National Assembly established under **Standing Order 216** whose mandate pursuant to the **Standing Order 216 (5)** is as follows:

- i. To investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned ministries and departments;*
- ii. To study the programme and policy objectives of ministries and departments and the effectiveness of the implementation;*
- iii. To, on a quarterly basis, monitor and report on the implementation of the national budget in respect of its mandate;*
- iv. To study and review all legislation referred to it;*
- v. To study, assess and analyse the relative success of the ministries and departments as measured by the results obtained as compared with their stated objectives;*
- vi. To investigate and inquire into all matters relating to the assigned ministries and departments as they may deem necessary, and as may be referred to them by the House;*
- vii. To vet and report on all appointments where the Constitution or any law requires the National Assembly to approve, except those under Standing Order 204 (Committee on Appointments);*
- viii. To examine treaties, agreements and conventions;*
- ix. To make reports and recommendations to the House as often as possible, including recommendations of proposed legislation;*
- x. To consider reports of Commissions and Independent Offices submitted to the House pursuant to the provisions of Article 254 of the Constitution; and*
- xi. To examine any questions raised by Members on a matter within its mandate.*

1.2 Mandate of the Committee

2. In accordance with the Second Schedule of the Standing Orders, the Committee is mandated to consider¹:-
 - b) The Judiciary;
 - c) Tribunals;
 - d) Access to Justice;
 - e) Public prosecutions;
 - f) Ethics, Integrity and Anti-corruption;
 - g) Correctional services;
 - h) Community service orders and witness protection;
 - i) Constitutional Affairs;
 - j) Sovereign immunity;
 - k) Elections including referenda;
 - l) Human rights;
 - m) Political parties;
 - n) The State Law Office' including insolvency, law reform, public trusteeship, marriages and legal education.
3. In executing its mandate, the Committee oversees the following Ministries/Departments:
 - a) State Department of Correctional Services
 - b) State Law Office and Department of Justice
 - c) The Judiciary
 - d) Judicial Service Commission
 - e) Office of the Director of Public Prosecutions
 - f) Ethics and Anti-Corruption Commission
 - g) Independent Electoral and Boundaries Commission
 - h) Commission on Administrative Justice
 - i) Office of the Registrar of Political Parties
 - j) Witness Protection Agency

¹ National Assembly Standing Orders

- k) Kenya National Commission on Human Rights
- l) Kenya Law Reform Commission
- m) Council of Legal Education

1.3 Committee Membership

4. The Departmental Committee on Justice and Legal Affairs was constituted by the House on 27th October, 2022 and comprises the following Members:

Chairperson

Hon. Murugara George Gitonga, MP
Tharaka Constituency

UDA Party

Vice-Chairperson

Hon. Mutuse Eckomas Mwengi, OGW, MP
Kibwezi West Constituency

MCCP Party

Members

Hon. Maalim Farah, MP
Dadaab Constituency

WDM-K

Hon. Francis Kajwang' Tom Joseph, MP
Ruaraka Constituency

ODM Party

Hon. Junet Mohamed, MP
Suna East Constituency

ODM Party

Hon. (Dr.) Otiende Amollo, SC, MP
Rarieda Constituency

ODM Party

Hon Onyiego Silvanus Osoro, MP
South Mugirango

UDA Party

Hon. Muchira Michael Mwangi, MP
Ol Jorok

UDA Party

Hon. Makali John Okwisia, MP
Kanduyi Constituency

FORD-Kenya

Hon. Muriu Wakili Edward, MP
Gatanga Constituency

UDA Party

Hon. Maina Jane Njeri, MP
Kirinyaga (CWR)

UDA Party

Hon. Gichohi Kaguchia John Philip, MP
Mukurweini Constituency

UDA Party

Hon. Mogaka Stephen M, MP
West Mugirango Constituency

Jubilee Party

Hon. Mohamed Aden Daud, EBS, MP
Wajir East Constituency

Jubilee Party

Hon. Siyad Amina Udgoon, MP
Garissa (CWR)

Jubilee Party

1.4 Committee Secretariat

5. The Committee is well-resourced and facilitated by the following staff:

Mr. Douglas Katho
Clerk Assistant I/Head of Secretariat

Mr. Ronald Walala
Senior Legal Counsel

Ms. Vivienne Ogega
Research Officer III

Mr. Stanley Lagat
Serjeant-At-Arms

Mr. Alvin Ochieng'
Research Officer III

Mr. Omar Abdirahim
Fiscal Analyst II

Ms. Faith Jully
Public Communications Officer III

Ms. Winnie Kiziah
Media Relations Officer II

Fridah Ngari
Media Relations Officer III

Mr. Shadrach Omondi
Legal Counsel II

Mr. Anthony Kariuki
Serjeant-At-Arms

Ms. Jael Ayiego Kilaka
Clerk Assistant III

Mr. Peter Mutethia
Audio Officer III

2 BACKGROUND INFORMATION

2.1 Legal Framework

6. Section 10 of the Ethics and Anti-Corruption Commission Act, 2011 provides for the procedure of appointment as chairperson of the Commission. It stipulates that:

“(1) Whenever a vacancy arises in the membership of the Commission, the Public Service Commission shall, within fourteen days—

(a) invite applications from persons who qualify for nomination and appointment by advertisement in at least two daily newspapers of national circulation;

(b) consider the applications received to determine their compliance with the provisions of the Constitution and this Act;

(c) shortlist the applicants;

(d) conduct interviews of the shortlisted persons in public;

(e) shortlist three qualified applicants for each vacancy; and

(f) forward the names of the qualified persons to the President.

(2) The President shall, within fourteen days of receipt of the names of successful applicants forwarded under subsection (1)(f), select the person to fill the vacancy in the Commission and forward the name of the person to the National Assembly for approval.

(3) The National Assembly shall, within twenty-one days of the day it next sits after receipt of the name of an applicant under subsection (2), vet and consider the applicant, and may approve or reject applicants for any or all vacancies in the Commission.”

7. In light of this, H.E. The President nominated Dr. David Adang Oginde for appointment as Chairperson of EACC.

8. The Departmental Committee on Justice and Legal Affairs was assigned the role of conducting the approval hearing of the aforesaid nominee.

9. The Committee was guided by the following provisions of the Constitution and statutes in executing its assignment:

i. Article 10 of the Constitution on the national values and principles of governance;

- ii. Chapter 6 of the Constitution on leadership and integrity;
- iii. Article 77 of the Constitution on restriction on activities of State Officers;
- iv. Article 78 of the Constitution on dual citizenship;
- v. Article 118 of the Constitution on public participation;
- vi. Article 124(4) of the Constitution on consideration of persons for appointment to public office;
- vii. Article 232 of the Constitution on values and principles of public service;
- viii. The Public Appointments (Parliamentary Approval) Act (No. 33 of 2011);
- ix. The Leadership and Integrity Act (Cap. 182);
- x. The Ethics and Anti-Corruption Commission Act (No. 22 of 2011); and
- xi. The Public Officer Ethics Act (Cap. 183).

2.2 Notification of Nomination

10. Pursuant to Section 10 (1) of the Ethics and Anti-Corruption Commission Act, 2011, the Public Service Commission invited applications from suitably qualified persons for the position of Chairperson of the EACC. The advertisement was published in the print media, and on the Public Service Commission's Website on 20th January, 2023 with a closing date of 2nd February, 2023. A total of eighty-nine (89) applications were made, of which fourteen (14) candidates were shortlisted and interviews conducted on the 27th and 28th February, 2023 at Commission House.
11. Consequently, a list of three (3) successful candidates was transmitted to H.E. the President by the Public Service Commission and on 13th March, 2023, H.E. The President nominated Dr. David Adang' Oginde for appointment as the Chairperson of the EACC.
12. The Public Service Commission vide its Report (*Annexure 3*) noted that it adhered to all provisions of the Constitution in the process of advertising, shortlisting and interviewing the candidates including, merit, gender, ethnic and regional balance.

2.3 Message from H.E. the President

13. H.E. the President on 13th March, 2023 communicated the name of the nominee for appointment to the position of Chairperson of the EACC to the Speaker of the National Assembly for approval by the House pursuant to Article 250 (2)(b) of the Constitution as read with Section 10(2) of the Ethics and Anti-Corruption Commission Act, 2011.

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14. The Rt. Hon. Speaker in his Communication issued on Wednesday 15th March, 2023 and pursuant to Standing Order No. 42 referred the name of the nominee to the Departmental Committee on Justice and Legal Affairs to conduct approval hearings and submit its report within twenty-eight (28) days.

2.4 Notification to the House and Referral to the Departmental Committee on Justice and Legal Affairs

15. Pursuant to the provisions of Standing Order 42(1), the Speaker, vide Communication No. 007 of 2023 dated **Wednesday 15th March, 2023**, informed the House of the Message from H.E. the President regarding the nomination of the Chairperson of the EACC for approval by the National Assembly.

16. Pursuant to section 8(1) of the Public Appointment (Parliamentary Approval) Act, 2011 and Standing Order 45(1), the name and curriculum vitae of the nominee were referred to the Departmental Committee on Justice and Legal Affairs for approval hearing and reporting to the House on or before Tuesday 11th April, 2023.

17. While referring the matter to the Committee, the Speaker directed that the Committee undertakes the approval process within twenty-eight (28) days pursuant to Section 8 of the Public Appointments Parliamentary Approval Act, 2011. The Speaker further directed the Clerk of the National Assembly to notify the nominee and the general public of the time and place of holding the approval hearing.

2.5 Notification to the Public

18. Article 118 of the Constitution provides that Parliament shall facilitate public participation and involvement in the legislative business and other business of Parliament and its Committees.

19. Section 6(4) of the Public Appointments (Parliamentary Approval) Act, 2011 provides that the clerk shall notify the public of the time and place for holding an approval hearing at least seven days before the hearing.

20. Further, Section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011 provides that *“any person may, prior to the approval hearing, and by written statement on oath, provide the Clerk with evidence contesting the suitability of a candidate to hold the office to which the candidate has been nominated”*.

21. Pursuant to Article 118 of the Constitution as read together with Section 6(4) of the Public Appointments (Parliamentary Approval) Act, 2011, the Clerk of the National Assembly placed an advertisement in the print media on **Thursday 23rd March, 2023** inviting the public to submit memoranda by way of written statements on oath (affidavits) on the suitability or otherwise of the nominee in conformity with Section 6(9) of the Act. The advertisement indicated that the submissions were to be received by Monday 3rd April, 2023 at 5.00 pm (East African Time). At the close of the submission deadline, the Committee had not received any memorandum for or against the suitability of the nominee.
22. Further, pursuant to Article 118 of the Constitution, Section 6(4) of the Public Appointment (Parliamentary Approval) Act, 2011 and provisions of Standing Order 45(3), the Clerk of the National Assembly placed advertisements in the local dailies notifying the general public and inviting the nominee to attend an approval hearing on Wednesday 29th March, 2023 in the Mini Chamber at county Hall at 10.00am. Through an addendum published on Thursday 23rd March, 2023, the date of the approval hearing was changed to **Wednesday 5th April, 2023** in the Mini-Chamber at County Hall at 10.00am.

2.6 Notification to the Nominee

23. The Clerk of the National Assembly vide the advertisement placed in the print media and letter Ref. NA/DDC/JLAC/2023/029 dated 27th March, 2023 invited the nominee for the approval hearing in accordance with Section 6(3) of the Public Appointments (Parliamentary Approval) Act, 2011.

2.7 Clearance and Compliance Requirements

24. On 22nd March, 2023, the Clerk of the National Assembly vide letters of Ref No. NA/DDC/JLAC&SP/VETT/2023/001,NA/DDC/JLAC/VETT/2023/002,NA/DDC/JLAC&S P/VETT/2023/003,NA/DDC/JLAC/VETT/2023/004, NA/DDC/JLAC/VETT/2023/005 wrote to DCI, EACC, HELB, KRA and ORPP requesting for reports concerning the nominee on the following matters:
- a) Criminal records;
 - b) Ethics and integrity;
 - c) Higher education loan repayments;
 - d) Tax compliance; and

e) Political party affiliations.

25. The following institutions wrote back to the National Assembly clearing the nominee: DCI vide letter Ref No. CI/CRO/SEC/6/7/2/A/VOL.XII/90 dated 28th March, 2023; EACC vide letter Ref No. EACC.7/10/5 VOL XXII (183) dated 27th March, 2023; HELB vide letter Ref No. HELB/RR/112009/22/211 dated 14th April, 2023; KRA vide letter Ref No. KRA/5/1002/5(8557) dated 29th March, 2023; and ORPP vide letter Ref No. RPP/ORG/34 VOL. IV (64) dated 24th March, 2023.

2.8 Issues for Consideration during the Approval Hearings

26. Section 6(7) and (8) of the Public Appointment (Parliamentary Approval) Act, 2011 provides that:

(7) An approval hearing shall focus on a candidate's academic credentials, professional training and experience, personal integrity and background.

(8) The criteria specified in the Schedule shall be used by a Committee during an approval hearing for the purposes of vetting a candidate.

27. In addition, Section 7 of the Act stipulates the issues for consideration as:

a) The procedure used to arrive at the nominee;

b) Any constitutional or statutory requirements relating to the office in question; and

c) The suitability of the nominee for the appointments 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.

28. While conducting the approval hearing, the Committee was guided by the provisions of Section 6(7) and (8) and Section 7 of the Public Appointments (Parliamentary Approval) Act, 2011.

a) Procedure for Nomination

29. Section 10 (2) of the Ethics and Anti-Corruption Commission Act, 2011 confers upon the President the power to nominate a person for appointment from a list of persons recommended by the Public Service Commission.

30. Section 5(1) of the Public Appointment (Parliamentary Approval) Act, 2011 further requires that the appointing authority, upon nominating a person for appointment, notifies the relevant House of Parliament.

31. In light of this, pursuant to Section 10(2) of the Ethics and Anti-Corruption Commission, 2011 as read together with Section 5(1) of the Public Appointments (Parliamentary Approval) Act, 2011, the President notified the National Assembly of the nomination of Dr. David Adang' Oginde for appointment to the Office of Chairperson of the EACC.

b) Constitutional and Statutory Requirements

32. The Committee was guided by the following provisions of law which act as a guide on the requirements for appointment to the State Office:

i. National Values and Principles of Governance

33. Article 10 of the Constitution provides for the national values and principles of governance which State Officers must abide by in discharging their mandate. They include: patriotism; national unity; sharing and devolution of power; the rule of law; democracy and participation of the people; human dignity; equity; social justice; inclusiveness; equality; human rights; non-discrimination and protection of the marginalized; good governance; integrity; transparency and accountability; and sustainable development.

ii. Conduct of State Officers

34. Article 77 of the Constitution outlines that a full-time State officer must not participate in any other gainful employment and that any appointed State officer must not hold office in a political party.

35. Moreover, the Constitution under Article 78 further stipulates that a State officer must not hold dual citizenship but instead shall be a citizen of Kenya only.

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

37. The Public Officer Ethics Act, Cap 183 outlines the obligations of a public officer as: professionalism; carrying out duties in accordance with the law; prohibition from unjust enrichment; avoiding conflict of interest; not using the office as an avenue for soliciting or collecting harambees; not acting for foreigners; care of property; political neutrality, not practising nepotism or favouritism; giving impartial advice; conducting private affairs in a way that maintains public confidence; bar from sexual harassment; submission of a declaration of income, assets and liabilities once every two years.

iii. Qualifications for Appointment as EACC Chairperson

38. Section 5 of the Ethics and Anti-Corruption Commission Act provides for the qualifications for appointment as chairperson of the Commission. It states as follows:

“ 5. Qualifications for appointment as chairperson or member

(1) A person shall be qualified for appointment as the chairperson if that person—

(a) meets the requirements of Chapter Six of the Constitution;

(b) holds a degree from a university recognized in Kenya;

(c) has knowledge and experience of not less than fifteen years in any of the following fields—

(i) ethics and governance;

(ii) law;

(iii) public administration;

(iv) leadership;

(v) economics;

(vi) social studies;

(vii) audit;

(viii) accounting;

(ix) fraud investigation;

(x) public relations and media; or

(xi) religious studies or philosophy; and

(d) has had a distinguished career in their respective field.

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

(a) meets the requirements of Chapter Six of the Constitution.

(b) holds a degree from a University recognized in Kenya;

(c) has knowledge and experience of not less than ten years in any of the following fields—

(i) ethics and governance;

(ii) law;

(iii) public administration;

(iv) leadership;

(v) economics;

(vi) social studies;

(vii) audit;

(viii) accounting;

(ix) fraud investigation;

(x) public relations and media; or

(xi) religious studies or philosophy; and

(d) has had a distinguished career in their respective field.

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

(a) is a member of a governing body of a political party;

(b) is an undischarged bankrupt;

(c) has been convicted of a felony; or

(d) has been removed from public office for contravening the provisions of the Constitution or any other law.

(4) Subsection (3)(a) shall cease to apply to a person after two general elections have been held since the person ceased to hold such office.”

iv. Leadership and Integrity

39. The Committee, in determining the suitability of the nominee, was also guided by Section 5 of the Ethics and Anti-Corruption Commission Act, 2011 as read with the provisions on leadership and integrity as stipulated under Chapter Six of the Constitution and the Leadership

and Integrity Act, 2012. In particular, Article 73(2) of the Constitution provides that the guiding principles of leadership and integrity include:

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

40. Article 75 of the Constitution requires a State Officer, whether in public or private life to behave in a manner that avoids conflict between personal interest and public official duties. This Article further prohibits a State Officer who has been removed from office under it from holding any other State Office.

41. Article 77(1) of the Constitution prohibits a full-time State Officer from participating in any other gainful employment.

42. Article 77(2) of the Constitution prohibits an appointed State officer from holding office in a political party. Article 78 of the Constitution disqualifies persons who are not Kenyan Citizens from appointment as State Officers. Further, a State Officer is barred from holding dual citizenship.

43. In addition, the Committee considered Section 10 of the Leadership and Integrity Act, 2012 in particular which provides that –

A State officer shall, to the best of their ability—

- (a) carry out the duties of the office efficiently and honestly;*
- (b) carry out the duties in a transparent and accountable manner;*
- (c) keep accurate records and documents relating to the functions of the office; and*
- (d) report truthfully on all matters of the organization which they represent.*

c) Suitability of the nominee for the proposed appointment having regard to whether the nominee's abilities, experience and qualities meet the needs of the body to which the nomination is made

44. The suitability of the nominee was assessed after scrutiny of his background, academic credentials and professional qualifications, work and professional experience, personal integrity as well as his performance during the approval hearing conducted on Wednesday 5th April, 2023.

3 APPROVAL HEARING

45. The Committee conducted an approval hearing for the nominee on Wednesday 5th April, 2023 and was guided by, among others, the Ethics and Anti-Corruption Commission Act, 2011, the Public Appointments (Parliamentary Approval) Act, 2011 and the National Assembly Standing Orders.

3.1 Approval Hearing of Dr. David Adang Oginde – Nominee for EACC Chairperson

46. Dr. David Adang Oginde appeared before the Committee and was orally interviewed by the Committee to examine his suitability or otherwise. The Committee noted the following:

Personal Background

47. The nominee is a male Kenyan citizen of Identification Card Number 5334523 and does not hold any other citizenship. He was born on 10th November, 1959.

Academic and Professional Qualifications

48. The nominee holds a Doctorate of Philosophy in Organizational Leadership from The Regent University USA; Master of Arts in Leadership from the Pan Africa Christian University; a Certificate in Professional Mediation from the Pan Africa Christian University; a Postgraduate Certificate in Biblical Studies from the Trinity International University USA and a Bachelor of Architecture from the University of Nairobi.

Work and Professional Experience

49. The nominee has worked in the following capacities:

- a) as Founder and President of The Catalead Associates Ltd from 2020 to date;
- b) as a Director for Administration, Senior Pastor, Deputy Bishop and Presiding Bishop of Christ is the Answer Ministries (CITAM) from 1997 to 2020; and
- c) as Bible Study Secretary and National Director of the Fellowship of Christian Unions (FOCUS) from 1986 to 1997.

Professional Associations

50. The nominee submitted that he is a member of the Hesabika Trust, Global Kingdom Partnership Network, Africa Arise and the Association of Evangelicals in Africa.

Honours and Awards

51. The nominee indicated that he was awarded Runner Up, CEO of the Year in 2016 as well as the Champions of Governance Award.

Published Writing

52. The nominee has published six books and various articles in The Standard local newspaper.

Public Office, Political Activities and Affiliations

53. The nominee submitted that he has held the following public offices:

- a) Member of the National Parenting Taskforce, Evangelical Alliance of Kenya Representative from 2022 to date;
- b) Council Chairperson of Mama Ngina University College from December 2021 to date; and
- c) Member of the IEBC selection Panel in 2016.

54. The nominee submitted that he has never been an official of any political party nor is he a member of any political party.

Potential Conflict of Interest

55. The nominee declared that he currently does not have any persons or matters that would present a potential conflict of interest should he assume the position of Chairperson of the EACC. He further informed the Committee that should such conflict arise he would declare the same in writing to the appointing authority in accordance with the law.

Sources of Income and Net-worth

56. The nominee estimated his net worth to be Kshs. 170 Million with the sources of income being training and consultancy services of Kenya Shillings Three Million (Kshs. 3,000,000) and rental income of Kenya Shillings Four Million and Eight Hundred Thousand (Kshs. 4,800,000) for the calendar year preceding his nomination to this Office. He added that for the year 2023, his sources of income included training and consultancy services of Kenya Shillings Seven Hundred and Fifty Thousand (Ksh. 750,000) and rental income of Kenya Shillings One Million Four Hundred Thousand (Kshs. 1,400,000).

Pro-bono/Charity Work

Report of the Departmental Committee on Justice and Legal Affairs on the Approval Hearing of the Nominee for Appointment as Chairperson of the Ethics and Anti-Corruption Commission

57. The nominee is involved in charity work through the Evangelical Alliance of Kenya by donating his time and resources to the church and society. He also stated that he provides personal support to the church and church projects by donating between Kenya Shillings Four Hundred Thousand to Six Hundred Thousand (Kshs. 400,000-600,000) per year and individuals in need by donating approximately Six Hundred Thousand Kenya Shillings per annum (Kshs. 600,000 p.a).

Integrity

58. The nominee demonstrated integrity in public service. He has neither been charged in a court of law nor mentioned in any investigatory reports of Parliament or any Commission of Inquiry in the last three (3) years. Further, he has never been dismissed or otherwise removed from office for contravention of the provisions of Article 75 of the Constitution.

3.2 General and Sector-Specific Questions to Dr. David Adang' Oginde

59. The Committee posed several questions to the nominee on his knowledge of the Office of EACC Chairperson. The nominee responded as follows: -

On the harmonious working of the Commission and its Secretariat

60. The nominee underscored the need for a cohesive spirit between the Commission and its Secretariat. He informed the Committee that, if approved, he would ensure the distinct separation of roles of the two i.e. the governance role of the Commission and the management role of the Secretariat by providing direction, policies and principles significant to realising the Commission's mandate, vision and mission.

On safeguarding the Commission from political patronage

61. The nominee noted that promoting integrity is a collective effort that involves all Kenyans. He further stated that he would adopt an all-inclusive and participatory approach in which the general public and the private sector join hands to curb corruption. He emphasized that cultural change is significant to realizing a corruption-free society to end the weaponization of the war against corruption.

On his published works where he opined that there could be an inter-religious war in the country

62. The nominee clarified that in his article he was calling upon religious leaders to take up the mantle to address the intolerant attitude towards people of different faiths. He added that he is *Report of the Departmental Committee on Justice and Legal Affairs on the Approval Hearing of the Nominee for Appointment as Chairperson of the Ethics and Anti-Corruption Commission*

friends with various religious leaders and does not bear any ill feelings towards those who subscribe to a different religion. Furthermore, he noted that he was part of the Inter-Religious Council of Kenya in 2021 where he worked with various religious leaders of different faiths.

On pragmatic solutions to curb corruption

63. The nominee emphasized the need for cultural change in combating corruption. He stated that transforming the minds of Kenyans towards building an ethical society is vital in eradicating the vice and instead promoting integrity.
64. He also stressed he would adopt a zero-tolerance approach against corruption. He proposed that the timeframe taken to decide high-impact corruption cases be reduced and that such cases are decided expeditiously likening it to the time frame for Presidential Election Petitions.
65. He highlighted the significance of political goodwill in the fight against corruption and stated that he would work with other State officers to voluntarily lead by example by being champions for integrity. He emphasized their voluntariness as opposed to forcefulness as what, in his opinion, would yield better results.
66. The nominee also intimated to the Committee that while the Commission is mandated to combat corruption, it is also vested with the mandate to promote ethics and promote integrity and thus opined that he would focus more on promoting integrity by collaborating with the relevant agencies in the fight against corruption.

On what makes him fit for the Office

67. The nominee reiterated his deep concern and passion for the welfare of the country and an aim to make positive impactful change hence his application to be appointed to the Office of the EACC Chairperson. He added that out of his numerous publications, a considerable number were on corruption. Furthermore, he informed the Committee that he believed he could carry out and execute the responsibilities of the Office in his capacity, not only as a religious leader but also as a concerned and able Kenyan.

On whether there is a lacuna in existing legislation

68. The nominee stated that there is a lacuna to the extent that there is a multiplicity of roles in various institutions in combating corruption. He added that this weakens the fight against corruption and proposed that the mandate to deal with corruption issues exhaustively be limited

to one institution, the Commission, to ensure a seamless process from the investigation up until the conclusion of corruption allegations to seal the current loopholes that enable offenders to get away with corruption.

69. Citing Singapore as an example to emulate, he added that he would urge Parliament to amend the relevant legislation to make the Commission a one-stop shop for dealing with corruption issues.

On religious institutions being used as conduits for money-laundering

70. The nominee underscored that crime is unlawful and consequences for the same should apply to all regardless of who the culprits are. He stated that all monies received by religious institutions are meant for charity and must not be used for any other causes except that which they are meant for. He assured the Committee that, if approved, he would have zero tolerance for corruption and deal with all culprits in accordance with the law.

On poor investigation of corruption cases hence their unsuccessful prosecution

71. The nominee informed the Committee that it is vital that proper investigations be conducted before taking such cases to court to ensure the successful prosecution and conviction of offenders.
72. He further stated that he was of the view that undue regard to mere technicalities be overlooked in prosecuting corruption cases and instead due regard paid to the substantive issues.

On the top-down approach to fighting against corruption

73. The nominee believed that leaders are ideal role models and that their seriousness in the fight against corruption will encourage other citizens to follow suit.

On whether there is an internal affairs department that polices police officers

74. The nominee reiterated the significance of a good checks and balances system within the police force by emphasizing the need for an internal self-checking mechanism to promote accountability.

On Alternative Dispute Resolution (ADR) mechanisms to curb corruption instead of imprisonment

75. The nominee noted that ADR is a good mechanism to curb corruption provided that the illegally acquired assets can be traced.

On whether he would be willing to step down if he was unable to make impactful change

76. The nominee stated that should he be unable to realize impactful change in the fight against corruption, he would willingly resign and allow another person the opportunity to serve Kenyans.

4 COMMITTEE OBSERVATIONS AND FINDINGS

77. Pursuant to Section 6(7) and (8) and Section 7 of the Public Appointments (Parliamentary Approval) Act, 2011, the Committee made the following observations with regard to the following issues for consideration:

4.1 Procedure for Nomination

78. Pursuant to Section 10 (2) of the Office of the Ethics and Anti-corruption Act, 2011, the Committee observed that the procedure used to arrive at the nominee was lawful and in compliance with the values and principles of public service under Article 232(1)(g) and (h) of the Constitution.

79. Further, the Committee found that the nominee was recommended to the President for appointment as required by the law.

4.2 Constitutional and Statutory Requirements

80. The Committee found as follows:

- a) That the nominee is a Kenyan citizen and is not a citizen of any other country and therefore meets the requirement of Article 78(1) of the Constitution;
- b) That the nominee, being a holder of a Bachelor's Degree in Architecture from The University of Nairobi, meets the requirements of Section 5(1)(b) of the Ethics and Anti-Corruption Commission Act, 2011.
- c) That the nominee has the requisite knowledge and experience of over fifteen years in leadership and social studies hence meets the requirements of Section 5(1)(c) of the Ethics and Anti-Corruption Commission Act.
- d) That the nominee demonstrated an aspiration for integrity in public service and thus meets the requirements of Chapter Six of the Constitution on leadership and integrity;
- e) The nominee, having been cleared by KRA, HELB, EACC, DCI, ORPP, with regard to tax compliance, higher education loan repayments, ethics and integrity, criminal records and political party affiliations has met the statutory requirements for appointment to the Office.

4.3 Suitability of the nominee for the proposed appointment having regard to whether the nominee's abilities, experience and qualities meet the needs of the body to which the nomination is made

81. The suitability of the nominee was assessed after scrutiny of his background, academic credentials and professional qualifications, work and professional experience, personal integrity as well as his performance during the approval hearing conducted on Wednesday 5th April, 2023 and the Committee observed that:

- a) The nominee possesses the relevant experience for the position of EACC Chairperson. The nominee is an active participant in public policy and public life and has written numerous scholarly articles on leadership and governance. A background in public policy and experience in public service are critical tools for any person discharging the role of the EACC Chairperson.
- b) The nominee exhibited great zeal and passion in the fight against corruption. He identified cultural change and imparting values as one of the key solutions in combating corruption.

5 COMMITTEE RECOMMENDATIONS

82. Having considered the suitability, capacity and integrity of the nominee, and pursuant to Section 10 (3) of the Ethics and Anti-Corruption Act, 2011 and Section 8(2) of the Public Appointments (Parliamentary Approval) Act, 2011, the Committee recommends that the National Assembly **approves** the appointment of **Dr. David Adang Oginde** to the position of Chairperson of the Ethics and Anti-Corruption Commission of the Republic of Kenya.

SIGNED.......... DATE.....*18. 4. 023*.....

HON. MURUGARA GEORGE GITONGA, MP
CHAIRPERSON
DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS

ANNEXURES

Annexure 1:

Adoption Schedule



THE NATIONAL ASSEMBLY
13TH PARLIAMENT – SECOND SESSION (2023)
JUSTICE AND LEGAL AFFAIRS COMMITTEE
ADOPTION SCHEDULE

AGENDA: Approval hearing for Bishop Dr. David Oginde, PhD the nominee for appointment to the position of the Chairperson, Ethics and Anti-Corruption Commission.

No.	HON MEMBER	SIGNATURE
1.	HON. MURUGARA GEORGE GITONGA, MP – <i>Chairperson</i>	
2.	HON. MUTUSE ECKOMAS MWENGI, MP – <i>Vice Chairperson</i>	
3.	HON. MAALIM FARAH, MP	
4.	HON. FRANCIS KAJWANG' TOM JOSEPH, MP	
5.	HON. JUNET MOHAMED, CBS, MP	
6.	HON. ONYIEGO SILVANUS OSORO, CBS, MP	
7.	HON. (DR.) OTIENDE AMOLLO, SC, MP	
8.	HON. MUCHIRA MICHAEL MWANGI, MP	
9.	HON. MAKALI JOHN OKWISIA, MP	
10.	HON. MURIU WAKILI EDWARD, MP	
11.	HON. MAINA JANE NJERI, MP	
12.	HON. GICHOHI KAGUCHIA JOHN PHILIP, MP	
13.	HON. MOGAKA STEPHEN M, MP	
14.	HON. ADEN DAUD, EBS, MP	

No.	HON MEMBER	SIGNATURE
15.	HON. SIYAD AMINA UDGOON, MP	

Submitted by: _____

Signature: _____

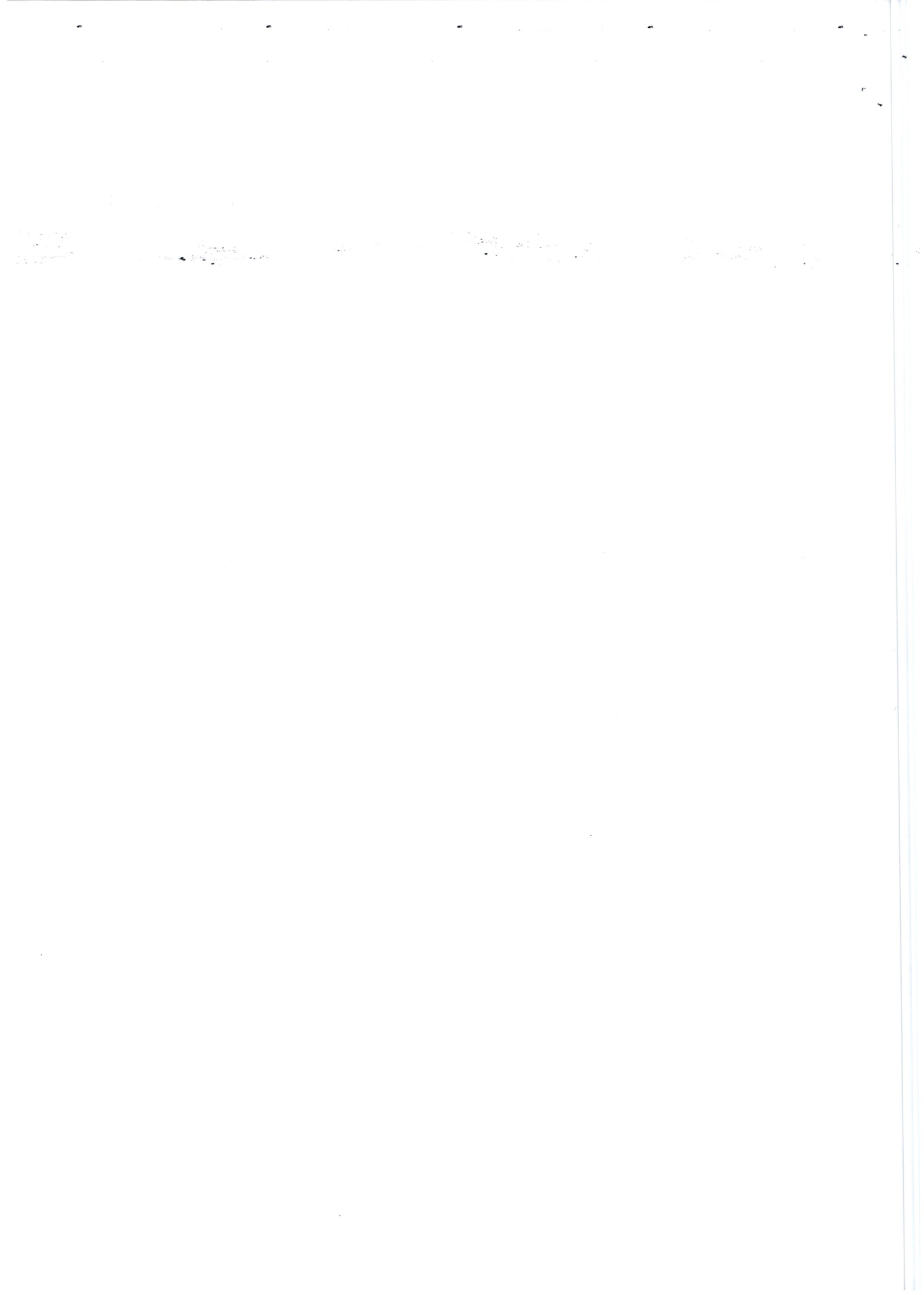
Clerk Assistant

Approved by: _____ Date: _____

DIRECTOR – DEPARTMENTAL COMMITTEES

Annexure 2:

Minutes





REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY

THIRTEENTH PARLIAMENT - SECOND SESSION - 2023

DIRECTORATE OF DEPARTMENTAL COMMITTEES

DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS

MINUTES OF THE 53RD SITTING OF THE JUSTICE AND LEGAL AFFAIRS
COMMITTEE HELD ON TUESDAY 18TH APRIL 2023 AT 10.00 A.M. AT FAIRMOUNT
THE NORFOLK HOTEL NAIROBI

PRESENT

Members

- | | |
|--|---------------------|
| 1. Hon. Murugara George Gitonga, MP | - Chairperson |
| 2. Hon. Mutuse Eckomas Mwengi, OGW, MP | - Vice- Chairperson |
| 3. Hon. Maalim Farah, MP | |
| 4. Hon. Onyiego Silvanus Osoro, CBS, MP | |
| 5. Hon. Gichohi Kaguchia John Philip, MP | |
| 6. Hon. Aden Daud, MP | |
| 7. Hon. Mogaka Stephen M, MP | |
| 8. Hon. Maina Jane Njeri, MP | |

ABSENT

1. Hon. Francis Kajwang' Tom Joseph, MP
2. Hon. Junet Mohamed, CBS, MP
3. Hon. (Dr.) Otiende Amollo, SC, MP
4. Hon. Makali John Okwisia, MP
5. Hon. Muriu Wakili Edward, MP
6. Hon. Muchira Michael Mwangi, MP
7. Hon. Siyad Amina Udgoon, MP

COMMITTEE SECRETARIAT

- | | |
|---------------------------|------------------------|
| 1. Mr. Douglas Katho | - Clerk Assistant I |
| 2. Mr. Sidney Lugaga | - Senior Legal Counsel |
| 3. Mr. Shadrach Omondi | - Legal Counsel |
| 4. Ms. Jael Ayiego Kilaka | - Clerk Assistant III |
| 5. Mr. Alvin Ochieng | - Research Officer III |

- | | | |
|-----------------------|---|----------------------|
| 6. Ms. Vivienne Ogega | - | Research Officer III |
| 7. Mr. Eugene Luteshi | - | Audio Officer III |
| 8. Mr. Stanley Lagat | - | Serjeant-At-Arms |

AGENDA

1. Prayers
2. Preliminaries
3. Matters arising
4. **Consideration and Adoption of the Report on the Approval hearing for Bishop Dr. David Oginde, PhD the Nominee for appointment to the position of the Chairperson, Ethics and Anti-Corruption Commission**
5. Any Other Business
6. Adjournment/ Date of the Next Meeting

MIN. NO/DC/JLAC/2023/269: PRELIMINARIES

The meeting was called to order at thirty minutes past ten o'clock by the Chairperson followed by a word of prayer from the Chairperson and thereafter Members of the Committee introduced themselves.

MIN.NO/DC/JLAC/2023/270: ADOPTION OF THE AGENDA

The following businesses pending was placed before the Committee and the Committee agreed to consider them as follows:

1. Regarding the message from H.E on the Two-Thirds Gender Rule and the Establishment of the Office of the Leader of Official Opposition, the Committee agreed to proceed with the matter once the debate in the House is concluded.
2. Regarding the Penal Code (Amendment) Bill (National Assembly Bill No. 56 of 2022) by Hon. David Gikaria, MP (Nakuru Town East), the Committee agreed to conduct public hearing on Tuesday 2nd May 2023
3. With regards to the Proposed Criminal Procedure Code (Amendment) Bill, 2023 by the Hon. Abdul R. Dawood, MP (Imenti North), the Committee agreed to proceed and write a report to tabled before the House.
4. Regarding the Proposed Law of Contract (Amendment) Bill, 2023 by the Hon. Simon King'ara, MP, the Committee agreed to hold a meeting on 20th April 2023 with Hon. Simon King'ara, MP, for pre-publication scrutiny and comments
5. Regarding the Proposed National Coroners Service (Amendment) Bill, 2023 by the Hon Julius Lekakeny Sunkuli, MP (Kilgoris), the Committee agreed to hold a meeting on 25th April 2023 with Hon Juilius Lekakeny Sunkuli for pre-publication scrutiny and comments
6. Regarding the Proposed Marriage (Amendment) Bill, 2022 by the Hon Francis Masara, MP (Suna West), the Committee agreed to hold a meeting on 20th April 2023 with Hon Francis Masara, MP for pre-publication scrutiny and comments
7. With regards to the treaty on the proposed Changes on the ratification process of agreements for the Elimination of Double Taxation, the Committee agreed to hold a meeting on 27th April 2023

The agenda was adopted having been proposed by Hon. Maina Jane Njeri, MP and seconded by Hon. Aden Daud, MP

MIN.NO/DC/JLAC/2023/271: CONFIRMATION OF MINUTES

The agenda was deferred.

MIN. NO/DC/JLAC/2023/272: CONSIDERATION AND ADOPTION OF THE REPORT ON THE APPROVAL HEARING FOR BISHOP DR. DAVID OGINDE, PHD THE NOMINEE FOR APPOINTMENT TO THE POSITION OF THE CHAIRPERSON, ETHICS AND ANTI-CORRUPTION COMMISSION

The Committee considered and unanimously adopted its report on the appointment of Bishop Dr. David Oginde, PhD for the position of the Chairperson, Ethics and Anti-Corruption Commission with the recommendation that the House approves the appointment of the nominee.

The adoption of the Report was proposed by Hon. Mutuse Eckomas Mwengi, MP and seconded by Hon. Mohamed Aden Daudi, MP

MIN.NO/DC/JLAC/2023/273: ADJOURNMENT

There being no other business, the meeting was adjourned at ten minutes past eleven o'clock and the next meeting shall be held on notice.

SIGNED:  DATE: 18.4.023
(CHAIRPERSON: HON. MURUGARA GEORGE GITONGA, MP)



REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY

THIRTEENTH PARLIAMENT - FIRST SESSION - 2022

DIRECTORATE OF DEPARTMENTAL COMMITTEES

DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS

MINUTES OF THE 46TH SITTING OF THE JUSTICE AND LEGAL AFFAIRS
COMMITTEE HELD ON 5TH APRIL, 2023 AT 10.00 A.M. IN THE MINI-CHAMBERS,
COUNTY HALL

PRESENT

Members

- | | |
|---|--------------------|
| 1. Hon. Murugara George Gitonga, M.P | - Chairperson |
| 2. Hon. Mutuse Eckomas Mwengi, M.P | -Vice- Chairperson |
| 3. Hon. Maalim Farah, M.P | |
| 4. Hon. Aden Daud, M.P | |
| 5. Hon. Gichohi Kaguchia John Philip, M.P | |
| 6. Hon. Makali John Okwisia, M.P | |
| 7. Hon. Muriu Wakili Edward, M.P | |
| 8. Hon. Mogaka Stephen M, M.P | |

ABSENT

1. Hon. Francis Kajwang' Tom Joseph, M.P.
2. Hon. Junet Mohamed, M.P.
3. Hon. (Dr.) Otiende Amollo, SC, M.P.
4. Hon. Onyiego Silvanus Osoro, M.P.
5. Hon. Maina Jane Njeri, M.P.
6. Hon. Muchira Michael Mwangi, M.P.
7. Hon. Siyad Amina Udgoon, M.P.

SECRETARIAT

- | | |
|-----------------------|------------------------|
| 1. Mr. Douglas Katho | - Clerk Assistant I |
| 2. Mr. Ronald Walala | - Senior Legal Counsel |
| 3. Mr. Abdirahim Omar | - Fiscal Analyst II |
| 4. Mr. Clive Onyancha | - Clerk Assistant III |
| 5. Mr. Alvin Ochieng' | - Research Officer III |
| 6. Ms. Vivienne Ogega | - Research Officer III |

- | | | |
|------------------------|---|-------------------------------|
| 7. Ms. Fridah Ngari | - | Media Relations Officer |
| 8. Mr. Peter Mutethia | - | Audio Officer |
| 9. Ms. Julie Faith | - | Public Communications Officer |
| 10. Mr. Stanley Lagat | - | Serjeant-At-Arms |
| 11. Mr. Antony Kariuki | - | Serjeant-At-Arms |

AGENDA

1. Prayers
2. Preliminaries
3. Confirmation of Minutes
4. Matters arising
5. **Approval hearing for Bishop Dr. David Oginde, PhD the Nominee for appointment to the position of the Chairperson, Ethics and Anti-Corruption Commission**
6. Any Other Business
7. Adjournment/ Date of the Next Meeting

MIN. NO/DC/JLAC/2023/234: PRELIMINARIES

The meeting was called to order at five minutes past eight o'clock by the Chairperson followed by a word of prayer from the Chairperson.

MIN.NO/DC/JLAC/2023/235: ADOPTION OF THE AGENDA

The agenda was adopted having been proposed by Hon. Muriu Wakili Edward M.P and seconded by Hon. Makali John Okwisia M.P

MIN. NO/DC/JLAC/2023/236: CONFIRMATION OF THE MINUTES OF THE PREVIOUS SITTING

Confirmation of the minutes of the 45th sitting held on 5th April, 2023 was deferred to the next sitting.

MIN. NO/DC/JLAC/2022/237: APPROVAL HEARING FOR BISHOP DR. DAVID OGINDE, PhD THE NOMINEE FOR APPOINTMENT TO THE POSITION OF THE CHAIRPERSON, ETHICS AND ANTI-CORRUPTION COMMISSION

Bishop Dr. David Oginde, the nominee for appointment to the position of the Chairperson, Ethics and Anti-Corruption Commission appeared before the Committee and submitted as follows:

On personal background, the nominee stated that he was a male adult, a Kenyan citizen residing in Nairobi County

On education qualifications, the nominee stated that he holds PhD in Organizational Leadership from Regent University, USA; Master of Arts in Leadership from Pan Africa

Christian University; Certificate in Professional Mediation from Pan Africa Christian University; Diploma in Management from Kenya Institute of Management; Post graduate certificate in Biblical studies from Trinity International University, USA; Bachelor of Architecture from University of Nairobi

On special engagements, the nominee stated that he is the founder and president of Catalead Associates Limited; member Global Steering Committee of the 4-14 Window Movement; Chairperson of the Pastors Track; member Global Steering Team of the Global Kingdom Partnership Network (GKPN); vice chairperson, Executive Board of the Association of Evangelicals in Africa (AEA); president, Association of Evangelical in Africa (AEA) East Africa region; Chairperson, Pentecostal Assemblies of Africa (PAOA)

On government engagements, the nominee stated that he is a member, Inter-faith Council on National Response to Covid -19 Pandemic; member, selection Panel for the Independent Electoral and Boundaries Commission (IEBC)

On church engagements, the nominee stated that he is the vice chairperson of the Association of Evangelicals in Africa; president of the East Africa region of the Association of Evangelicals in Africa; Chairman, Evangelical Alliance of Kenya; Vice chairman, Evangelical Alliance of Kenya; Trustee, Hesabika Trust; Chairperson the Kenya Church Taskforce

On teaching experience and employment, the nominee pointed out that he is the Chairperson, University Council, Mama Ngina University College; Chancellor at Pan Africa Christian (PAC) University; Lecturer, PhD Organizational Leadership at Pan Africa Christian University; Lecturer, Masters of Arts in Leadership at Pan Africa Christian University; Chairperson, Governing Council at Pan Africa Christian University; Adjunct Lecturer, Masters in Communication & leadership; Graduate Studies in Leadership Development and Management at Daystar University; Adjunct Lecturer, Graduate Studies, Biblical Foundations for Christian Service at Daystar University; Adjunct Lecturer, Church Administration and Leadership at Grace College

On work experience, the nominee pointed out that he served as the Christ is the Answer Ministries (CITAM) Presiding Bishop, 2010-2020; Deputy Bishop, 2009-2010; Senior Pastor, CITAM Karen and CITAM Valley Road, 2001-2009; Director for Administration, 1997-2001; National Director at Fellowship of Christian Unions (FOCUS), 1992-1997; Bible Study Secretary 1986-1992

On honours and awards, the nominee indicated that he was awarded Runner Up, CEO of the Year as well as the Champions of Governance Award.

On published writing, the nominee indicated that he had published six books and various articles in The Standard local newspaper.

On potential Conflict of Interest, the nominee declared that he currently does not have any persons or matters that would present a potential conflict of interest should he assume the position of Chairperson of the EACC. He further informed the Committee that should such conflict arise, he would declare the same in writing to the appointing authority in accordance with the law.

On the harmonious working of the Commission and its Secretariat, the nominee stated that, if approved, he would ensure the distinct separation of roles of the two i.e. the governance role of the Commission and the management role of the Secretariat by providing direction, policies and principles significant to realising the Commission's mandate, vision and mission.

On religious institutions being used as conduits for money-laundering, the nominee underscored that crime is unlawful and consequences for the same should apply to all regardless of who the culprits are. He stated that all monies received by religious institutions are meant for charity and must not be used for any other causes except that which they are meant for. He assured the Committee that, if approved, he would have zero tolerance for corruption and deal with all culprits in accordance with the law.

On safeguarding the Commission from political patronage, the nominee noted that promoting integrity is a collective effort that involves all Kenyans and that he would adopt an all-inclusive and participatory approach in which the general public and the private sector join hands to curb corruption. He emphasized that cultural change is significant to realizing a corruption-free society to end the weaponization against corruption.

On poor investigation of corruption cases hence their unsuccessful prosecution, the nominee informed the Committee that it is vital that proper investigations be conducted before taking such cases to court to ensure the successful prosecution and conviction of offenders. He further stated that he was of the view that undue regard to mere technicalities be overlooked in prosecuting corruption cases and instead due regard paid to the substantive issues.

On what makes him fit for the Office, the nominee reiterated his deep concern and passion for the good welfare of this country and an aim to make positive impactful change hence his application to be appointed to the Office of the EACC Chairperson. The nominee further stated that he believed he could carry out and execute the responsibilities of the Office in his capacity, not only as a religious leader but also as a concerned and able Kenyan.

On the top-down approach to fighting against corruption, the nominee stated that leaders are ideal role models and that their seriousness in the fight against corruption will encourage other citizens to follow suit.

On whether he would be willing to step down, the nominee stated that where impactful change in the fight against corruption is not realized, he would willingly resign and allow another person the opportunity to serve Kenyans.

On whether there is an internal affairs department that polices police officers, the nominee pointed out the significance of a good checks and balances system within the police force by emphasizing the need for an internal self-checking mechanism to promote accountability.

MIN. NO/DC/JLAC/2022/238: ADJOURNMENT

There being no other business, the meeting was adjourned at forty-five minutes past twelve o'clock. The next meeting will be held on notice

SIGNED:  DATE: 18.4.2023
(CHAIRPERSON: HON. MURUGARA GEORGE GITONGA, MP)





REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY

THIRTEENTH PARLIAMENT - FIRST SESSION - 2022

DIRECTORATE OF DEPARTMENTAL COMMITTEES

DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS

MINUTES OF THE 45TH SITTING OF THE JUSTICE AND LEGAL AFFAIRS
COMMITTEE HELD ON 5TH APRIL, 2023 AT 8.00 A.M. IN THE MINI-CHAMBER,
COUNTY HALL.

PRESENT

Members

- | | |
|---|---------------------|
| 1. Hon. Murugara George Gitonga, M.P | - Chairperson |
| 2. Hon. Mutuse Eckomas Mwengi, M.P | - Vice- Chairperson |
| 3. Hon. Maalim Farah, M.P | |
| 4. Hon. Aden Daud, M.P | |
| 5. Hon. Gichohi Kaguchia John Philip, M.P | |
| 6. Hon. Makali John Okwisia, M.P | |
| 7. Hon. Muriu Wakili Edward, M.P | |
| 8. Hon. Mogaka Stephen M, M.P | |

ABSENT

1. Hon. Francis Kajwang' Tom Joseph, M.P
2. Hon. Junet Mohamed, M.P
3. Hon. (Dr.) Otiende Amollo, SC, M.P
4. Hon. Onyiego Silvanus Osoro, M.P
5. Hon. Maina Jane Njeri, M.P
6. Hon. Siyad Amina Udgoon, M.P
7. Hon. Muchira Michael Mwangi, M.P

SECRETARIAT

- | | |
|-----------------------|---------------------------------|
| 1. Mr. Douglas Katho | - Clerk Assistant I |
| 2. Mr. Ronald Walala | - Senior Legal Counsel |
| 3. Mr. Abdirahim Omar | - Fiscal Analyst II |
| 4. Mr. Clive Onyancha | - Clerk Assistant III |
| 5. Mr. Alvin Ochieng' | - Research Officer III |
| 6. Ms. Vivienne Ogega | - Research Officer III |
| 7. Ms. Fridah Ngari | - Media Relations Officer |
| 8. Mr. Peter Mutethia | - Audio Officer |
| 9. Ms. Julie Faith | - Public Communications Officer |

10. Mr. Stanley Lagat - Serjent-At-Arms
11. Mr. Antony Kariuki - Serjeant-At-Arms

AGENDA

1. Prayers
2. Preliminaries
3. Confirmation of Minutes
4. Matters arising
5. **Pre-vetting meeting on the Approval hearing for Bishop Dr. David Oginde, PhD the nominee for appointment to the position of the Chairperson, Ethics and Anti-corruption Commission**
6. Any Other Business
7. Adjournment/ Date of the Next Meeting

MIN. NO/DC/JLAC/2023/229: PRELIMINARIES

The meeting was called to order at five minutes past eight o'clock by the Chairperson followed by a word of prayer from the Chairperson.

MIN.NO/DC/JLAC/2023/230: ADOPTION OF THE AGENDA

The agenda was adopted having been proposed by Hon. Muriu Wakili Edward M.P and seconded by Hon. Makali John Okwisia M.P.

MIN. NO/DC/JLAC/2023/231: CONFIRMATION OF THE MINUTES OF THE PREVIOUS SITTING

Confirmation of the minutes of the 44th sitting held on 23rd March 2023 was deferred to the next sitting.

MIN. NO/DC/JLAC/2023/232: PRE-VETTING MEETING ON THE APPROVAL HEARING FOR BISHOP DR. DAVID OGINDE, PHD THE NOMINEE FOR APPOINTMENT TO THE POSITION OF THE CHAIRPERSON, ETHICS AND ANTI-CORRUPTION COMMISSION

The Committee was appraised on the legal framework, pursuant to Section 10 of the Ethics and Anti-Corruption Commission Act, 2011 which provides for the procedure of appointment as chairperson of the Commission and Articles 10, 77, 78, 118, 124(4), 232 of the Constitution of Kenya 2010, The Public Appointments (Parliamentary Approval) Act (No. 33 of 2011), The Leadership and Integrity Act (Cap. 182), The Ethics and Anti-Corruption Commission Act (No. 22 of 2011) and The Public Officer Ethics Act (Cap. 183).

The Committee was further appraised on the issues for Consideration during the Approval Hearings pursuant to Section 6(7), 7 and (8) of the Public Appointment (Parliamentary Approval) Act, 2011

The Committee was informed that Parliament had not received any memorandum by way of written statements on oath (*affidavit*) in conformity with section 6 (9) of the Public Appointments (Parliamentary Approval) Act, 2011 from the public, on the suitability of the


Nominee for appointment to the position of the Chairperson, Ethics and Anti-Corruption Commission.

The Clerk of the National Assembly also wrote to the Kenya Revenue Authority (KRA), Ethics and Anti-Corruption Commission (EACC), Directorate of Criminal Investigations (DCI), Higher Education Loans Board (HELB) and Office of the Registrar of Political Parties (ORPP) seeking references and background checks relating to the suitability of the nominee. All the institutions wrote back to the National Assembly clearing the nominee.

The Committee was further appraised on the curriculum vitae of the nominee, the questionnaire to be filled by the nominee and the vetting sequence to be followed when undertaking the approval hearing.

MIN. NO/DC/JLAC/2023/233: ADJOURNMENT

There being no other business, the meeting was adjourned at twenty minutes past nine o'clock. The next meeting to be held on notice.

SIGNED:  DATE: *18.4.2023*
(CHAIRPERSON: HON. MURUGARA GEORGE GITONGA, MP)

Annexure 3:

Report of the Public Service Commission
on the Recruitment of Persons
Recommended for Appointment to the
Position of Chairperson of EACC



SECRET

REPORT ON THE RECRUITMENT OF CHAIRPERSON ETHICS AND ANTI-CORRUPTION COMMISSION

A. Declaration of Vacancy

The Head of Public Service through letter Ref. No. OP/CAB.1/12A dated 19th January, 2023 declared the vacancy of the Chairperson of Ethics and Anti-Corruption Commission to the Commission for filling as per the Law.

Pursuant to Section 9(b) and 10(1) of the Ethics and Anti-Corruption Commission Act 2011 (Amended 2015), the Public Service Commission advertised the position in the print media and Commission's website on 20th January, 2023 and closed on 2nd February, 2023.

By the closure of advertisement on 2nd February, 2023, eighty nine (89) applications had been received as follows:

S/No.	Name	Gender	ID/No.	County
1	Amb. Benjamin Adam Mure Mweri	Male	5039845	Kilifi
2	Fredrick Muchiri Karuri	Male	27034362	Kirinyaga
3	Dr. Brian Muithya Mutie	Male	21554703	Makueni
4	Samuel Mwangi Kihara	Male	25548281	Murang'a
5	Dr. Abdihafid Abdullahi Yarow	Male	21627992	Wajir
6	Thomas Kipsiror Chepkuyeng	Male	3543133	E/Marakwet
7	Benson Kairichi Marimba	Male	0184006	Meru
8	Dr. Amani Yuda Komora	Male	10310510	Tana River
9	Rev. Dr. Kaberia Isaac Kubai	Male	21820253	Meru
10	Dr. Francis Kalama Fondo	Male	4828078	Kilifi
11	Eliud Wanjao Ngige	Male	9187961	Kirinyaga
12	Abdisalam Sheikh Mohamed	Male	0035342	Garissa
13	Lloyd Kaburu Metha	Male	4321165	Tharaka Nithi
14	David Mwaure Waihiga	Male	1889015	Nakuru
15	Prof. Kivutha Kibwana	Male	4826413	Makueni
16	Simon Mwachia	Male	8946263	Taita Taveta

SECRET

S/No.	Name	Gender	ID/No.	County
17	Amb. Dr. Yusuf Abdulrahman Nzibo	Male	8925637	Nairobi
18	Thomas Letangule	Male	10081793	Baringo
19	Rev. Dr. Philip Amukoa Owasi	Male	6338692	Vihiga
20	David Adang Oginde	Male	5334523	Siaya
21	Josephat Kanyanja Ndung'u	Male	Not Indicated	Not Indicated
22	Sofia Magoma Peter	Female	26511415	Nyamira
23	Stephen Odipo Ajode	Male	10809848	Siaya
24	Lilian Kithembwa Mutavi	Female	Not Indicated	Not Indicated
25	Teddy Murigi Mwangi	Male	27328846	Murang'a
26	Dibogo Oliver Ochar	Male	30971091	Migori
27	Arnold Mangi Mwabili	Female	9079695	Taita Taveta
28	David Ngure Karanja	Male	Not Indicated	Not Indicated
29	Daniel Kamau	Male	10033087	Uasin Gishu
30	Vincent Ouma Osumba	Male	25289375	Not Indicated
31	Margaret Wairimu Kirima	Female	33249324	Kiambu
32	Eric Nakitari Kuloba	Male	Not Indicated	Not Indicated
33	Lydia Nyawira Mburia	Female	23763037	Makueni
34	Rameez Osman	Male	Not Indicated	Not Indicated
35	Jared Onyango Ogwa	Male	Not Indicated	Not Indicated
36	Bernard Wanjala Wefwafwa	Male	Not Indicated	Not Indicated
37	Philis Erude Masitsa	Female	Not Indicated	Not Indicated
38	Alphine Kipkemoi Langat	Male	Not Indicated	Not Indicated
39	Carolyne Anyango Otieno	Female	Not Indicated	Not Indicated
40	Dennis Makori Ototo	Male	26805784	Not Indicated
41	Susan Nekesa Ngera	Female	11364636	Trans Nzoia
42	John Ondari Mochama	Male	24225064	Kisii
43	Rev. Dr. Josiah Onyanchara	Male	1577709	Kisii
44	Abdullahi Hassan Maalim	Male	12969898	Wajir
45	James Kariithi Gititi	Male	14609205	Nyandarua
46	Dr. Ben Nyagaka Getange	Male	9405923	Nyamira
47	Shalldyne Cherop	Female	36039483	Kericho
48	David Delly Otieno	Male	31808180	Migori
49	Simeon Pkiyach Pkatey	Male	7103602	West Pokot
50	Betty Kanana Kimathi	Female	28300426	Meru
51	Marth Njeri Maina	Female	27798722	Kiambu
52	William Mutio Kimonyi	Male	34201473	Not Indicated
53	David Fuja Magio	Male	22783654	Busia
54	Baraka Karabu Hinzano	Male	35674813	Kilifi
55	James Mugo Wacanga	Male	20091378	Nyeri
56	Daniel Akal Junior	Male	Not Indicated	Not Indicated

SECRET

S/No.	Name	Gender	ID/No.	County
57	Richard K. Karanja	Male	Not Indicated	Not Indicated
58	Francis Wesels Amollo	Male	34260023	Migori
59	Nguthari Gyprian Mugambi	Male	11327376	Meru
60	Dr. Robert Amiller Okech (PWD)	Male	6794612	Kisumu
61	Lucy Mwendu Marigu	Female	Not Indicated	Not Indicated
62	Delphin Karimi Wanjiru	Female	31347217	Not Indicated
63	Allan Wochwa Wanyonyi	Male	26035343	Bungoma
64	Norah Chepkemai Mutai	Female	22339025	Bomet
65	James Mutiso Mutua	Male	Not Indicated	Not Indicated
66	Dancan Ochieng Awiti	Male	33278963	Homa Bay
67	Kenneth Sakwa Buliba	Male	20362764	Kakamega
68	Longinous Dibondo Oduya	Male	25339489	Busia
69	James Kinyanjui Njenga	Male	9860326	Not Indicated
70	Elizaphan Gatere Kimathi	Male	36579942	Not Indicated
71	Dr. Edward Moenge Nyaanga	Male	0558547	Kisii
72	Justa Wawira Mwangi (PWD)	Female	9062157	Embu
73	John Maina Ndegwa	Male	20154065	Murang'a
74	Davis Rama Saidi	Male	35008235	Kajiado
75	David B. Mwangi	Male	8051708	Nairobi
76	Benson Sula Shisiali	Male	24742923	Samburu
77	James Midigo Rowa	Male	Not Indicated	Not Indicated
78	Hassan Malibe Morowa	Male	5354509	Tana River
79	Bill Omondi Kembo	Male	22633912	Homa Bay
80	Dr. Sebastian Kaweto Kalovwe	Male	22119785	Kitui
81	Patrick Kimani Ngigi	Male	10905422	Narok
82	Karen Sintoyia Sananka	Female	34499705	Narok
83	Simon Omondi	Male	10843497	Nairobi
84	Joel Kyatha Mbaluka	Male	14680645	Machakos
85	Benard Muteti Mung'ata	Male	9851369	Machakos
86	Charles Kanjama	Male	20017841	Nairobi
87	Abdirizack Mohamed Hussein	Male	29102642	Wajir
88	Kennedy Momanyi Ombati	Male	24423005	Kisii
89	Abdirahman Bilacha Issak	Male	Not Indicated	Not Indicated

B. Shortlisting

The shortlisting for the position was conducted on 20th February, 2023.

SECRET

Shortlisting Panel

The Panel comprised the following:

Amb. Anthony M. Muchiri	-	Chairperson
CPA Charity Seleina Kisotu, CBS	-	Vice-Chairperson
Commissioner (Dr.) Joyce K. Nyabuti, MBS	-	Member
Commissioner (Dr.) Mary C. Mwiandi, MBS	-	Member
Commissioner (Amb.) Patrick S. Wamoto, EBS	-	Member
Commissioner (Dr.) Reuben Chirchir, MBS	-	Member
Commissioner (Amb.) Salma A. Ahmed, MBS	-	Member
Commissioner Andrew N. Muriuki, MBS	-	Member
Commissioner Joan A. Otieno, MBS	-	Member
Dr. Simon K. Rotich, CBS	-	Secretary/CEO

PSC Secretariat

P. M. H. Maina, MBS	-	Director, Recruitment and Selection
Damaris Onsongo	-	Assistant Director, ICT

I Shortlisting Criteria

The following criteria was agreed upon to be used in shortlisting the candidates:

a) As per the advertisement which included:

A candidate must:

- (i) hold a degree from a university recognized in Kenya;
- (ii) have knowledge and experience of not less than fifteen (15) years in any of the following fields:-
 - ✓ Ethics and governance
 - ✓ Law
 - ✓ Public Administration
 - ✓ Leadership
 - ✓ Economics
 - ✓ Social Studies
 - ✓ Audit
 - ✓ Accounting
 - ✓ Fraud Investigation
 - ✓ Public relations and media
 - ✓ Religious studies or philosophy
- (iii) meet the requirements of Chapter Six of the Constitution; and
- (iv) have had a distinguished career in his/her respective field

In addition, the Panel members agreed on the following:

“Distinguished career” was taken to mean “having had successful career/employment track record, having received national recognitions and awards and having left a mark in their careers.

b) Regional representation.

II Shortlisted Candidates

The Commission shortlisted the following persons for the position of Chairperson, Ethics and Anti-Corruption Commission as per the criteria agreed upon.

S/No.	Name	G	ID No.	County
1.	Benjamin Adam Mure Mweri	M	5039845	Kilifi
2.	Abdihafid Abdullahi Yarow	M	21627992	Wajir
3.	Amani Yuda Komora, MBS	M	10310510	Tana River
4.	Kaberia Isaac Kubai	M	21820253	Meru
5.	Eliud Wanjao Ngige	M	9187961	Kirinyaga
6.	Kivutha Kibwana	M	4826413	Makueni
7.	Thomas Letangule	M	10081793	Baringo
8.	David Adang Oginde	M	5334523	Siaya
9.	Susan Nekesa Ngera	F	11364636	Trans Nzoia
10.	Josiah B Onyancha	M	1577709	Kisii
11.	Norah Chepkemai Mutai	F	22339025	Bomet
12.	Kenneth Sakwa Buliba	M	20362764	Kakamega
13.	Justa Wawira Mwangi (PWD)	F	9062157	Embu
14.	Charles Kanjama	M	20017841	Nairobi

III Publishing of Applicants and Shortlisted Candidates

Invitation of shortlisted candidates to the interviews indicating date and time of interview was published in the print media on and Commission's website on 21st February, 2023

C. Conducting of Interviews

Interviews for the position were conducted in public from 27th to 28th February 2023 at Commission House.

D. Public Participation

Members of the public had been requested to avail any credible information of interest relating to the shortlisted candidates (through sworn affidavits) A complaint was raised against Prof. Kivutha Kibwana. The legal department advised the interview panel to bring the matter to the attention of the candidate for clarification. The candidate clarified the issues raised to the satisfaction of the Panel.

E. Interviews scores and nominated candidates

The following are the interview scores:

S/NO	NAME	ID NO	G	COUNTY	AVERAGE
1	David Adang Oginde	5334523	M	Siaya	80.07
2	Kivutha Kibwana	4826413	M	Makueni	79.93
3	Amani Yuda Komora	10310510	M	Tana River	75.00
4	Charles Kanjama	20017841	M	Nairobi	74.00
5	Abdihafid Abdullahi Yarow	21627992	M	Wajir	67.93
6	Kaberia Isaac Kubai	21820253	M	Meru	66.83
7	Justa Wawira Mwangi (PWD)	9062157	F	Embu	66.64
8	Thomas Letangule	10081793	M	Baringo	65.86
9	Kenneth Sakwa Buliba	20362764	M	Kakamega	63.71
10	Benjamin Adam Mure Mweri	5039845	M	Kilifi	60.08
11	Eliud Wanjao Ngige	9187961	M	Kirinyaga	59.83
12	Susan Nekesa Ngera	11364636	F	Trans Nzoia	53.43
13	Norah Chepkemai Mutai	22339025	F	Bomet	47.57
14	Josiah B Onyancha	1577709	M	Kisii	37.93

Nominated Candidates

Section 10, Sub Section (1) (e) and (f) of the Ethics and Anti- Corruption Commission Act, 2011 requires the Commission to “shortlist three qualified applicants for each vacancy and forward the names of the qualified persons to the President.” Pursuant to this provision, the Commission nominates the following three persons, on merit, to be submitted to H.E. the President.

S/No	Name	ID. No	G	County	Av. Score
1	David Adang Oginde	5334523	M	Siaya	81.00
2	Kivutha Kibwana	4826413	M	Makueni	80.00
3	Amani Yuda Komora	10310510	M	Tana River	75.00

Annexure 4:

Message from H.E. the President
appointing the nominee, Dr. David
Adang' Oginde, as EACC
Chairperson



**PRESIDENTIAL
NOMINATION NO. 5 of 2023**

THE ETHICS AND ANTI-CORRUPTION COMMISSION ACT
(No. 22 of 2011)

**NOMINATION
for
STATE APPOINTMENT**

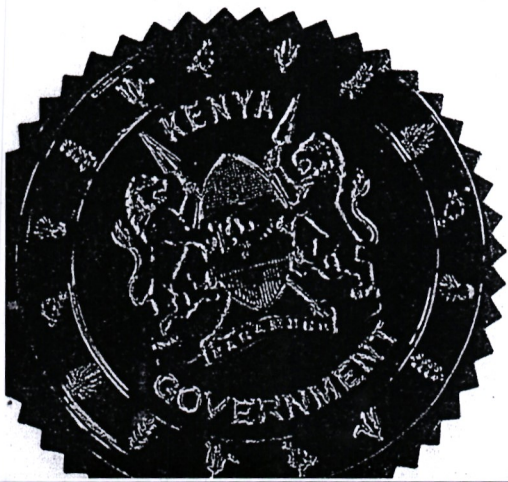
CHAIRPERSON OF THE COMMISSION

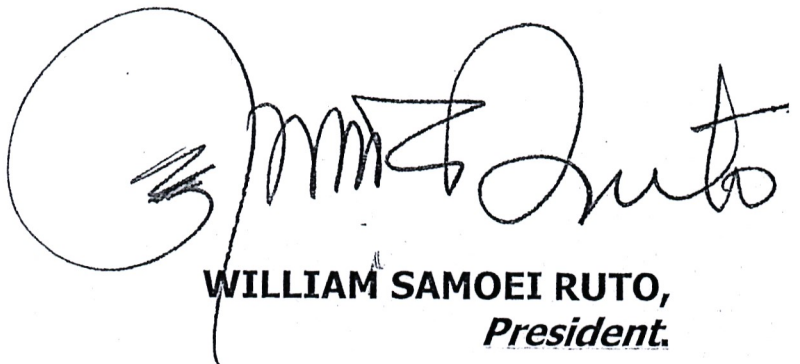
IN EXERCISE of the powers conferred by section 10 (2) of the Ethics and Anti-Corruption Commission Act, 2011, **I, WILLIAM SAMOEI RUTO**, President and Commander-in-Chief of the Kenya Defence Forces nominates –

DAVID ADANG OGINDE (DR.)

for appointment as the Chairperson of the Ethics and Anti-Corruption Commission.

ISSUED under the **HAND AND SEAL** of the President at State House,
NAIROBI this.....^{13th} day of ^{March}.....2023.




WILLIAM SAMOEI RUTO,
President.

Annexure 5:

Communication from the
Speaker



David Ogi

REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT - (SECOND SESSION)

THE NATIONAL ASSEMBLY

MESSAGES

MESSAGE FROM THE PRESIDENT

_____ (No.007 of 2023) _____

**SUBJECT: MESSAGE FROM THE PRESIDENT ON NOMINATION OF
A PERSON FOR APPOINTMENT AS THE CHAIRPERSON
OF THE ETHICS AND ANTI-CORRUPTION COMMISSION**

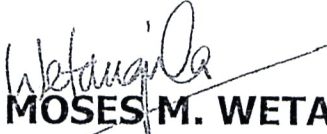
Honourable Members,

1. Pursuant to the provisions of Standing Order No. 42, I wish to convey the following Message from His Excellency the President regarding the nomination of a person for appointment as Chairperson of the Ethics and Anti-Corruption Commission.
2. In the Message, **Honourable Members**, His Excellency the President conveys that, in exercise of powers conferred on him by Article 250(2)(b) of the Constitution and section 10(2) of the Ethics and Anti-Corruption Commission Act, 2011 as read together with sections 3 and 5 of the Public Appointments (Parliamentary Approval) Act, (Act No. 33 of 2011), he has nominated **Dr. David Adang Oginde** for appointment as the Chairperson of the Ethics and Anti-Corruption Commission. The President now seeks the approval of the appointment by this House.



- 3. Honourable Members,** Standing Order 45 provides that, upon receipt of notification of a nomination for appointment, such nomination shall stand committed to the relevant Departmental Committee for consideration. In this regard, I hereby refer the Message from H.E. the President, together with the *Curriculum Vitae*, the report of the Public Service Commission, and other testimonials of the nominees to the **Departmental Committee on Justice and Legal Affairs** for consideration.
- 4. Honourable Members,** section 8 of the Public Appointments (Parliamentary Approval) Act, 2012 provides that the Committee to which such nomination is referred shall consider the matter and table a report in the House **within twenty-eight (28) days**. In this regard, the Committee should undertake approval hearings and submit its report within **twenty-eight(28) days** as provided for in the said law.
- 5. Honourable Members,** in view of the foregoing, the Committee is expected to immediately commence the approval process and notify the nominee and the general public of the time and place for holding the approval hearings. Thereafter, upon conclusion of the hearing, table it's report, on or before **Tuesday, 11th April 2023**, to enable the House to consider the matter within statutory timelines.

I thank you!


THE RT HON. (Dr.) MOSES M. WETANGULA, EGH, MP
SPEAKER OF THE NATIONAL ASSEMBLY

Wednesday, 15th March 2023

Annexure 6:

Advertisement notifying
the public of the approval
hearing



REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY
THIRTEENTH PARLIAMENT - SECOND SESSION- 2023

IN THE MATTER OF THE PUBLIC APPOINTMENTS (PARLIAMENTARY APPROVAL) ACT (NO 33 OF 2011) AND THE ETHICS AND ANTI-CORRUPTION COMMISSION ACT (NO. 22 OF 2011)
AND
IN THE MATTER OF APPROVAL BY THE NATIONAL ASSEMBLY OF THE PERSON NOMINATED FOR APPOINTMENT AS CHAIRPERSON OF THE ETHICS AND ANTI-CORRUPTION COMMISSION

ADDENDUM

NOTIFICATION TO THE GENERAL PUBLIC ON THE CHANGE OF DATES FOR APPROVAL HEARING AND EXTENSION OF THE PERIOD FOR SUBMISSION OF MEMORANDA

WHEREAS, pursuant to the provisions of Article 250(2) of the Constitution as read with section 10 of the Ethics and Anti-Corruption Commission Act, 2011, H.E the President, notified the National Assembly of the nomination of **Dr. David Adang' Oginde for appointment as the chairperson of the Ethics and Anti-Corruption Commission;**

IS NOTIFIED to the general public that, pursuant to the provisions of Article 118(1)(b) of the Constitution, Section 10 of the Ethics and Anti-Corruption Commission Act, 2011 and Section 6(4) of the Public Appointments (Parliamentary Approval) Act, 2011, the Departmental Committee on Justice and Legal Affairs of the National Assembly shall conduct the approval hearings (vetting) of the nominee for appointment as the Chairperson of Ethics and Anti-Corruption Commission on **Wednesday, 5th April, 2023 at the Mini-Chamber, Court II, Parliament Buildings at 10.00am.**

AND WHEREAS, Article 118(1)(b) of the Constitution requires Parliament to facilitate public participation in the legislative and other business of Parliament and its Committees and section 6(9) of the Parliamentary Appointments (Parliamentary Approval) Act, 2011 provides that "an applicant 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";

AND WHEREFORE, in compliance with Article 118(1)(b) of the Constitution and section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011, the Departmental Committee on Justice and Legal Affairs hereby invite members of the public to submit any representations they may have, by way of written statements on oath (affidavits) with supporting evidence contesting the suitability of the nominee for appointment as Chairperson of the Ethics and Anti-Corruption Commission;

Such memoranda may be forwarded to the **Clerk of the National Assembly, P.O. Box 41842-00100, Nairobi;** hand-delivered to the **Office of the Clerk, Main Parliament Buildings, Nairobi;** or emailed to cna@parliament.go.ke; to be received **on or before Monday, 3rd April, 2023 by 10pm.**

IS FURTHER NOTIFIED THAT, the nominee is required to: -

appear for the approval hearings with the original identity cards, academic and professional certificates and other relevant testimonials and

obtain letters/certificates of compliance from the following institutions: -

- (i) **Ethics and Anti-Corruption Commission;**
- (ii) **Kenya Revenue Authority;**
- (iii) **Higher Education Loans Board;**
- (iv) **Directorate of Criminal Investigations;**
- (v) **Credit Reference Bureau; and**
- (vi) **Office of the Registrar of Political Parties.**

S. NJOROGE
CLERK OF THE NATIONAL ASSEMBLY
23rd March, 2023

For the Welfare of Society and the just Government of the People



REPUBLIC OF KENYA

THE NATIONAL ASSEMBLY

THIRTEENTH PARLIAMENT - SECOND SESSION 2023

IN THE MATTER OF THE PUBLIC APPOINTMENTS (PARLIAMENTARY APPROVAL) ACT (NO 33 OF 2011) AND THE ETHICS AND ANTI-CORRUPTION COMMISSION ACT (NO. 22 OF 2011)

AND

IN THE MATTER OF APPROVAL BY THE NATIONAL ASSEMBLY OF THE PERSON NOMINATED FOR APPOINTMENT AS CHAIRPERSON OF THE ETHICS AND ANTI-CORRUPTION COMMISSION

NOTIFICATION TO THE GENERAL PUBLIC ON THE APPROVAL HEARING AND SUBMISSION OF MEMORANDA

WHEREAS, pursuant to the provisions of Article 250(2) of the Constitution as read with section 10 of the Ethics and Anti-Corruption Commission Act, 2011, H.E the President, notified the National Assembly of the nomination of **Dr. David Adang' Oginde for appointment as the Chairperson of the Ethics and Anti-Corruption Commission;**

IT IS NOTIFIED to the general public that pursuant to the provisions of **Article 118(1)(b)** of the Constitution, **section 10 of the Ethics and Anti-Corruption Commission Act, 2011** and **section 6(4) of the Public Appointments (Parliamentary Approval) Act, 2011**, the **Departmental Committee on Justice and Legal Affairs of the National Assembly** shall conduct the approval hearings (vetting) of the nominee for appointment as the Chairperson of Ethics and Anti-Corruption Commission **on Wednesday, 29th March, 2023 at the Mini-hamber, County Hall, Parliament Buildings at 2.00pm.**

AND WHEREAS, Article 118(1)(b) of the Constitution requires Parliament to facilitate public participation in the legislative and other business of Parliament and its Committees and section 6(9) of the Parliamentary Appointments (Parliamentary Approval) Act, 2011 provides that **"any person may prior to the approval hearing and by written statement on oath, provide the Clerk with evidence contesting the suitability of a candidate to hold the office to which the candidate has been nominated";**

NOW THEREFORE, in compliance with Article 118(1)(b) of the Constitution and section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011, the Departmental Committee on Justice and Legal Affairs hereby invite members of the public to submit any representations they may have, by way of written statements on oath (affidavits) with supporting evidence contesting the suitability of the nominee for appointment as the Chairperson of the Ethics and Anti-Corruption Commission;

Memoranda may be forwarded to the **Clerk of the National Assembly, P.O. Box 41842-00100, Nairobi;** hand-delivered to the **Office of the Clerk, Main Parliament Buildings, Nairobi;** or emailed to cna@parliament.go.ke; to be received **on or before Monday, 27th March, 2023 by 5.00pm.**

IT IS FURTHER NOTIFIED THAT, the nominee is required to: -

appear for the approval hearings with the original identity cards, academic and professional certificates and other relevant testimonials; and

obtain letters/certificates of compliance from the following institutions: -

- (i) **Ethics and Anti-Corruption Commission;**
- (ii) **Kenya Revenue Authority;**
- (iii) **Higher Education Loans Board;**
- (iv) **Directorate of Criminal Investigations;**
- (v) **Credit Reference Bureau; and**
- (vi) **Office of the Registrar of Political Parties.**

S. NJOROGE

CLERK OF THE NATIONAL ASSEMBLY

20th March, 2023

"For the Welfare of Society and the just Government of the People"

Annexure 7:

Letter from the Clerk of the National Assembly inviting the nominee for the approval hearing



THE NATIONAL ASSEMBLY
OFFICE OF THE CLERK

P. O. Box 41842-00100
Nairobi, Kenya
Main Parliament Buildings

Telephone: +254202848000 ext. 3300
Email: cna@parliament.go.ke
www.parliament.go.ke/the-national-assembly

When replying, please quote

Ref: NA/DDC/JLAC/2023/029

27th March 2023

Dr. David Adang Oginde
NAIROBI

Dear *Sir*

**RE: INVITATION FOR APPROVAL HEARING BY THE DEPARTMENTAL
COMMITTEE ON JUSTICE AND LEGAL AFFAIRS OF THE NATIONAL ASSEMBLY**

Following your nomination by His Excellency the President for appointment as Chairperson of the Ethics and Anti-Corruption Commission, the Departmental Committee on Justice and Legal Affairs of the National Assembly hereby invites you for approval hearing pursuant to Section 10 of the Ethics and Anti-Corruption Commission Act, 2011 and Section 6(4) of the Public Appointments (Parliamentary Approval) Act, 2011 on Wednesday 5th April 2023 at 10.00 am in the Mini-Chamber, 1st Floor, County Hall, Parliament Buildings.

Kindly fill the attached questionnaire as required by the Public Appointments (Parliamentary Approval) Act, 2011 and return it to the Clerk of the National Assembly, P.O. Box 41842-00100, Nairobi; hand-delivered to the Office of the Clerk, Main Parliament Buildings, Nairobi; or emailed to cna@parliament.go.ke on or before Monday 3rd April, 2023.

You are required to appear for the hearing with the originals of your national identity card, academic and professional certificates and any other relevant documents and testimonials. In addition, you should appear with letters or certificates of clearance from the following institutions:-

1. Ethics and Anti-Corruption Commission
2. Kenya Revenue Authority
3. Higher Education Loans Board
4. Directorate of Criminal Investigations
5. Office of the Registrar of Political Parties

The officers responsible for facilitating this matter are Mr. Douglas Katho who may be contacted on tel no. 0722333145 or email: douglas.katho@parliament.go.ke, Mr. Clive Onyancha tel no. 0725993500 or email: clive.onyancha@parliament.go.ke and Ms. Jacl Ayiego Kilaka, tel no. 0725385945 or email: jacl.kilaka@parliament.go.ke.

Yours *sincerely,*



SERAH KIOKO, MBS
For: CLERK OF THE NATIONAL ASSEMBLY

Annexure 8:

Letters from the Clerk of the National Assembly to KRA, EACC, DCI, HELB and ORPP requesting information on the nominee



THE NATIONAL ASSEMBLY
OFFICE OF THE CLERK

P. O. Box 41842-00100
Nairobi, Kenya
Main Parliament Buildings

Telephone: +254202848000 ext. 3300
Email: cna@parliament.go.ke
www.parliament.go.ke/the-national-assembly

When replying, please quote

Ref: NA/DDC/JLAC&SP/VETT/2023/001

17th March, 2023

Mr. Amin. Mohamed, EBS. OGW, 'ndc'(K)
Director of Criminal Investigation Department
Mazigira Complex
Kiambu Road Opp. Forestry Department
Headquarters, Karura
NAIROBI

Dear *Mr Mohamed*

RE: REQUEST FOR INFORMATION ON NOMINEES FOR APPROVAL FOR APPOINTMENT AS CHAIRPERSON OF ETHICS AND ANTI-CORRUPTION COMMISSION AND MEMBER OF THE NATIONAL GENDER AND EQUALITY COMMISSION

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

National Assembly Standing 216(5)(f) mandates Departmental Committees of the House to vet and report on appointments where the constitution or any other law requires the National Assembly to approve, except those under Standing Order 204 (Committee on Appointments)".

Pursuant to Section Sections 3, 5(1) and 7(b) of the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011), the National Assembly Committees are mandated to consider whether the nominee meets all constitutional and statutory requirements relating to the office in question.

The Departmental Committee Justice and Legal Affairs and that on Social Protection will conduct the approval hearing on **Monday 27th March, 2023** of the following nominees: -

No.	Name of Nominee	National ID. No.	Position	Institution
1.	Dr. David Adang' Oginde	5334523	Chairperson	Ethics and Anti-Corruption Commission
2.	Dr. Margaret Karungara	8532233	Member	National Gender and Equality Commission

The purpose of this letter is to request for information from your office regarding the nominee's criminal record. The information shall be used by the Committee in considering issues on the suitability of the nominee for appointment to office.

Given the short timeline within which the Committees are required to conduct the approval hearings and report to the House, it will be most appreciated if the information sought reaches the Committees **not later than Friday, 24th March 2023 at 5.00 pm**. The information may be hand-delivered to the **Office of the Clerk of the National Assembly, Main Parliament Buildings, Nairobi** or emailed to cna@parliament.go.ke.

The officers responsible for facilitating this matter are **Mr. Douglas Katho (Justice and Legal Affairs Committee)** who may be contacted on tel. no. 0722333145 or email: douglas.kadho@parliament.go.ke and **Ms. Hellen Ekadeli (Social Protection Committee)**, tel. no. 0733132522 or email: hellen.ekadeli@parliament.go.ke

Yours



JEREMIAH NDOMBI, MBS

For: CLERK OF THE NATIONAL ASSEMBLY



THE NATIONAL ASSEMBLY
OFFICE OF THE CLERK

P. O. Box 41842-00100
Nairobi, Kenya
Main Parliament Buildings
When replying, please quote

Telephone: +254202848000 ext. 3300
Email: cna@parliament.go.ke
www.parliament.go.ke/the-national-assembly

Ref: NA/DDC/JLAC&SP/VETT/2023/002

16th March, 2023

Mr. Twalib Abdallah Mbarak, CBS
Secretary/Chief Executive Officer
Ethics & Anti-Corruption Commission
Integrity Centre, Milimani/Valley Road Junction,
NAIROBI

Dear Mr. Mbarak

RE: REQUEST FOR INFORMATION ON NOMINEES FOR APPROVAL FOR APPOINTMENT AS CHAIRPERSON OF ETHICS AND ANTI-CORRUPTION COMMISSION AND MEMBER OF THE NATIONAL GENDER AND EQUALITY COMMISSION

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

National Assembly Standing 216(5)(f) mandates Departmental Committees of the House to vet and report on appointments where the constitution or any other law requires the National Assembly to approve, except those under Standing Order 204 (Committee on Appointments)".

Pursuant to Section Sections 3, 5(1) and 7(b) of the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011), the National Assembly Committees are mandated to consider whether the nominee meets all constitutional and statutory requirements relating to the office in question.

The Departmental Committee Justice and Legal Affairs and that on Social Protection will conduct the approval hearing on **Monday 27th March, 2023** of the following nominees: -

No.	Name of Nominee	National ID. No.	Position	Institution
1.	Dr. David Adang' Oginde	5334523	Chairperson	Ethics and Anti-Corruption Commission
2.	Dr. Margaret Karungara	8532233	Member	National Gender and Equality Commission

The purpose of this letter is to request you to provide a report on the nominees' ethics and integrity. The information shall be used by the Committee in considering issues on the suitability of the nominees for appointment to office.

Given the short timeline within which the Committees are required to conduct the approval hearings and report to the House, it will be most appreciated if the information sought reaches the Committees **not later than Friday, 24th March 2023 at 5.00 pm**. The information may be hand-delivered to the **Office of the Clerk of the National Assembly, Main Parliament Buildings, Nairobi** or emailed to cna@parliament.go.ke.

The officers responsible for facilitating this matter are **Mr. Douglas Katho (Justice and Legal Affairs Committee)** who may be contacted on tel. no. 0722333145 or email: douglas.kadho@parliament.go.ke and **Ms. Hellen Ekadeli (Social Protection Committee)**, tel. no. 0733132322 or email: hellen.ekadeli@parliament.go.ke

Yours



JEREMIAH NDOMBI, MBS
For: CLERK OF THE NATIONAL ASSEMBLY



THE NATIONAL ASSEMBLY
OFFICE OF THE CLERK

P. O. Box 41842-00100
Nairobi, Kenya
Main Parliament Buildings
When replying, please quote

Telephone: +254202848000 ext. 3300
Email: cna@parliament.go.ke
www.parliament.go.ke/the-national-assembly

Ref: NA/DDC/JLAC&SP/VETT/2023/003

16th March, 2023

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

Dear *Mr. Ringera*

RE: REQUEST FOR INFORMATION ON NOMINEES FOR APPROVAL FOR APPOINTMENT AS CHAIRPERSON OF ETHICS AND ANTI-CORRUPTION COMMISSION AND MEMBER OF THE NATIONAL GENDER AND EQUALITY COMMISSION

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

National Assembly Standing 216(5)(f) mandates Departmental Committees of the House to vet and report on appointments where the constitution or any other law requires the National Assembly to approve, except those under Standing Order 204 (Committee on Appointments)".

Pursuant to Section Sections 3, 5(1) and 7(b) of the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011), the National Assembly Committees are mandated to consider whether the nominee meets all constitutional and statutory requirements relating to the office in question.

The Departmental Committee Justice and Legal Affairs and that on Social Protection will conduct the approval hearing on **Monday 27th March, 2023** of the following nominees: -

No.	Name of Nominee	National ID. No.	Position	Institution
1.	Dr. David Adang' Oginge	5334523	Chairperson	Ethics and Anti-Corruption Commission
2.	Dr. Margaret Karungara	8532233	Member	National Gender and Equality Commission

The purpose of this letter is to request you to provide a report on the repayment of loans that the Board may have advanced to the nominee. The information shall be used by the Committee in considering issues on the suitability of the nominee for appointment to office.

Given the short timeline within which the Committees are required to conduct the approval hearings and report to the House, it will be most appreciated if the information sought reaches the Committees **not later than Friday, 24th March 2023 at 5.00 pm**. The information may be hand-delivered to the **Office of the Clerk of the National Assembly, Main Parliament Buildings, Nairobi** or emailed to cna@parliament.go.ke.

The officers responsible for facilitating this matter are **Mr. Douglas Katho (Justice and Legal Affairs Committee)** who may be contacted on tel. no. 0722333145 or email: douglas.kadho@parliament.go.ke and **Ms. Hellen Ekadeli (Social Protection Committee)**, tel. no. 0733132322 or email: hellen.ekadeli@parliament.go.ke

Yours



JEREMIAH NDOMBI, MBS
For: CLERK OF THE NATIONAL ASSEMBLY



THE NATIONAL ASSEMBLY
OFFICE OF THE CLERK

P. O. Box 41842-00100
Nairobi, Kenya
Main Parliament Buildings
When replying, please quote

Telephone: +254202848000 ext. 3300
Email: cna@parliament.go.ke
www.parliament.go.ke/the-national-assembly

Ref: NA/DDC/LABOUR/VETT/2023/004

16th March, 2023

FCCA Ms. Rispah Simiyu, EBS
Acting Commissioner General
Kenya Revenue Authority
Times Towers, 30th Floor
Haile Selassie Avenue
NAIROBI

Dear *FCCA CS Simiyu (Mrs)*

RE: REQUEST FOR INFORMATION ON NOMINEES FOR APPROVAL FOR APPOINTMENT AS CHAIRPERSON OF ETHICS AND ANTI-CORRUPTION COMMISSION AND MEMBER OF THE NATIONAL GENDER AND EQUALITY COMMISSION

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

National Assembly Standing 216(5)(f) mandates Departmental Committees of the House to vet and report on appointments where the constitution or any other law requires the National Assembly to approve, except those under Standing Order 204 (Committee on Appointments)”.

Pursuant to Section Sections 3, 5(1) and 7(b) of the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011), the National Assembly Committees are mandated to consider whether the nominee meets all constitutional and statutory requirements relating to the office in question.

The Departmental Committee Justice and Legal Affairs and that on Social Protection will conduct the approval hearing on **Monday 27th March, 2023** of the following nominees: -

No.	Name of Nominee	National ID. No.	Position	Institution
1.	Dr. David Adang' Oginde	5334523	Chairperson	Ethics and Anti-Corruption Commission
2.	Dr. Margaret Karungara	8532233	Member	National Gender and Equality Commission

The purpose of this letter is to request for information from your office regarding the nominee's tax compliance. The information shall be used by the Committee in considering issues on the suitability of the nominee for appointment to office.

Given the short timeline within which the Committees are required to conduct the approval hearings and report to the House, it will be most appreciated if the information sought reaches the Committees **not later than Friday, 24th March 2023 at 5.00 pm**. The information may be hand-delivered to the **Office of the Clerk of the National Assembly, Main Parliament Buildings, Nairobi** or emailed to cna@parliament.go.ke.

The officers responsible for facilitating this matter are **Mr. Douglas Katho (Justice and Legal Affairs Committee)** who may be contacted on tel. no. 0722333145 or email: douglas.kadho@parliament.go.ke and **Ms. Hellen Ekadeli (Social Protection Committee)**, tel. no. 0733132322 or email: hellen.ekadeli@parliament.go.ke

Yours



JEREMIAH NDOMBI, MBS
For: CLERK OF THE NATIONAL ASSEMBLY



THE NATIONAL ASSEMBLY
OFFICE OF THE CLERK

P. O. Box 41842-00100
Nairobi, Kenya
Main Parliament Buildings
When replying, please quote

Telephone: +254202848000 ext. 3300
Email: cna@parliament.go.ke
www.parliament.go.ke/the-national-assembly

Ref: NA/DDC/JLAC&SP/VETT/2023/005

16th March, 2023

Mrs. Anne Nderitu, CBS
Registrar of Political Parties
Office of the Registrar of Political Parties
Lions Place, 1st Floor, Waiyaki Way, Westlands
NAIROBI

Dear *Mrs Nderitu*

RE: REQUEST FOR INFORMATION ON NOMINEES FOR APPROVAL FOR APPOINTMENT AS CHAIRPERSON OF ETHICS AND ANTI-CORRUPTION COMMISSION AND MEMBER OF THE NATIONAL GENDER AND EQUALITY COMMISSION

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

National Assembly Standing 216(5)(f) mandates Departmental Committees of the House to vet and report on appointments where the constitution or any other law requires the National Assembly to approve, except those under Standing Order 204 (Committee on Appointments)".

Pursuant to Section Sections 3,5(1) and 7(b) of the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011), the National Assembly Committees are mandated to consider whether the nominee meets all constitutional and statutory requirements relating to the office in question.

The Departmental Committee Justice and Legal Affairs and that on Social Protection will conduct the approval hearing on **Monday 27th March, 2023** of the following nominees: -

No.	Name of Nominee	National ID. No.	Position	Institution
1.	Dr. David Adang' Oginde	5334523	Chairperson	Ethics and Anti-Corruption Commission
2.	Dr. Margaret Karungara	8532233	Member	National Gender and Equality Commission

Taking into consideration Article 77(2) which prohibits an appointed State Officer from holding office in a political party, the Committee requests you to provide information on whether the nominee holds office in any political party in Kenya. The information shall be used by the Committee in considering issues on the suitability of the nominee for appointment to office.

Given the short timeline within which the Committees are required to conduct the approval hearings and report to the House, it will be most appreciated if the information sought reaches the Committees **not later than Friday, 24th March 2023 at 5.00 pm**. The information may be hand-delivered to the **Office of the Clerk of the National Assembly, Main Parliament Buildings, Nairobi** or emailed to cna@parliament.go.ke.

The officers responsible for facilitating this matter are **Mr. Douglas Katho (Justice and Legal Affairs Committee)** who may be contacted on tel. no. 0722333145 or email: douglas.kadho@parliament.go.ke and **Ms. Hellen Ekadeli (Social Protection Committee)**, tel. no. 0733132322 or email: hellen.ekadeli@parliament.go.ke

Yours



JEREMIAH NDOMBI, MBS
For: CLERK OF THE NATIONAL ASSEMBLY

Annexure 9:

Letters of clearance from
KRA, EACC, DCI, HELB
and ORPP

① D/DC
Please deal.
30/03/23

② Kato
Khadeli
Deal
30/03/23

Telegrams: "CRIMINAL", Nairobi
Email: director@cid.go.ke
Telephone: 0202603724, 020343312



Directorate of Criminal Investigations,
Mazingira House Kiambu Road
P.O. Box 30063-00100,
NAIROBI

DIRECTORATE OF CRIMINAL INVESTIGATIONS

CI/CRO/SEC/6/7/2/A/VOL.XII/90

28th March, 2023

Clerk of the National Assembly
P O Box 41842-00100
NAIROBI

Attn: Serah Kioko, MBS

REQUEST FOR INFORMATION ON DR. DAVID ADANG OGINDE, ID. NO. 5334523 NOMINEE FOR APPROVAL FOR APPOINTMENT AS CHAIRPERSON OF ETHICS AND ANTI-CORRUPTION COMMISSION AND DR. MARGARET KARUNGARU, ID. NO.3463479, NOMINEE FOR APPROVAL FOR APPOINTMENT AS A MEMBER OF THE NATIONAL GENDER AND EQUALITY COMMISSION

Refer to your letter Ref. NA/DDC/JLAC & SP/VETT/2023/001 dated 22nd March, 2023 on the above subject

We write to confirm that the below listed persons applied for Police Clearance Certificates on the indicated dates and were genuinely issued as follows:

S/NO.	NAME	ID NO.	DCI REF.NO	DATE OF ISSUE
1.	Dr. David Adang' Oginde	5334523	PCC-67TE9Q66	17/02/23
2.	Dr. Margaret Karungaru	3463479	PCC-30TARM5A	01/02/23

It is deemed that as at the date of issuance of the police clearance certificates to the applicants, there were negative results from both our nominal index and criminal database.

N. Ireri Kamwende, MBS, 'ndc' (K)
FOR: DIRECTOR OF CRIMINAL INVESTIGATIONS

NATIONAL ASSEMBLY
RECEIVED
23 MAR 2023
DEPUTY CLERK
NAIROBI

NATIONAL ASSEMBLY
RECEIVED
29 MAR 2023
CLERK'S OFFICE
P O Box 41842, NAIROBI

D/DC

Please deal.

30/03/23



Katib
Skadele
TNA
31/03

ETHICS AND ANTI-CORRUPTION COMMISSION

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

When replying please quote:

Our Ref: EACC.7/10/5 VOL XXII (183)

27th March 2023

Mr. Samuel Njoroge

Clerk of the National Assembly
Clerk's Chambers
Main Parliament Buildings
P O Box 41842 - 00100

NAIROBI

Dear

Mr Njoroge

RE: REQUEST FOR INFORMATION ON DR. DAVID ADANG OGINDE, ID NO. 5334523, NOMINEE FOR APPROVAL FOR APPOINTMENT AS CHAIRPERSON OF THE ETHICS AND ANTI-CORRUPTION COMMISSION AND DR. MARGARET KARUNGARU, ID NO. 3463479, NOMINEE FOR APPROVAL FOR APPOINTMENT AS A MEMBER OF THE NATIONAL GENDER AND EQUALITY COMMISSION

Your letter referenced NA/DDC/JLAC&SP/VETT/2023/002 dated 22nd March 2023 on the above subject matter refers.

Please note that the Commission has not undertaken any investigations pursuant to its mandate against the under listed nor has it recommended prosecution of any of them.

S/No	Name of Nominee	ID No.	Institution
1.	Dr. David Adang' Oginde	5334523	Ethics and Anti-Corruption Commission
2.	Dr. Margaret Karungaru	3463479	National Gender and Equality Commission

The information provided herein is based on records available as of **27th March 2023**.

Yours

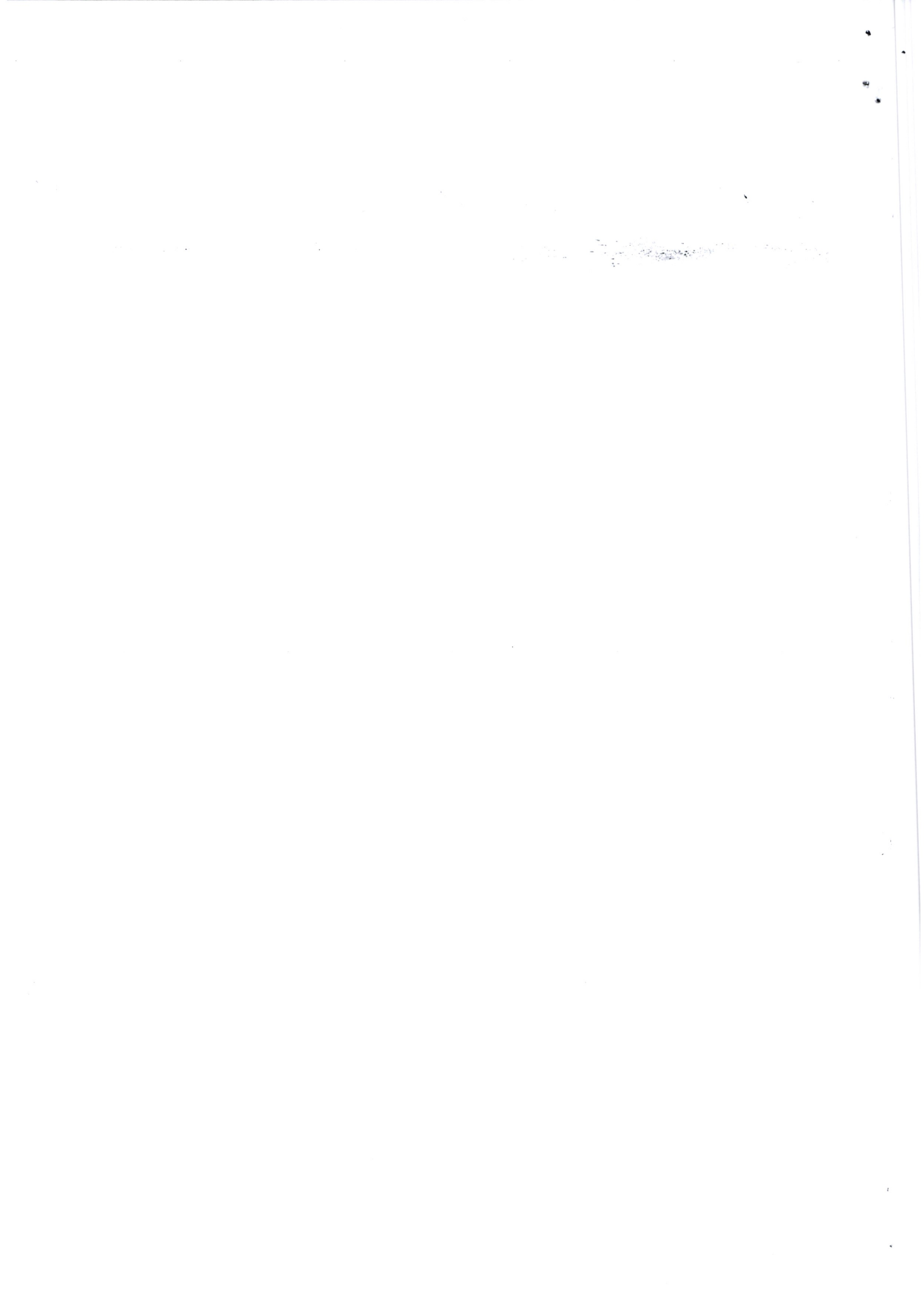
Sincerely

[Signature]
DEPUTY CLERK
P.O. Box 41842 - 00100, NAIROBI

Twalib Mbarak, CBS
SECRETARY/CHIEF EXECUTIVE OFFICER

LK/R

NATIONAL ASSEMBLY
RECEIVED
29 MAR 2023
CLERK'S OFFICE
P O Box 41842, NAIROBI





KENYA REVENUE AUTHORITY

ISO 9001:2015 CERTIFIED

Office of the Commissioner General

KRA/5/1002/5(8745)

29th March, 2023

Mr. Samuel Njoroge
Clerk of the National Assembly
P.O Box 42842-00100
Parliament Buildings
Nairobi

D/DC
① Please deal.
31/03/23

② Katho
Kkadele
Deal
31/03

Dear Clerk,

REQUEST FOR INFORMATION ON DR. DAVID ADANG OGINDE, ID. NO. 5334523, NOMINEE FOR APPROVAL FOR APPOINTMENT AS CHAIRPERSON OF ETHICS AND ANTI-CORRUPTION COMMISSION AND DR. MARGARET KARUNGARU, ID. NO 3463479, NOMINEE FOR APPROVAL FOR APPOINTMENT AS A MEMBER OF THE NATIONAL GENDER AND EQUALITY COMMISSION

We refer to your letter Ref: NA/DDC/LABOUR/VETT/2023/004 dated 22nd March, 2023 on the above referenced request.

The compliance status of the candidates is as follows:

S/No	Name	ID	PIN	Status
1.	Dr. David Adang Oginde	5334523	A001160941Z	Compliant
2.	Dr. Margaret Karungaru	3463479	A001862497J	Compliant

Yours sincerely,

**FCCA, CS Rispah Simiyu (Mrs.) Advocate, EBS
AG. COMMISSIONER GENERAL**

DIRECTOR
RECEIVED
31 MAR 2023
Directorate of Departmental Com. Affairs

NATIONAL ASSEMBLY
RECEIVED
33 MAR 2023
DEPUTY CLERK
P. O. Box 41842 - 00100, NAIROBI

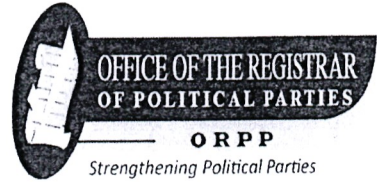
NATIONAL ASSEMBLY
RECEIVED
30 MAR 2023
CLERK'S OFFICE
P. O. Box 41842, NAIROBI



REPUBLIC OF KENYA

Telephone: +254(0)204022000
Mobile: 0772281357
Email: info@orpp.or.ke
Website: www.orpp.or.ke
When replying please quote

① D/DC
Please deal.
[Signature]
27/03/23
② Douglas Karuru
Please deal
[Signature]
28/03



Lion Place, 1st & 4th Floor
Off Waiyaki Way
P.O. Box 1131-00606
Sarit Centre, Nairobi.

Ref: RPP/ORG/34 VOL. IV (64)

Date: 24th March, 2023

Serah Kioko, MBS,
Clerk of the National Assembly,
Main Parliament Buildings,
P.O. Box 41842 – 00100,
NAIROBI.

Dear *Serah,*

RE: REQUEST FOR INFORMATION ON DR. DAVID ADANG OGINDE, ID NO. 5334523
NOMINEE FOR APPROVAL FOR APPOINTMENT AS CHAIRPERSON OF ETHICS
AND ANTI-CORRUPTION COMMISSION AND DR. MARGARET KARUNGARU, ID NO.
3463479, NOMINEE FOR APPROVAL FOR APPOINTMENT AS A MEMBER OF THE
NATIONAL GENDER AND EQUALITY COMMISSION

Reference is made to letter Ref No. NA/DDC/JLAC&SP/VETT/2023/005 dated 22nd March, 2023 on the above subject matter.

Pursuant to Article 77 (2) and according to the records held by this Office as at 24th March, 2023, Dr. David Adang Oginde, Id No. 5334523 and Dr. Margaret Karungaru, ID No. 3463479 are NOT officials of any registered political party.

Yours *Sincerely,*

[Signature]
Ann N. Nderitu, CBS
Registrar of Political Parties/CEO

NATIONAL ASSEMBLY
RECEIVED
27 MAR 2023
DEPUTY CLERK
P. O. Box 41842 - 00100, NAIROBI

DIRECTOR
RECEIVED
26 MAR 2023
www.orpp.or.ke
Directorate of Departmental Committees



@ORPPKenya



ORPPKenya

Annexure 10:

Curriculum Vitae of the
nominee

David Adang Oginde

PhD Leadership (Regent, USA), MA Leadership (PAC), BArch. Hons (UON),
Certificate in Professional Mediation (PAC)



Vision: *Value driven leaders transforming their world*
Mission: *Live to leave every person and every place better than I found them*

STATUS:

Birth: 10 Nov 1959
Marital: Married

CONTACTS:

Address: P.O. Box 70204 - 00400, Nairobi, Kenya
Phone: +254 719 215 315, +254 772 313 817
E-mail: doginde@thecatalead.com
doginde@gmail.com

PERSONAL STATEMENT

No matter how small, each one of us can contribute towards making this world a better place. My commitment and passion are to be a value-driven leader and to inspire others be the same and thus transform society. My over 30 years of service in diverse settings has taught me that every assignment is a divine opportunity to serve humanity. This must be done with vision, passion, and excellence. To this end I have dedicated my life.

ACADEMIC and PROFESSIONAL BACKGROUND

PhD Organizational Leadership (2013) *Regent University, USA*
Dissertation: *Ethnicity and Intercultural Competence: Effects of Trust, Leader-Member Exchange, and Organizational Justice*

Master of Arts in Leadership (2007) *Pan Africa Christian University*
Thesis Project: *Leading a Successful Institutional Turnaround – A Case Study of the Nairobi Chapel*

Certificate in Professional Mediation (2018) *Pan Africa Christian University*
Certified Professional Mediator

Diploma in Management (1992 partial) *Kenya Institute of Management*

Post Graduate Certificate in Biblical Studies (1991) *Trinity International University, USA*

1980 -1986
Bachelor of Architecture, B. Arch. (1986) *University of Nairobi*
Thesis Project: *Kisumu International Airport*

SCHOOLS ATTENDED

1978 - 1979

Mombasa Polytechnic

East Africa Advanced Certificate of Education

1974 - 1977

Kabete Technical School

East Africa Certificate of Education

1967 - 1973

Ndenga Primary School

Kenya Certificate of Primary Education

SPECIAL ENGAGEMENTS

Personal Engagements

Founder and President, The Catalead Associates Ltd

The Catalead is a leadership development firm that is committed to developing value driven leaders in families, organisations, and the nation. The Catalead offers Courses, Coaching, and Consultancy for individuals, groups, and organisations.

Global Engagements

- *Member Global Steering Committee of the 4-14 Window Movement. I also serve as the Chair of the Pastors Track - 2009 to date.*

The 4/14 Window Movement is a Global Mission Movement focusing on Reaching, Rescuing, Rooting and Releasing children and youth (0-18 years old) to reach their full transformational impact in their family, community and nation.

- *Member Global Steering Team of the Global Kingdom Partnership Network (GKPN) - 2011 to date*

GKPN is a global network of Senior Church and Marketplace leaders from over 100 nations committed to supporting one another in their call to extend the Kingdom of God.

Regional Engagements

- *Vice Chair, Executive Board of the Association of Evangelicals in Africa (AEA) - 2021*

- *President, Association of Evangelicals in Africa (AEA) East Africa region – 2021*

AEA is the continental association of all national evangelical alliances in Africa. AEA is a member of the World Evangelical Alliance (WEA)

- *Chair, Pentecostal Assemblies of Africa (PAOA) – 2014 – to date*

PAOA is the continental fellowship of Pentecostal Churches across Africa founded by the Pentecostal Assemblies of Canada (PAOC)

National Engagements

Academic

- *Chair, University Council, Mama Ngina University College (MNUC) - 2022 to date*

Mama Ngina University College is a constituent College of the Kenyatta University, the second largest fully government owned and chartered university in Kenya.

- *Chancellor, Pan Africa Christian (PAC) University - 2010 to 2021.*

PAC University is a fully government chartered Christian university in Kenya. Steered the

university from a small Bible college of 300 students to fully chartered university of over 3000 students. Initiated and established cutting edge programs including the now popular PhD in Organisational Leadership.

- Chair, Governing Council, Pan Africa Christian (PAC) University - 2010 to 2017

Government

- Member, Inter-Faith Council on National Response to COVID-19 Pandemic - 2020 to date
The Council is an interreligious team appointed by the government to oversee and advise on the management of all activities in places of worship during the COVID-19 pandemic and guide religious leaders on appropriate response to the pandemic.
- Member, Selection Panel for the Independent Electoral and Boundaries Commission (IEBC) - 2016-17 –
The Selection Panel was responsible for identifying and recruiting members of the IEBC that oversee presidential and other national elections.

Church

- Vice Chair of the Association of Evangelicals in Africa (AEA)
AEA is an association of Evangelical Churches and movements in Africa. AEA is a member of the global World Evangelical Alliance (WEA).
- President of the East Africa region of the Association of Evangelicals in Africa (AEA)
- Chairman, Evangelical Alliance of Kenya (EAK) - 2019 to date
EAK is an alliance of Evangelical Churches and movements in Kenya. EAK is a member of the continental Association of Evangelicals in Africa (AEA) and in turn a member of the global World Evangelical Alliance (WEA).
- Vice Chairman, Evangelical Alliance of Kenya - 2014 to 2019
EAK is the umbrella fellowship of Evangelical Churches in Kenya.
- Trustee, Hesabika Trust - 2017 to date
Hesabika is national initiative to spur Christians to stand up for Kingdom principles and practices in every sector of society
- Chair, The Kenya Church Taskforce - 2002 to date
The Kenya Church is an interdenominational movement of all churches in Kenya focused on ensuring social justice and godly values in society and government

Other

- Moderator, Inter Religious Council of Kenya (IRCK) - 2021
- Member, Board of Directors Biblica Kenya - 2012 to 2020
Biblica is the official publisher and distributor of the New International Version (NIV) of the Bible and other related Christian materials.
- Op-Ed Columnist, The Sunday Standard Newspaper - 2014 to date
The Sunday Standard is the second largest newspaper in Kenya. As a columnist I write opinion pieces on current and topical issues every Sunday.
- Host, The Leadership Forum, Hope FM Radio - 2009 to date
Hope FM is the number one Christian station in Kenya. *The Leadership Forum* runs on alternate Mondays and is a platform discussing principles of leadership.

UNIVERSITY TEACHING EXPERIENCE

2016 to date – Lecturer

- PhD Organizational Leadership – Cultivating Self Leadership
- PhD Organizational Leadership – Credible Leadership

2013 -2016 – Lecturer

- Master of Arts in Leadership – Organizational Behaviour

Daystar University

2009 – Adjunct Lecturer

- Masters in Communication – Communication and Leadership
- Graduate Studies – Leadership Development and Management

2008 – Adjunct Lecturer

- Graduate Studies – Biblical Foundations for Christian Service

Grace College

2002 – Adjunct Lecturer

- Church Administration and Leadership
-

RECOGNITIONS AND AWARDS

- 2019 – Top 100 Most Influential Kenyans, Kenyans.co.ke
 - 2016 – Runner Up, CEO of the Year, Champions of Governance Award, Institute of Certified Public Secretaries of Kenya
-

WORK EXPERIENCE

Christ is the Answer Ministries (CITAM)

1997 to 2020

CITAM is an international church ministry with over 45,000 members in twenty-eight congregations in Kenya. CITAM has also planted churches in other countries of Africa, Asia, Europe and the USA. The church also provides education services through its several academies and a university. CITAM Media comprises Hope FM and Hope TV stations. CITAM offers social support among the underprivileged communities in Kenya.

POSITIONS HELD

Presiding Bishop, CITAM

2010 to 2020

Served as the CITAM Presiding Bishop. The Bishop is the chief executive officer of CITAM and, in consultation with the CITAM governance organs, is responsible for all policy initiation, formulation and ultimate implementation ensuring that the vision and mission of CITAM are fulfilled.

Responsibilities:

- o Presided over all the affairs of the Church and its ministries
- o Provided strategic leadership for all-church organs, branches, and business units
- o Provided overall leadership by serving as chair to the:
 - Annual General Meeting of the members,
 - Deacon Board

- Council of Elders
- Fellowship of Elders
- Senior Pastors forum
- Served as the official spokesman of the Church
- Represented the Church in National and International forums
- Networking and external relations with other organizations, churches, and government

Projects and programs initiated and implemented

Some special projects and programs I helped initiate and implement include:

- *Church Branches* – Grew the number of church branches from nine to thirty in ten years
- *Financial Base* – Grew the Church financial base from Ksh. 100 million to 2.2 billion
- *The Safari* – Developed a five-stage comprehensive and intensive discipleship program for congregational members to establish them in sound Christian orthodoxy and orthopraxy
- *CITAM Apprenticeship in Ministry Program (CAMP)* – Initiated and developed a one-year pastoral apprenticeship program for young university graduates introducing them to pastoral ministry
- *Hope TV* – Initiated and established a 24-hour Christian digital television station with regional reach in East Africa
- *CITAM International Missions* – Initiated an international mission program to establish mission stations and plant urban churches in strategic cities of the world. Mission stations and churches were been established in Burundi, Romania, Namibia, Washington USA, and East Timor.
- *CITAM Kadolta Resort* – Initiated and established a contemporary high quality resort and conference centre with a savannah experience
- *The Springboard* – Introduced a biannual missions convention to challenge believers to world missions
- *Moving the Ark* – Initiated a funds drive to build permanent sanctuaries for CITAM Assemblies
- *The Leadership Forum* – Initiated and established a bi-weekly live radio discussion forum on leadership topics on Hope FM
- *The Refinery* – Initiated a monthly Pastoral and Leadership mentorship program for young pastors

Deputy Bishop, CITAM

2009 - 2010

Responsibilities:

- Deputized the Presiding Bishop in all the affairs of the Church and its ministries
- Oversaw all pastoral work in all CITAM Assemblies
- Coordinated all spiritual activities of the church

Senior Pastor, CITAM Karen and CITAM Valley Road

2001 - 2009

Served as Senior Pastor for CITAM Karen (2001-04) and CITAM Valley Road (2004-10) with congregations of 3000 and 10,000 members respectively. Provided leadership to teams of pastors and administrative staff.

Responsibilities:

Spiritual Care

- Provide spiritual oversight for the Assembly
- Initiate and oversee all program and activities for spiritually nourishment of members
- Prepare preaching schedule for all church services
- Preach and teach in church services
- Prepare and mobilize the congregation towards spiritual growth and maturity
- Oversee the effective running of all church ministries and departments

Administration

- Ensure the proper running of the Assembly
- Prepare and oversee the annual budget for the assembly
- Ensure efficient management and operation of the church office
- Attend Senior Pastors' meetings of the *Christ is the Answer Ministries*
- Attend meetings of the Council of Elders
- Networking and external relations with other organizations and churches

Personnel

- Oversee the personnel needs of all the staff in the Assembly
- Ensure spiritual growth and development of all the staff
- Develop and cultivate teamwork among the pastors and other staff

Director for Administration, CITAM

1997-2001

Served as the Director for Administration, overseeing all the administrative aspects of the church, its ministries, and business units.

Responsibilities:

Administration

- Served as an ex-officio member of the Deacon Board
- Ensured the prompt and effective implementation of Board decisions
- In conjunction with the relevant heads of departments, ensured the smooth running of all the CITAM departments
- Ensured efficient running of the church offices

Personnel

- In charge of the personnel administration of all church employees
- Ensured appropriate recruitment, appointment and placement of all staff of the church
- Ensured the keeping and maintaining of proper records on all staff
- Ensured the prudent management of the personnel remuneration
- Initiated and established the computerization of all personnel records and procedures

Finances

- Ensured the proper financial management of church in line with the church budget
- Approved all church expenditure ensuring they were in conformity with approved budget
- Ensured proper procurement of all church goods and services

- Ensured the proper accounting of all church finances and the presentation of monthly reports to the Deacon Board
- Arranged for and ensured the external auditing of the books of account and presentation of the same to the church Annual General Meeting

Projects

- Ensured the proper management of all church projects and facilities
- Oversaw the implementation of the following building projects
 - CITAM Academy multi-purpose hall
 - CITAM Karen new sanctuary
- Initiated and established the CITAM Catering Unit
- Initiated and established the CITAM bookshop
- Initiated the Hope FM radio

Fellowship of Christian Unions (FOCUS)

1986 – 1997

FOCUS is an organization working with students in the universities and colleges in Kenya providing leadership training, guidance, and counseling. It is affiliated to the International Fellowship of Evangelical Students (IFES).

POSITIONS HELD

National Director

1992 - 1997

The National Director is the chief executive officer and, in consultation with the FOCUS Coordinating Council, is responsible for all policy initiation, formulation and ultimate implementation ensuring that the goals and objectives of FOCUS are met.

Responsibilities:

General Administration

- Prepared, in liaison with the Council Chairman, the agenda for the quarterly Board meetings.
- Prepared and presented quarterly management reports to the Council.
- Oversaw the day to day running of the office.

Financial Management

- Prepared annual budgets for discussion at the FOCUS Council and for subsequent approval by the members at the Annual General Meeting.
- Was responsible for the implementation of the approved budget ensuring that both the income and expenditure are kept in line.
- Was responsible for ensuring that appropriate quarterly accounts reports are prepared and presented to the Council and audited accounts presented to the members at the Annual General Meeting.

Fund Raising

FOCUS operated purely on donations and gifts from its members, associates and some churches.

- Was fully responsible for raising funds for FOCUS, 95% of which was locally funded.
- Was responsible for raising funds for the FOCUS Student Training Center project alongside the normal operational budget.
- Initiated, developed and established a Public Relations and Fund Raising department that has been very instrumental in developing promotional and fund raising materials

Personnel Management

- Was responsible for the identification, recruitment, and placement of suitable staff for the organization
- On appointment in 1992, undertook careful projection of staffing needs of FOCUS and thus built the staff team from 16 in 1992 to 36 in 1996, 75% of these being university graduates.
- Developed staff working structures, Job descriptions, appraisal forms and revised the terms and conditions of service to keep in line with changing staff needs and organizational growth.
- Was responsible for the general administration, management and mentoring of the staff team.

Project Management

Was fully responsible for the management and administration of the following projects and programmers:

- *FOCUS Student Center building project* - Fund raising, construction supervision, maintenance and use. The Center consists of offices, staff housing and hostels.
- *Short Term Experience in Ministry (STEM)* - a staff volunteer program initiated in 1992 that provides over 15 fresh graduates with one year service and training opportunities locally and internationally.
- *IFES World Assembly* - a quadrennial international conference hosted by FOCUS in 1995 that brought together staff, students and board members of student movements similar to FOCUS from over 110 countries of the world

Bible Study Secretary

1986 – 1992

Responsibilities:

Student Leadership training

- Provided mentorship and training for University and College Christian student leaders in assigned institutions
- Organized leadership training workshops and seminars for Christian students
- Provided coaching for Executive Committee members of the Christian Unions

Materials Development

- Developed over twenty Bible Study materials for use by Christian Unions members in all the universities and colleges in Kenya
- Developed and published leadership training materials for equipping students and graduates in leadership

Regional Training

- Served as Bible Study and Leadership trainer for student and graduate leaders in Eastern and Southern Africa region of the International Fellowship of Evangelical Students (IFES)

- Developed materials for use by students and graduates in the universities and colleges in the region

BOOKS PUBLISHED

- Oginde, D. A. (2020). The character of a leader: Authenticity as a moral distinction. In J.H. Wilson and D.P Peltz (Eds.), *True Leadership: Leadership Styles and the Kenotic Relationship* (pp. 65-74). Palgrave Macmillan.
- Oginde, D. A. (2010). *Call me Marah: Expository study on the book of Ruth*. Nairobi, Kenya: Daystar University.
- Birch, K. & Oginde, D. A. (2008). *Managing Conflicts: A practical resource for resolution & reconciliation*. Nairobi, Kenya: Evangel Publishers.
- Oginde, D. A. (2006). Commentary on Joshua. In T. Adeyemo (Ed.), *Africa Bible Commentary: A one-volume Bible commentary written by 70 African Scholars* (pp. 255-294). Grand Rapids, MI: Zondervan.
- Oginde, D. A. (2006). Jews and Gentiles. In T. Adeyemo (Ed.), *Africa Bible Commentary: A one-volume Bible commentary written by 70 African scholars* (p. 82). Grand Rapids, MI: Zondervan.
- Oginde, D. A. (2004). *Possessing your possession: Expository study on the book of Joshua*. Nairobi, Kenya: Word Alive Publishers.

ACADEMIC CONFERENCES and JOURNAL PUBLICATIONS

- Oginde, D. A. (2013). Ethnicity and Intercultural Competence: Effects on Trust, Leader-Member Exchange, and Organizational Justice, *Dissertation*, Regent University
- Oginde, D. A. (2012). Integrity and leadership. *Management Magazine*, Nairobi.
- Oginde, D. A. (2011). The influence of spirituality on organizational citizenship behaviors. Paper presented at *Africa International Business and Management (AIBUMA) Conference*, University of Nairobi, Nairobi, Kenya.
- Oginde, D. A. (2011). The pressure to perform: Managing follower expectations. *Management Magazine*, Nairobi.
- Oginde, D. A. (2011). Follower expectations of a leader: Most admired leader behaviors. *International Leadership Journal*, 3(2), 87-108.
- Oginde, D. A. (2011). Morality, Integrity and Leadership. *Management Magazine*, Nairobi.
- Oginde, D. A. (2011). Antecedents of Christian leadership. Paper presented at the *Biblical Perspectives in Leadership Research Roundtable* – Regent University, Virginia Beach, USA.
- Oginde, D. A. (2010). The nexus of wisdom: Shifting the paradigms of scholarship and leadership in Africa. Paper presented at *Leadership and Management Studies in Sub-Sahara Africa (LMSSSA) Conference*, Cape Town, South Africa.

LEADERSHIP WORKSHOPS AND SEMINARS FACILITATED

Some Select Seminars and Workshops

- Leadership, Governance, and Politics – Blue Concepts Africa High level leaders workshop
- Leading in Crisis – Alpha Africa
- Teams and Teamwork – ICT Center, University of Nairobi
- Organisational Resilience in Crisis – Isuzu, East Africa
- Legacy: Living a Life that Counts – County Public Service Boards (CPSB) National Consultative Forum
- Use and Abuse of Power in Leadership - Kisumu County Government Leaders Summit
- Family as the Foundation of a Sustainable and Ethical Society – Institute of Certified Public Secretaries of Kenya (ICPSK)
- Governance and Leadership – Pentecostal Assemblies of God Executive Committee
- The X Factor of High Impact Leaders – The Global Leadership Summit
- Stewarding Your Life for Impact – IGNITE Leadership Conference
- Values and Leadership – Nandi County Government Leaders Forum.
- Ethical Professional Practice – Institution of Engineers of Kenya (IEK)
- Leading Across Cultures – National County Government Leaders Conference
- Critical Thinking and Scholarship – PAC University – PhD Organizational Leadership Students.
- A Christian Paradigm for Leadership and Scholarship in Africa – PAC University – PhD Organizational Leadership Students.
- Values and Leadership – Kisumu County Government Leaders.
- Perspectives into Servant leadership – Nairobi Pastors and Leaders.
- Socio Economic Factors in Africa Leadership - Addis Ababa Ethiopia – Corporate, Government, and Church Leaders.
- Ethics, Values and Leadership – Kenya Salaries and Remuneration Commission.
- Life Work Balance – Kenya Attorney General Office.
- Effects of Ethnicity and Leadership – Addis Ababa – Corporate, Government, and Church Leaders.
- Preserving the Future Generation – Church and Corporate Leaders – New York.
- Results Based Leadership – Faulu Kenya Executive Leadership Team.
- Leadership Perspectives for Africa – Africa Biblical Leadership Initiative.
- Personal and Corporate Vision and Transformation – *World Vision Staff.*

- Organizational Culture Transformation – *Faulu Kenya*.
- Leadership Values Bible Study Program – *Faulu Kenya Staff*.
- Developing Leadership Synergy for Effective Performance – *Faulu Kenya Senior Management*.
- Pursuing Your Dreams as a Leader – *Church Leaders, Jakarta, Indonesia*.
- The Passion of Leadership – *Youth With A Mission, Bangalore, India*.
- Effective Leadership Practices – *MET School of Missions, Pretoria, South Africa*.
- Power and Authority in Leadership – *MET School of Missions, Pretoria, South Africa*.
- The Leader as a People Steward – *College Principals and Leaders of Theological and Educational Institutions in Africa, Pentecostal Assemblies of Canada*.
- Personal Renewal in Leadership – *World Vision Africa Human Resource Forum*.
- Avoiding Burnout – *World Vision Kenya Staff*.
- Christian Authority in Leadership - *Trinity Fellowship*.
- Servant Leadership in the Marketplace – *Mission Fest Conference, Pretoria, South Africa*.
- Integrity and Leadership – *Sitting and Aspiring Christian Members of Parliament in Kenya*.
- Integrity in Leadership – *International Military Fellowship Conference*.
- Principles of Christian Leadership - *Commissioners for Christ*.
- Leadership Pillars for Building a Nation – *Kenya Presidential Candidates*.
- Preparing and Tapping Youth Potential – *Parents and Teachers, Bunks and Bindles Christian School*.
- Principles of Christian Leadership – *Bible Society of Kenya Staff*.
- Handling Conflicts – *World Relief Staff*.
- Empowering the Youth for Leadership - *Bible Society of Kenya Board and Staff*.

POPULAR PRESS ARTICLES

Some selected published articles

- Oginde, D. A. (2021, September 26). Why Ethiopia crisis requires external intervention. *The Standard on Sunday*, p.16.
- Oginde, D. A. (2021, September 19). Why the furore over politics in Church? *The Standard on Sunday*, p.16.
- Oginde, D. A. (2021, September 12). Why suicide should not be criminalized. *The Standard on Sunday*, p.16.
- Oginde, D. A. (2021, September 05). The role of the Church in politics. *The Standard on Sunday*, p.16.

- Oginde, D. A. (2021, August 29). The challenge of Constitution making. *The Standard on Sunday*, p.16.
- Oginde, D. A. (2021, August 22). Weathering COVID-19 pressure. *The Standard on Sunday*, p.16.
- Oginde, D. A. (2021, August 15). The bearing the burden of leadership. *The Standard on Sunday*, p.16.
- Oginde, D. A. (2021, August 08). Silencing the drums of war. *The Standard on Sunday*, p.16.
- Oginde, D. A. (2021, August 01). The injustice of court bail terms. *The Standard on Sunday*, p.16.
- Oginde, D. A. (2021, July 25). Middle East killing of Kenyans: Dad please do something. *The Standard on Sunday*, p.16.
- Oginde, D. A. (2021, July 18). Managing stress and distress during the COVID-19 pandemic. *The Standard on Sunday*, p.16.
- Oginde, D. A. (2021, July 11). Upholding Justice in the judiciary. *The Standard on Sunday*, p.16.
- Oginde, D. A. (2021, July 04). The implications of the South Africa polyandry laws. *The Standard on Sunday*, p.16.
- Oginde, D. A. (2021, June 27). The power of the signature. *The Standard on Sunday*, p.16.
- Oginde, D. A. (2021, June 20). Church and politics summit outcomes. *The Standard on Sunday*, p.16.
- Oginde, D. A. (2021, June 13). Taming negative political narrative. *The Standard on Sunday*, p.16.
- Oginde, D. A. (2021, June 06). The problem of declining populations. *The Standard on Sunday*, p.16.
- Oginde, D. A. (2020, Oct 11). Tragedy of Toxic Politics. *The Standard on Sunday*, p.16.
- Oginde, D. A. (2017, Feb 19). Leadership Disconnect: The challenge of relevance. *The Standard on Sunday*, p.16.
- Oginde, D. A. (2017, Jan 15). Clergy in Politics: The potential conflict of roles. *The Standard on Sunday*, p.16.
- Oginde, D. A. (2017, Jan 08). Peace for Jerusalem: Is the UN fully impartial? *The Standard on Sunday*, p.16.
- Oginde, D. A. (2017, Jan 01). Peace for New Year: Opportunities and challenges. *The Standard on Sunday*, p.16.

- Oginde, D. A. (2016, Dec 25). Public interviews: The pros and cons. *The Standard on Sunday*, p.15.
- Oginde, D. A. (2016, Dec 11). Doctor's strike: The moral dilemma. *The Standard on Sunday*, p.15.
- Oginde, D. A. (2016, Nov 27). Police fight against internal corruption: Significance of self-regulation. *The Standard on Sunday*, p.15.
- Oginde, D. A. (2016, Nov 13). Trump presidential win: Implications for leadership. *The Standard on Sunday*, p.15.
- Oginde, D. A. (2016, Nov 6). Leadership in crisis: The Matiangi and Magufuli example. *The Standard on Sunday*, p.15.
- Oginde, D. A. (2016, Sept 18). Exercising individual rights in private institutions: The legal challenge. *The Standard on Sunday*, p.15.
- Oginde, D. A. (2016, May 8). Furor over electoral body not healthy for nation. *The Standard on Sunday*, p.15.
- Oginde, D. A. (2016, May 1). Affirmative action: The challenge of reverse discrimination. *The Standard on Sunday*, p.15.
- Oginde, D. A. (2016, April 24). Preservation of values is important for nation. *The Standard on Sunday*, p.15.
- Oginde, D. A. (2016, April 17). Why atheism should be the least of our worries. *The Standard on Sunday*, p.15.
- Oginde, D. A. (2016, April 17). ICC: Ensuring justice for victims of post-election violence. *The Standard on Sunday*, p.15.
- Oginde, D. A. (2016, April 10). The challenge of ethnicity and leadership. *The Standard on Sunday*, p.15.
- Oginde, D. A. (2016, March 27). Why Christians value the cross. *The Standard on Sunday*, p.15.
- Oginde, D. A. (2016, March 13). Project X: Teens party a reflection of our moral depravity. *The Standard on Sunday*, p.15.
- Oginde, D. A. (2016, March 6). Leaders need good advice to make wise decisions. *The Standard on Sunday*, p.15.
- Oginde, D. A. (2016, January 10). Leaders have 90 days to make a difference. *The Standard on Sunday*, p.15.

- Oginde, D. A. (2015, December 13). Fighting corruption needs a cartel of the good. *The Standard on Sunday*, p.15.
- Oginde, D. A. (2015, September 6). Emotional intelligence: Women leadership challenge. *The Standard on Sunday*, p.15.
- Oginde, D. A. (2015, August 9). The burden of leadership. *The Standard on Sunday*, p.15.
- Oginde, D. A. (2015, July 19). President: Leader or manager. *The Standard on Sunday*, p.15.
- Oginde, D. A. (2015, May 10). Transition leadership: The Burundi crisis. *The Standard on Sunday*, p.15.

ARCHITECTURAL PROJECTS

Designed Projects

- . Egerton University Chapel (Not yet built)
- . Malakisi Shopping Complex (Yet to be built)
- . Kisumu International Airport (Thesis Project)
- . Mamwi House in Runda Nairobi (In progress)
- . Kahawa Academy, Nairobi (Yet to be built)
- . Zambia Academy, Lusaka Zambia (Yet to be built)

Designed and Built Projects

- . Phima House - a residential house in Njoro
- . Jawa House - a residential house in Kahawa Sukari Nairobi
- . Geop House - a Residential house in Kahawa Sukari Nairobi
- . Jamu House - a Residential house in Kahawa Sukari Nairobi
- . Beop House - a Residential house in Gem Siaya
- . Personal residential house in Garden Estate Nairobi
- . Boad House - a residential house in Karen Nairobi
- . Personal residential house in Lavington Nairobi

REFEREES

Rev. Calisto Odede

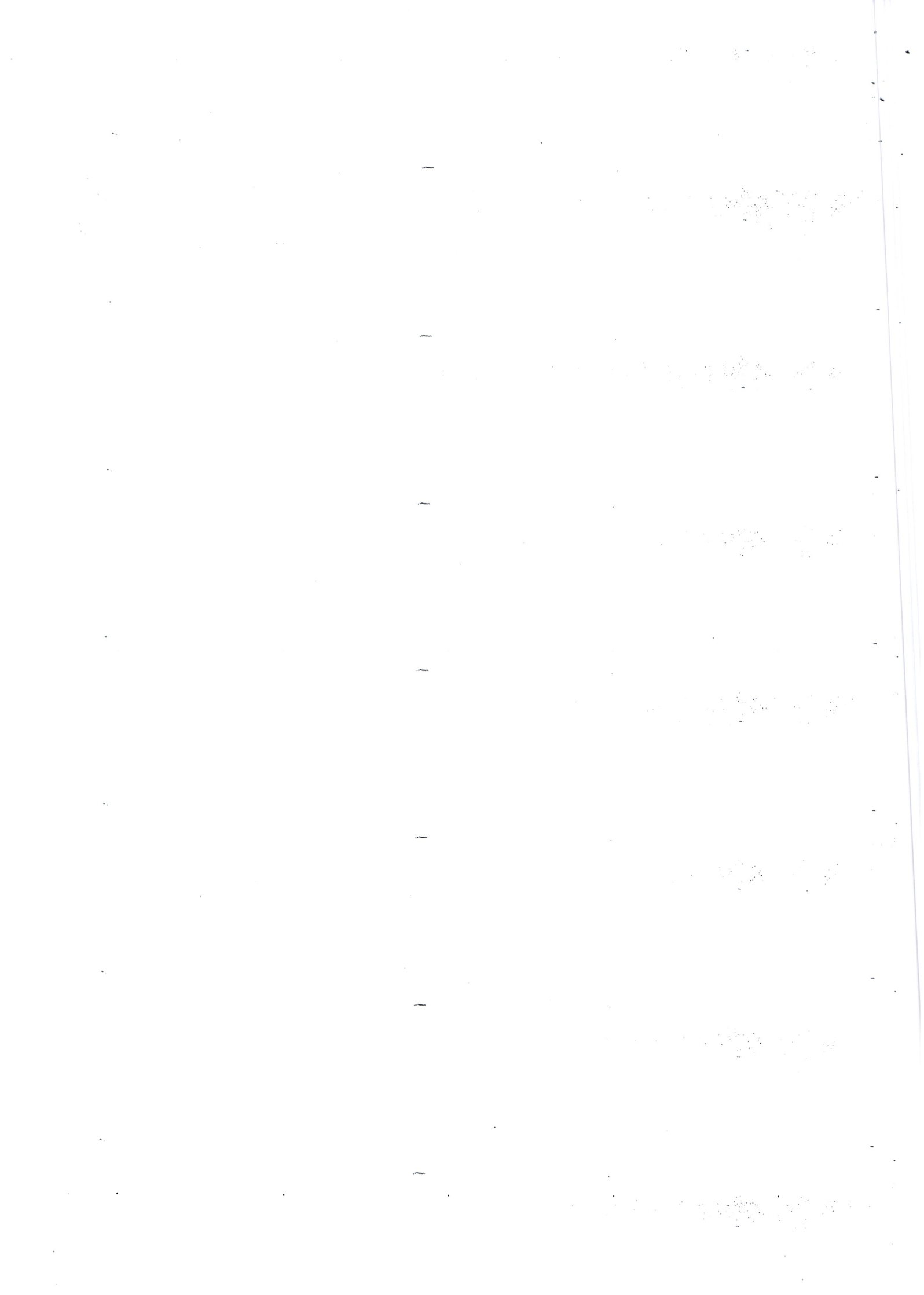
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Annexure 11:

Certificates and Testimonials

Regent University

*By authority of the Board of Trustees
and on recommendation of the faculty,*

The School of Business and Leadership

has conferred upon

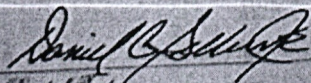
David Adang Oginde

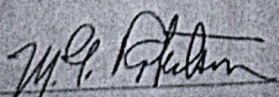
the degree of

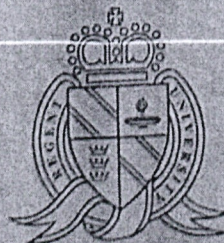
Doctor of Philosophy

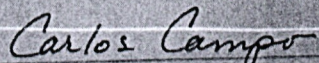
with all the rights, privileges and responsibilities thereto pertaining.

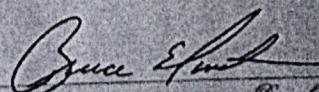
*Acknowledging God as the fountainhead of all wisdom and His Son
Jesus Christ as the source of all truth, we affix the seal of the
University and bestow this honor at Virginia Beach, Virginia, on this the
xth day of May, in the year of our Lord, two thousand and thirteen.*


Chairman, Board of Trustees


Chancellor of the University

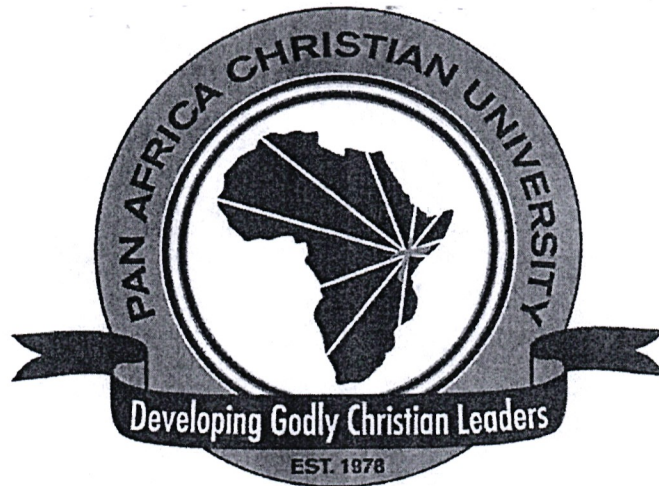



President of the University


Dean of the School

11 Timothy 2:2 - "And the things that thou hast heard of me among many witnesses,
shall be able to teach others also."

Pan Africa Christian University



In cooperation with Trinity Western University

By the authority of the Board of Governors,
and upon the recommendation of the faculty,
hereby confers upon

Oginde David Adang

the degree of

Master of Arts in Leadership

Business and Entrepreneurship

with all of the attendant rights and privileges
in testimony whereof our names and seal are
affixed given at Nairobi, Kenya
this July 21, 2007

Principal

Academic Dean

Registrar



UNIVERSITY OF NAIROBI



This is to certify that

David Abang' Oginde

having satisfied the requirements
for the award of the degree of the

BACHELOR OF ARCHITECTURE

Second Class Honours (Lower Division)

was admitted to the degree
at a Congregation held at
this University on the

Twenty Ninth Day of September in the Year
1986

Philip M. Mbitia

VICE - CHANCELLOR

JAMutese

DEPUTY VICE - CHANCELLOR (ACADEMIC AFFAIRS)

PC370686

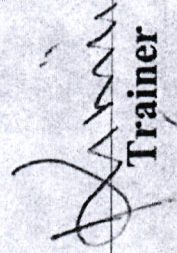


CERTIFICATE IN PROFESSIONAL MEDIATION

This is to certify that

David Adang Oginde

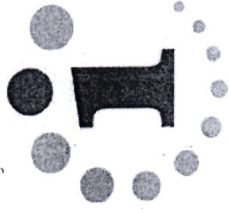
Has successfully completed a 40 hours Certification Course and 9 hours
of assessment in Professional Mediation and has qualified
as a Certified Professional Mediator.


Trainer





Academic Registrar



CREDITINFO Clearance Certificate

This is to certify that,

David Adang Oginde

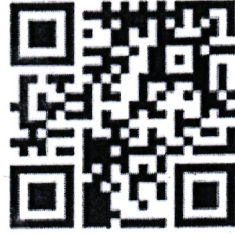
Of ID Number: 5334523

Has no adverse listing as per information held by Creditinfo CRB Kenya Ltd

This certificate is valid at the date of issue, changes may occur after issue date

A handwritten signature in black ink, appearing to read 'D. Oginde'.

Chief Executive Officer



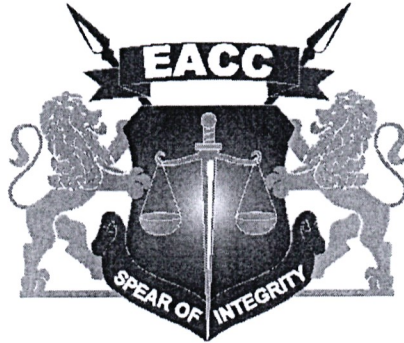
A handwritten signature in black ink, appearing to read 'M. Mwangi'.

Chief Technology Officer

The Conclusion herein is based on the information obtained from public records and other third party sources. Creditinfo makes no representation as to the accuracy of this information and shall not be liable for any loss, damages or claims whatsoever arising from reliance in this certificate.

**ACKNOWLEDGEMENT RECEIPT
OF SELF DECLARATION**

Acknowledgement Receipt
SELF-2023-7135



For inquiries
Contact Integrity Centre
Tel.(020) 4997000
Cell: +254 730 997000
customer@integrity.go.ke

24 January, 2023

The Commission acknowledges receipt of your Self Declaration with the following particulars.

Applicants Serial Number	SELF-2023-7135
Name of Applicant	Dr. David Adang' Oginde
Applicant Identity Number / Alien Number	5334523
Applicants Address	70204 - 00400, Kauria Close Lavington



Disclaimer:

1. This is a system generated document and does not require a signature. You can verify the authenticity of this document through our web portal <https://adili.eacc.go.ke/checker> or by scanning the above QR code.
2. This acknowledgement is proof that the applicant has submitted a self declaration as provided in the First Schedule to the Leadership and Integrity Act, 2012.
3. This acknowledgement is **NOT** a clearance by the EACC.

Web: www.eacc.go.ke | For online application: <https://adili.eacc.go.ke> | Twitter: @EACCKenya

Terms and conditions apply

HIGHER EDUCATION LOANS BOARD



Compliance Certificate

This is to confirm that;

DAVID ADANG OGINDE

Holder of National IDNO. 5334523 is a beneficiary and has fulfilled his/her obligation towards the University Loans scheme as provided by law

Chief Executive Officer

Chief Operations Officer

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) This is a system generated certificate. To confirm genuineness and validity of this certificate use the HELB checker available at : <https://studentportal.helb.co.ke> or contact our office.

Date of Issue: 14-09-2021

Valid until: 14-09-2022



KENYA REVENUE
AUTHORITY

www.kra.go.ke

Tax Compliance Certificate

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

Taxpayer PIN : A001160941Z

Certificate Date: 20/01/2023

Name and Address :

DAVID ADANG' OGINDE
CITAM Valley Road, Nairobi, Westlands District,
PO Box:70204,
Postal Code:00400

Certificate Number:

KRAWON1314194223



**This is to confirm that DAVID ADANG' OGINDE,
Personal Identification Number A001160941Z
has filed relevant tax returns and
paid taxes due as provided by Law.**

**This Certificate will be valid for
twelve (12) months up to 19/01/2024.**

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. This certificate confirms your compliance status for a period of five years preceding the date of issue. The certificate may however be with withdrawn on grounds of outstanding debt affecting periods prior to this.



OFFICE OF THE VICE CHANCELLOR

Outside the Church context, Dr. Oginde has built and grown the Pan Africa Christian University for ten years from its humble state in 2010 to where it is today. He first took on the role of the Chair of the University Council and also the University Chancellor. He later just confined himself to the role of the Chancellor in accordance with the guidelines of the Commission of University Education. As the Chair of Council, he played a critical and robust role in ensuring that the Pan Africa Christian (PAC) University (which was chartered in 2008) had the relevant policies in place to run it effecting and to grow it financially to guarantee sustainability. In no time, PAC university has managed to diversity and grow its programs up to the PhD level, tripled the student numbers, attracted great scholars and attained financial strength which sustained it comfortably through the COVID-19 season.

As a matter of fact, this relatively small university successfully trained 30 universities in the East African Community in 2022 after competitively winning a GIZ and the Inter University Council of East Africa bid on D-skills. The University is well known for its expertise in online learning attributed largely to the leadership of Dr. Oginde in initiating it and ensuring that PAC's academic programs engaged e-learning way before the COVID-19 season.

Dr. Oginde's knowledge, experience, leadership, passion and commitment has inspired PAC University staff to put all they have into the success of the university. I have been a firsthand beneficiary of his style and substance of leadership – participatory, transparent, bold, and focused. He is good at giving direction and clarity to what needs to be done, supervising it, and generously giving encouragement when things get tough.

Mr. PSC Chairman, in recommending Dr. Oginde to you, I truly believe he can successfully take the Ethics and Anti-corruption Commission to greater heights in terms of its effectiveness and impact. His track record within Christian circles and nationally gives great hope that his reliance on God's help, his passion for what is right and fair, his creativity and foresight will continue to be traits which will be associated with his work and service into the future.

Yours faithfully,

Prof. Margaret Jepkirui Muthwii

Vice Chancellor, PAC University



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vc@pacuniversity.ac.ke | www.pacuniversity.ac.ke

Where Leaders are Made





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Telephone: +254 725 367 180; +254 733 620 596 | www.citam.org

30th January, 2023

The Secretary/ CEO
Public Service Commission
P.O. Box 30095-00100
Nairobi

Dear Sir/ Madam,

**RE: RECOMMENDATION FOR REV. DR. DAVID ADAN'G OGINDE-
CHAIRMAN, EACC:**

I have had the privilege of knowing Rev. Dr. David Adan'g Oginde for close to 35 years, initially while were both students although in different universities. Later on we had the privilege of serving together in an institution called Fellowship of Christian Unions (FOCUS), which was working with Christian students in all the public universities in Kenya. His leadership in this organisation took him to the top of the organisation where he served as the General Secretary, overseeing the entire work in Kenya.

Following the end of his term in this institution he served as the Pastor for Administration for Christ is the Answer Ministries (CITAM - Nairobi Pentecostal Church then) before taking on the responsibility as a Senior Pastor in a number of the congregations. Eventually he became the Presiding Bishop of CITAM, a post he held for his full term of ten years, before handing over and getting into consultancy. This was a major responsibility where he was handling a budget of over one billion shillings, a task which he performed with distinction.

In all these areas of service, he has exemplified a character of integrity and consistency which have made all the institutions he has served in to maintain very good public reports. Having done a PhD in Leadership, this has enhanced his already acquired Biblical-based leadership principles and values, which have enabled him to put structures of accountability in place in the institutions that has led which have been most helpful. With the wide experience in people relationship, I trust that this would make his leadership very fruitful.

I am sure that with him at the helm of Ethics and Anti-Corruption Commission as the chairman, this will take the country to new heights in the preservation and proper utilization of the resources of the people of Kenya. For this reason, I do highly recommend him for this position.

Yours faithfully,

Rev. Calisto Odede
PRESIDING BISHOP - CITAM



OUR MISSION: To know God and make Him known through evangelism and discipleship

