

*Approved for tabling in the House.*

*SWA  
9/11/2021*

PARLIAMENT OF KENYA

THE NATIONAL ASSEMBLY PAPERS TABLED	
DATE: 08 NOV 2021	
TABLED BY:	<i>Majority Whip Hon. George</i>
CLERK-AT THE TABLE:	<i>B. Inzofu</i>



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TWELFTH PARLIAMENT - FIFTH SESSION - 2021

THE DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS

REPORT

ON THE APPROVAL HEARING FOR APPOINTMENT OF COL. (RTD) ALFRED MTUWETA MSHIMBA AND DR. MONICA WANJIRU MUIRU AS MEMBERS OF THE ETHICS AND ANTI-CORRUPTION COMMISSION (EACC)

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

NOVEMBER 2021

KENYA NATIONAL ASSEMBLY



DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS

ATTENDANCE REGISTER FOR MEMBERS

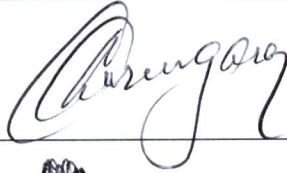
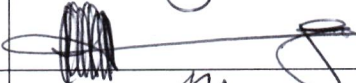
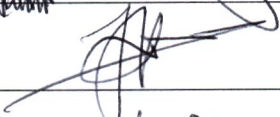

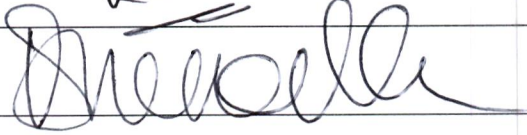
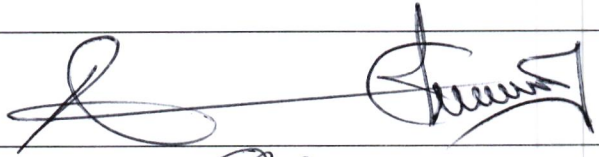

DATE... 22/10/21.....

VENUE... English point - 100 pm - 2.05 pm.....

AGENDA

ADOPTION OF REPORT ON VETTING OF EACC NOMINEES -  
CSL (Rtd) ALFRED MSHIMBA AND DR MONICA MURRU

NO.	NAME	SIGNATURE
1.	Hon. Clement Muturi Kigano, M.P. - <b>Chairperson</b>	
2.	Hon. T.J Kajwang, MP - <b>Vice Chairperson</b>	
3.	Hon. Emmanuel Wangwe	
4.	Hon. Junet Sheikh Nuh Mohamed, M.P	
5.	Hon. John Olago Aluoch, MP.	
6.	Hon. Roselinda Soipan Tuya, MP.	
7.	Hon. Peter Opondo Kaluma, MP.	
8.	Hon. Mwamkale Kamoti, MP.	
9.	Hon. Zuleikha Hassan, MP.	

10.	Hon. Josephine Naisula Lesuuda, M.P.	
11.	Hon. George Gitonga Murugara, MP.	
12.	Hon. Adan Haji Yussuf, MP.	
13.	Hon. Japheth Kiplangat Mutai, MP.	
14.	Hon. Anthony Githiaka Kiai, MP.	
15.	Hon. Jennifer Shamalla, MP.	
16.	Hon. John Kiarie Waweru, MP.	
17.	Hon. Dan Kipkogei Rono, MP.	
18.	Hon. Anthony Oluoch, M.P.	
19.	Hon. Robert Gichimu Githinji, M.P.	

**COMMITTEE CLERK**

.....  22/10/21

**DIRECTOR DEPARTMENTAL COMMITTEES**

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## **ANNEXURE**

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3. Curricula Vitae of the Nominees
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## **ABBREVIATIONS AND ACRONYMS**

DCI	Directorate of Criminal Investigations
HELB	Higher Education Loans Board
EACC	Ethics and Anti-Corruption Commission
Hon	Honourable
H.E	His Excellency
KRA	Kenya Revenue Authority
MP	Member of Parliament
PSC	Public Service Commission
ORPP	Office of the Registrar of Political Parties

## **CHAIRPERSON'S FOREWORD**

On 6<sup>th</sup> October, 2021 pursuant to Standing Order 42 (1), the Speaker communicated to the House a message from His Excellency the President Hon. Uhuru Kenyatta regarding the approval of Col (Rtd) Alfred Mtuweta Mshimba and Dr. Monica Wanjiru Muiro as members of the Ethics and Anti-Corruption Commission (EACC).

The Message dated 4<sup>th</sup> October, 2021 was addressed to the Speaker of the National Assembly in accordance with the provisions of sections 4 and 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, 2011. The Message also included a copy of a letter to H.E the President conveying the decision by the Public Service Commission to forwarding the names of Col (Rtd) Alfred Mtuweta Mshimba and Dr. Monica Wanjiru Muiro for appointment as members of the Ethics and Anti-Corruption Commission (EACC).

The above statutory provisions require that before making appointments of the members of EACC, the President shall seek the approval of the National Assembly. The Speaker of the National Assembly referred the Message together with the nominees' curricula vitae to the Departmental Committee on Justice and Legal Affairs for consideration pursuant to the provisions of Standing Order 45.

The Committee's Report contains observations, findings and recommendation by members of the Committee that the nominees are suitable and qualified for appointment as members of the Ethics and Anti-Corruption Commission.

The Committee conducted the vetting process for approval of the nominee with reference to the Constitution of Kenya 2010, the Public Appointments (Parliamentary Approvals) Act, 2011, Ethics and Anti-Corruption Commission Act, 2011, the Leadership and Integrity Act, 2012 and other relevant provisions of the law.

On behalf of the committee, I wish to thank the Offices of the Speaker and the Clerk of the National Assembly for the support extended to it in the execution of its mandate.

Finally, pursuant to Standing Order 216(5) (f), it is my pleasure and duty to present to the House, the Report on the approval hearing for appointment of Col. (Rtd) Alfred Mtuweta Mshimba and Dr. Monica Wanjiru Muiro as members of Ethics and Anti-Corruption Commission.

**Hon. Clement Muturi Kigano, M.P**

## CHAPTER ONE

### 1.0 PREFACE

#### 1.1 Establishment and Mandate of the Committee

1. The Departmental Committee on Justice and Legal Affairs derives its mandate from Standing Order No. 216(5) which provides for the functions of Departmental Committees as follows-

- a) *investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned ministries and departments;*
- b) *study the programme and policy objectives of ministries and departments and the effectiveness of their implementation;*
- c) *study and review all legislation referred to it;*
- d) *study, assess and analyse the relative success of the ministries and departments as measured by the results obtained as compared with their stated objectives;*
- e) *investigate and enquire 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;*
- f) *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)*
- g) *examine treaties, agreements and conventions;*
- h) *make reports and recommendations to the House as often as possible, including recommendation of proposed legislation;*
- i) *consider reports of Commissions and Independent Offices submitted to the House pursuant to provisions of Article 254 of the Constitution; and*
- j) *Examine any questions raised by Members on a matter within its mandate.*

2. The Second Schedule of the Standing Orders on Departmental Committees further outlines the Subjects of the Committee, as follows-

- (a) Constitutional affairs;
- (b) The administration of law and Justice
- (c) The Judiciary;
- (d) Public prosecutions;
- (e) Elections;
- (f) Ethics, integrity and anti-corruption; and
- (g) Human rights.

## **1.2 Committee Membership**

3. The Committee was constituted on Thursday, 14<sup>th</sup> December, 2017. The current membership is as follows-

### **Chairperson**

Hon. Clement Muturi Kigano, M.P.  
**Kangema Constituency**  
**Jubilee Party**

### **Vice Chairperson**

Hon. T.J Kajwang, M.P.  
**Ruaraka Constituency**  
**ODM - Party**

Hon. John Olago Aluoch, M.P.  
**Kisumu West Constituency**  
**FORD-Kenya**

Hon. George Peter Kaluma, M.P.  
**Homa Bay Town Constituency**  
**ODM-Party**

Hon. Roselinda Soipan Tuya, M.P.  
**Narok County**  
**Jubilee Party**

Hon. Junet Sheikh Mohammed, M.P.  
**Suna East Constituency**  
**ODM-Party**

Hon. Emmanuel Wangwe, M. P  
**Navakholo Constituency**  
**Jubilee-Party**

Hon. W.Kamoti Mwamkale, M.P.  
**Rabai Constituency**  
**ODM-Party**

Hon. Josephine Naisula Lesuuda, M.P.  
**Samburu West Constituency**  
**KANU-Party**

Hon. Zuleikha Hassan, M.P.  
**Kwale County**  
**ODM-Party**

Hon. Jennifer Shamalla, M.P.  
**Nominated MP**  
**Jubilee Party**

Hon. Robert Gichimu Githinji, M.P  
**Gichugu Constituency**  
**Jubilee-Party**

Hon. Anthony Oluoch M.P.  
**Mathare Constituency**  
**ODM-Party**

Hon. Daniel Kipkogei Rono, M.P.  
**Keyio South**  
**Jubilee -Party**

Hon. George Gitonga Murugara, M.P.  
**Tharaka Constituency**  
**Democratic Party (DP)**

Hon. Anthony Githiaka Kiai, M.P.  
**Mukurueni Constituency**  
**Jubilee-Party**

Hon. John Kiarie Waweru, M.P.  
**Dagoretti South Constituency**  
**Jubilee-Party**

Hon. Japheth Mutai, M.P.  
**Bureti Constituency**  
**Jubilee-Party**

Hon. Adan Haji Yussuf, M.P.  
**Mandera West Constituency**  
**Economic Freedom Party**

### **1.3 Committee Secretariat**

4. The Committee Secretariat is as follows-

**Mr. Abenayo Wasike  
Principal Clerk Assistant  
Lead Clerk**

**Mr. Denis Abisai  
Deputy Director-Legal Services**

**Ms. Halima Hussein  
Clerk Assistant II**

**Ms Emma Essendi  
Legal Counsel I**

**Dr. Donald Manyala  
Research Officer II**

**Mr. Omar Abdirahim  
Fiscal Analyst III**

**Ms. Roselyne Ndegi  
Serjeant-at-Arms I**

**Ms. Noelle Chelagat  
Media Liaison Officer**

5. Minutes of sittings of the Committee on the consideration of the Bill. (**Annexure 1**)

## CHAPTER TWO

### 2.0 BACKGROUND

#### **2.1 Establishment and functions of the Ethics and Anti-Corruption Commission**

6. The Ethics and Anti-Corruption Commission is established under Article 79 of the Constitution and section 3 (1) of the Ethics and Anti-Corruption Commission Act, 2011. Article 79 of the Constitution provides as follows:

***Legislation to establish the ethics and anti-corruption commission***

*Parliament shall enact legislation to establish an independent ethics and anti-corruption commission, which shall be and have the status and powers of a commission under Chapter Fifteen, for purposes of ensuring compliance with, and enforcement of, the provisions of this Chapter.*

7. Further, section 3 (1) of the Ethics and Anti-Corruption Commission Act, 2011 provides as follows:

***Establishment of the Commission***

*(1) There is established an Ethics and Anti-Corruption Commission.*

8. The functions of the Ethics and Anti-Corruption Commission are provided under section 11 of the Ethics and Anti-Corruption Commission Act, 2011 as follows:

***Additional functions of the Commission***

*(1) In addition to the functions of the Commission under Article 252 and Chapter Six of the Constitution, the Commission shall—*

*(a) in relation to State officers—*

*(i) develop and promote standards and best practices in integrity and anti-corruption;*

*(ii) develop a code of ethics;*

*(b) work with other State and public offices in the development and promotion of standards and best practices in integrity and anticorruption;*

*(c) receive complaints on the breach of the code of ethics by public officers;*

*(d) investigate and recommend to the Director of Public Prosecutions the prosecution of any acts of corruption, bribery or economic crimes or violation of codes of ethics or other matter prescribed under this Act, the Anti-Corruption and Economic Crimes Act or any other law enacted pursuant to Chapter Six of the Constitution;*

*(e) recommend appropriate action to be taken against State officers or public officers alleged to have engaged in unethical conduct;*

*(f) oversee the enforcement of codes of ethics prescribed for public officers;*

*(g) advise, on its own initiative, any person on any matter within its functions;*

- (h) raise public awareness on ethical issues and educate the public on the dangers of corruption and enlist and foster public support in combating corruption but with due regard to the requirements of the Anti-Corruption and Economic Crimes Act, 2003 (No. 3 of 2003), as to confidentiality;*
  - (i) subject to Article 31 of the Constitution, monitor the practices and procedures of public bodies to detect corrupt practices and to secure the revision of methods of work or procedures that may be conducive to corrupt practices; and*
  - (j) institute and conduct proceedings in court for purposes of the recovery or protection of public property, or for the freeze or confiscation of proceeds of corruption or related to corruption, or the payment of compensation, or other punitive and disciplinary measures including proceedings for the recovery of property or proceeds of corruption located outside Kenya.*
- (2) Deleted by Act No. 18 of 2014, Sch.*
- (3) The Commission may cooperate and collaborate with other State organs and agencies and any foreign government or international or regional organisation in the prevention and investigation for corruption.*
- (4) The Commission shall have all powers necessary or expedient for the efficient and effective execution of its functions, under the Constitution, this Act or any other written law.*
- (5) The Commission may request and obtain professional assistance or advice from such persons or organizations as it considers appropriate.*
- (6) The functions of the Commissioners shall be to—*
- (a) assist the Commission in policy formulation and ensure that the Commission and its staff, including the Secretary perform their duties to the highest standards possible in accordance with this Act;*
  - (b) give strategic direction to the Commission in the performance of its functions as stipulated in this Act;*
  - (c) establish and maintain strategic linkages and partnerships with other stakeholders in the rule of law and other governance sector;*
  - (d) deal with reports, complains of abuse of power; impropriety and other forms of misconduct on the part of the commission or its staff; and*
  - (e) deal with reports of conduct amounting to maladministration, including but not limited to delay in the conduct of investigations and unreasonable invasion of privacy by the Commission or its staff.*
- (7) The Commissioners shall meet at least once every quarter or as often as the need arises for the execution of their functions.*

## **2.2 Qualification for appointment as chairperson or Member of the commission**

9. Section 5 (1) and (2) of the Ethics and Anti-Corruption Commission Act, 2011 provides for the qualification for appointment as a chairperson or member as follows:

### ***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;*
- (ii) public administration;*
- (iii) leadership;*
- (iv) economics;*
- (v) social studies;*
- (vi) audit;*
- (vii) accounting;*
- (viii) fraud investigation;*
- (ix) public relations and media; or*
- (x) religious studies or philosophy; and*

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

### **2.3. Disqualification for Appointment as chairperson or member of the commission**

10. Section 5 (3) and (4) of the Ethics and Anti-Corruption Commission Act, 2011 provides for the disqualification for appointment as a chairperson or member as follows:

*(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.*

## **2:4. Parliamentary approval of appointments to public offices**

11. Parliamentary approval of appointments to public offices is governed by the Constitution of Kenya, the Public Appointments (Parliamentary Approval) Act, 2011 (hereinafter referred to as “the Act”) and the National Assembly Standing Orders.
12. Article 124(4) of the Constitution provides that when a House of Parliament considers any appointment for which its approval is required under this Constitution or an Act of Parliament-
  - (a) the appointment shall be considered by a Committee of the relevant House;
  - (b) the committee's recommendation shall be tabled in the House for approval; and
  - (c) the proceedings of the committee and the House shall be public.
13. Section 6 of the Act also provides as follows on the conduct of approval hearings-
  - (a) All committee proceedings on public appointments shall be open and transparent;
  - (b) The Committee may on its own motion or on the application of a candidate or any other concerned person determine the whole or any part of its sittings shall be held in camera;
  - (c) An approval hearing shall focus on a candidate's academic credentials, professional training and experience, personal integrity and background;
  - (d) The criteria specified in the Schedule shall be used by a Committee during an approval hearing for the purposes of vetting a candidate;
  - (e) 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.
  - (f) A candidate may, at any time, by notice in writing addressed to the Clerk, withdraw from the approval process and the candidate's nomination shall thereupon lapse.

## **2.5 Notification of nomination**

14. In accordance with section 5 of the Public Appointments (Parliamentary Approval) Act, 2011 the Speaker of the National Assembly received a letter from the Head of Public Service on behalf of the President notifying the House of the nomination by the President of Col. (Rtd.) Alfred Mtuweta Mshimba and Dr. Monica Wanjiru Muiru for appointment as Commissioners to the Ethics and Anti-Corruption Commission. The letter was accompanied by the nominees' Curricula Vitae and testimonials. **(Annexures 2 and 3).**
15. As stipulated under section 5(3) of the Act, the notification for nomination must be accompanied by information concerning the nominee, taking into consideration the issues for determination as outlined in section 7 of the Act.

## **2.6 Submission of nominees' names to the Committee**

16. Pursuant to section 4 of the Public Appointments (Parliamentary Approval) Act, 2011 and Standing Order 216 (5) (f), the names of the nominees were submitted to the Committee on Justice and Legal Affairs for approval hearing and reporting to the House.

## 2.7 Approval hearing/ Notification of the Public

17. The Clerk of the National Assembly is required to invite the Committee to hold an approval hearing as required by section 6(1) of the Act. The Clerk is also required to notify the nominees and the public of the time, date and venue for holding the approval hearing.
18. In accordance with section 6(3) of the Act, the Clerk placed advertisements in the local dailies on **Friday 8<sup>th</sup> October, 2021** notifying and inviting the nominees to attend the vetting on Tuesday October 19, 2021 at the Mini Chamber in County Hall, Parliament buildings. This notification was followed up with letters to the nominees inviting them to attend the vetting and requesting them to submit the completed questionnaire in the schedule to the Act together with clearance certificates from the Ethics and Anti-Corruption Commission (EACC), Kenya Revenue Authority (KRA), Higher Education Loans Board (HELB), Office of the Registrar of Political Parties (ORPP) and the Directorate of Criminal Investigations (DCI).
19. Pursuant to the provisions of Article 118 of the Constitution and section 6(3) of the Act and Standing Order 45(3), the Clerk did, by way of advertisements in print media, notify the general public of the intention of the Committee to conduct the approval hearings on Tuesday 19<sup>th</sup> October 2021 at the Mini Chamber in County Hall, Parliament buildings.
20. The advertisement also invited the public to submit memoranda on the suitability or otherwise of the nominees. Indeed, section 6(9) of the Act permits any person to provide the Clerk of the National Assembly with evidence contesting the suitability of a candidate to hold the office which the candidate has been nominated. Notably, such evidence should be provided to the Clerk in the form of a written statement made on oath and must be submitted prior to the approval hearing. (**Annexure 4**).
21. As a matter of principle, the Committee is required to hold its sittings in an open manner except where, in exceptional circumstances, the Speaker determines that there are justifiable reasons for the exclusion of the public (S.O. 198).
22. It is worth noting that section 6(7) of the Act guides that the approval hearing should focus on a candidate's academic credentials, professional training and experience, personal integrity and background.
23. With respect to personal integrity, the Committee should consider whether the nominee is in good standing with relevant institutions such as the Kenya Revenue Authority and the Higher Education Loans Board. It is also crucial for the Ethics and Anti-Corruption Commission and the Directorate of Criminal Investigations to conduct background checks on the nominee to ascertain whether there is any corruption or criminal proceedings pending against the nominee. Lastly, the Office of the Registrar of Political Parties should confirm that the nominee does not hold an office in a political party.

## 2.8 Timelines

24. Section 10 (3) of the Ethics and Anti-Corruption Act, 2011 provides as follows:  
*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.*

25. Further, section 8 (1) of the Public Appointments (Parliamentary Approval) Act, 2011 provides as follows:

*Unless otherwise provided in any law, a Committee shall consider a nomination and table its report in the relevant House for debate and decision within twenty-eight days from the date on which the notification of nomination was given in accordance with section 5.*

26. The provision of the Ethics and Anti-Corruption Act, 2011 with regard to timelines, therefore prevails.

27. In this regard, the Committee was expected to consider the nomination and table its report in the House by **26<sup>th</sup> October, 2021** which is twenty one (21) days from the date on which the notification was received of 5<sup>th</sup> October, 2021.

28. Notably however, section 13 of the Act allows for extension, in exceptional circumstances, of the period for performing an act or taking a proceeding required under the Act for a period not exceeding fourteen (14) days. Such an extension can only be granted once.

## **2.9 Criteria for vetting**

29. Pursuant to section 6(8) of the Act, the criterion for vetting is comprehensively contained in the Questionnaire in the Schedule to the Act. The Questionnaire allows the committee to obtain information on, among other things:

- (a) Name- the Committee will be able to ascertain the regional background and ethnicity of the nominee. This is so as to ensure compliance with Article 232 (1) (h) of the Constitution which contemplates a Commission that reflects Kenya's diverse communities;
- (b) Gender- the Committee will be able to ascertain the gender of the nominee. This is so as to ensure compliance with Article 27(8) of the Constitution and section 10 (9) of the Ethics and Anti-Corruption Act, 2011 that require the State to take measures to ensure that not more than two thirds of members of appointive bodies shall be of the same gender;
- (c) Age -the Committee will be able to ascertain compliance with the provisions of Article 55 of the Constitution on the youth;
- (d) Nationality-the Committee will be able to ascertain the nationality of the nominee. This is so as to ensure compliance with Article 78 of the Constitution that State officers must be Kenyan Citizens. It is worth noting the Article 78 (3) (a) of the Constitution exempts judges and members of commissions from this requirement;
- (e) Education background;
- (f) Employment record;
- (g) Honours or awards given to the nominee;
- (h) Membership to professional bodies;
- (i) Public office and political affiliations held- the Committee will be able to ascertain whether the nominee holds office in a political party. This is so as to ensure compliance with Article 77(2) of the Constitution that proscribes an appointed state officer from holding office in a political party;

- (j) Information on whether the nominee has been removed from office under Article 75 of the Constitution which prohibits a State Officer who has been removed from office under Article 75 (3) from holding any other State Office;
- (k) Nominee's Finances;
- (l) Outside commitments that the nominee intends to undertake while in office (if appointed) - Article 77(1) of the Constitution prohibits a full time State Officer from participating in any other gainful employment. It is, however, worth noting that section 7 (2) of the EACC Act, 2011 provides that the Chairperson and members of the Commission shall serve on a part-time basis;
- (m) Tax compliance status;
- (n) Potential conflict of interest - Article 75(1) of the Constitution bars state officers from engagements or association that may give rise to conflict between official/public duties and personal interest;
- (o) Whether the nominee has been charged in a court of law in the past three years; and
- (p) Whether the nominee has been adversely mentioned in a report of Parliament or a Commission of inquiry in the past three years.

30. The questionnaire is largely formulated based on Constitutional and statutory requirements for State Officers and other considerations that are of importance in order to make a determination on the suitability of a nominee.

#### **2.10 Issues for Consideration**

31. Section 7 of the Act outlines the issues for consideration by the House in relation to nomination of the nominee as-
- (a) the procedure used to arrive at the nominee;
  - (b) the constitutional and statutory requirements relating to the office in question; and
  - (c) the suitability of the nominee for the appointment proposed having regard to whether the nominee's abilities, experience and qualities meet the needs of the body to which the nomination is being made.

#### **2.11 Procedure used to arrive at the nominee**

32. The procedure for appointment of members of the Commission is outlined under section 10 of the Ethics and Anti-Corruption Commission Act, 2011 as follows:

##### ***Filling of vacancy***

- 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.*
- 4) *Where the National Assembly Approves of an applicant, the Speaker of the National Assembly shall forward the name of the approved applicant to the President for appointment.*
- 5) *The President shall, within seven days of receipt of the name of the approved applicant from the National Assembly, by notice in the Gazette appoint the applicant to the Commission.*
- 6) *Where the National Assembly rejects any nomination, the Speaker shall within three days communicate its decision to the President and request the President to submit fresh nominations.*
- 7) *Where a nominee is rejected by the National Assembly under subsection (6), the President shall within seven days, submit to the National Assembly a fresh nomination from amongst the persons shortlisted and forwarded by the Public Service Commission under subsection (1)(f).*
- 8) *If the National Assembly rejects any or all of the subsequent nominees submitted by the President for approval under subsection (1), the provisions of subsections (1) and (2) shall apply.*
- 9) *In short listing, nominating or appointing persons to fill a vacancy in the Commission, the Public Service Commission, the National Assembly and the President shall ensure that not more than two-thirds of the members are of the same gender.*

## **2.12 Constitutional and Statutory requirements**

33. The Constitution in addition gives guidelines on how to appoint persons to public office which include –

## **2.13 Two-third Gender Rule**

34. Article 27 (8) of the Constitution provides that the State shall take legislative and other measures to implement the principle that not more than two-thirds of the members of elective or appointive bodies shall be of the same gender. This requirement is also provided under section 10 (9) of the Ethics and Anti-Corruption Commission Act, 2011 which provides as follows:

*In short listing, nominating or appointing persons to fill a vacancy in the Commission, the Public Service Commission, the National Assembly and the President shall ensure that not more than two-thirds of the members are of the same gender.*

35. Section 4 of the Ethics and Anti-Corruption Act, 2011 provides that *the Commission shall consist of a chairperson and four other members appointed in accordance with the provisions of the Constitution and this Act.* In order to ensure compliance with the Constitution and the Ethics and Anti-Corruption Commission Act, 2011 on the gender rule, the Commission should comprise of three men and two women or vice versa.

36. If the nominees are approved, the Commission will comprise of two (2) women and three (3) men as follows:

NAME	GENDER
1. Archbishop (Rtd.) Eliud Wabukala, EBS	Male
2. Ms. Sophia Lepuchirit, EBS	Female
3. Mr. Mwaniki Gachoka, EBS	Male
<b>4. Col. (Rtd.) Alfred Mtuweta Mshimba</b>	<b>Male</b>
<b>5. Dr. Monica Wanjiru Muiru</b>	<b>Female</b>

#### **2.14 Representation of regional and ethnic diversity**

37. Article 232 (1) (h) of the Constitution contemplates a Commission that reflects Kenya's diverse communities. It is worth noting that section 4 of the Ethics and Anti-Corruption Commission Act, 2011 limits the number of Commissioners to five and therefore there cannot be representation from each region.

#### **2.15 Persons with Disability**

38. Article 232 (1) (i) of the Constitution provides that the values and principles of public service include –

(i) affording adequate and equal opportunities for appointment, training and advancement, at all levels of the public service, of—

(i) men and women;

(ii) the members of all ethnic groups; and

(iii) **persons with disabilities.**

39. Further Article 54(2) mandates the State to ensure the progressive realization of the principle that at least five percent of members of the public in appointive bodies are persons with disabilities.

#### **2.16 Youth**

40. Article 260 of the Constitution defines a “youth” as the collectivity of all individuals in the Republic who—

(a) *have attained the age of eighteen years; but*

(b) *have not attained the age of thirty-five years.*

41. Article 55 mandates the State to take measures, including affirmative action to ensure that the youth have opportunities to associate, be represented and participate in political, social and economic spheres of life.

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

42. The Committee, in determining the suitability of the nominee, was guided by the provisions on leadership and integrity as outlined under Chapter Six of the Constitution. In particular, Article 73 (2) of the Constitution provides that the guiding principles of leadership and integrity include –

(a) *selection on the basis of personal integrity, competence and suitability*, or election in free and fair elections;

(b) objectivity and impartiality in decision making, and in ensuring that decisions are not influenced by nepotism, favouritism, other improper motives or corrupt practices;

- (c) selfless service based solely on the public interest, demonstrated by —
    - (i) honesty in the execution of public duties; and
    - (ii) the declaration of any personal interest that may conflict with public duties;
  - (d) accountability to the public for decisions and actions; and
  - (e) discipline and commitment in service to the people.
43. Of importance also is Article 77(5) of the Constitution that 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 that Article from holding any other State Office.
44. Article 77(1) of the Constitution prohibits a full time State Officer from participating in any other gainful employment. However, section 7 (2) of the EACC Act, 2011 provides that the Chairperson and members of the Commission shall serve on a part-time basis.
45. Article 77(2) of the Constitution prohibits an appointed State officer from holding office in a political party.
46. 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. It is worth noting the Article 78 (3) (a) of the Constitution exempts judges and members of commissions from this requirement.
47. In addition, section 10 of the Leadership and Integrity Act, 2012 in particular 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.

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

48. The suitability of the nominee was holistically gauged after scrutiny of the nominee's credentials, experience, background and qualities as well as the performance of the nominee during the approval hearing.

**2.18 Power to call for evidence**

49. It is important to note that the committee is empowered to call for evidence pursuant to Article 125 of the Constitution, section 12 of the Public Appointments (Parliamentary Approval) Act, 2011 and Standing Order 191. In this regard, the Committee did not summon any witnesses as there was no compelling reason to do so it so.

## 2.20 Memoranda

50. The Committee did not receive any memoranda or written statement on oath from the public on neither of the nominees. It is important to point out that section 6(9) of the Act 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.

## 2.21 Clearance Requirements

51. The Clerk of the National Assembly wrote to the Ethics and Anti-Corruption Commission, Kenya Revenue Authority (KRA); Higher Education Loans Board (HELB); Directorate of Criminal Investigations and the Registrar of Political Parties requesting for reports with respect to the nominee on matters touching on integrity; tax compliance; loan repayments and membership to political parties.

52. In response, HELB confirmed vide a letter Ref. HELB/RR/112009/128 dated 15<sup>th</sup> October, 2021 that Col. (Rtd) Alfred Mtuweta Mshimba was not a beneficiary of the HELB Loans Scheme and Dr. Monica Wanjiru Muiru was cleared vide certificate No.10062 on 30<sup>th</sup> October, 2007; Kenya Revenue Authority confirmed vide a letter Ref. KRA/5/1002/5(5997) dated 18<sup>th</sup> October, 2021 that the nominees are tax compliant; the Ethics and Anti-Corruption Commission vide a letter Ref. EACC.7/10/5 VOL.XVIII (247) dated 18<sup>th</sup> October, 2021 confirmed having no outstanding issues or ongoing investigations against the nominees; the Directorate of Criminal Investigations (DCI) confirmed vide a letter Ref: DCI/CRO/SEC/6/7/2/A.VOL.X/54 dated 18<sup>th</sup> October, 2021 that the nominees were issued with clearance certificates on diverse dates and that there were negative results from both nominal index and criminal database and the Registrar of Political Parties confirmed vide a letter Ref.RPP/ORG/034 Vol.I (18)dated 18<sup>th</sup> October, 2021 that the nominee are not officials of any registered political party.(Annexure 5).

## CHAPTER THREE

### **3.0 APPROVAL HEARING OF COL. (RTD) ALFRED MTUWETA MSHIMBA AND DR. MONICA WANJIRU MUIRU AS MEMBERS OF THE ETHICS AND ANTI-CORRUPTION COMMISSION**

53. The nominees Col. (Rtd) Alfred Mtuweta Mshimba and Dr. Monica Wanjiru MuiRU appeared before the Committee on Tuesday 19<sup>th</sup> October, 2021 at a sitting held in the Mini Chamber County Hall, Parliament Buildings.
54. The nominees were informed by the Chairperson that, pursuant to section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011, the Committee had invited submissions from the public on their suitability or otherwise for appointment to the position of the members of the Commission. By the deadline date of 15<sup>th</sup> October 2021, the Clerk of the National Assembly had not received any objection against the nominees.
55. The Chairperson informed the nominees that in view of the foregoing and in accordance with the provisions of the Constitution, the Public Appointments (Parliamentary Approval) Act, 2011 and the Standing Orders of the National Assembly, the Committee had resolved to proceed to undertake the approval hearing as required.

### **3.1 COL. (RTD) ALFRED MTUWETA MSHIMBA**

56. Col. (Rtd) Alfred Mtuweta Mshimba the nominee for appointment as member of EACC appeared before the committee and submitted as follows: -

#### **Self-Introduction, Academic and Professional Qualifications**

57. He was born on in Maktau Sub Location, Mwatate Sub County; Taita Taveta County. He went to Maktau Primary School then, proceeded to St. Mary's High School Lushangonyi for (O-Levels) and Machakos Boys High School for A levels. Later on he did a Bachelor's degree in business administration at Kenya Methodist University and an MBA in strategic management at the University of Nairobi. In addition, he undertook extensive training in leadership, governance, security and management during his military career.
58. The nominee stated that he had a very fulfilling and impactful career in the Kenya Defence Forces for over 30 years, serving the Country both locally and internationally in different capacities.
59. He started his military career as an Officer Cadet in 1981 and was commissioned in 1982 and rose from the rank of Lieutenant to a Colonel. He was privileged to hold some key appointments in the military including commanding logistic units and Senior Staff Appointments at Defence Headquarters; where he gained a lot of experience in leadership, management of resources, strategic planning, logistics, budget preparation and implementation.
60. He worked as a Defence attaché in Beijing, Kenya Embassy in The Peoples Republic China and United Nations peacekeeping missions, which sharpened his negotiation, interpersonal and diplomacy skills that made him to appreciate different cultures and diversity.
61. That if confirmed, he will undertake his responsibilities with the highest level of integrity, professionalism, accountability and commitment to the constitution.

**His views on leadership, he stated that**

62. He learnt, practically, the critical role that leadership plays in ensuring that systems work efficiently. He observed that having been in leadership roles in a field as sensitive as security, he can attest to the influence of leaders in facilitating accountability structures in institutions.
63. He holds onto the values of integrity, professionalism, accountability and adhering to set structures in governance. He also believes in delivering results, an attribute that helped him to excel in different capacities both nationally and internationally.
64. Leadership is a crucial component in heading an important organisation tasked with fighting corruption in the country like the EACC. Fighting corruption at its current level is like fighting a war, which requires well-planned strategies, resilience, courage, motivation, drive and a mission-oriented personality.
65. He will rely on his transformational and strategic thinking skills, integrity, experience and passion, to add value and strengthen the EACC to deliver its mandate.

**On his vision,**

66. He will leverage on technology to modernize the investigation process in order to reduce turnaround time of investigations. Also, through a real time Management Information System, he will efficiently manage the process of wealth declarations, life style audits and verification of the same.
67. He will help enhance multiagency cooperation approach through building inter agency relationships in cognizance of the fact that the various players have input in the investigative processes. Therefore, it would be critical to enlist support of key stakeholders such as the National Intelligence Service (NIS), Financial Reporting Centre (FRC), Director of Criminal Investigation (DCI), Office Director of Public Prosecution (ODPP), AG office, Kenya Revenue Authority (KRA), just to mention a few.
68. He will also focus on enhanced people centred service delivery, with the objective of improving structures to ensure effective and efficient standards of service delivery in line with the fast-changing environment.

**His views on motivation to be an EACC commissioner,**

69. It is a patriotic call for him to contribute in efforts to combat widespread corruption in Kenya. Corruption is one of the main obstacles hindering creation of employment opportunities and economic development of the country.

**His views on militarization of the civil service**

70. He stated just as we have civilians serving in the military, it is quite in order for the military to complement the civil service in different capacities with relevant expertise.
71. It is not unique for the military to serve in the civil service as it is common practice in other jurisdictions and has proved successful in several countries around the world.

### **His views on the conflict between the DCI and EACC on prosecutorial powers**

72. He observed that there is no conflict between the two agencies as they are supposed to complement each other in execution of their mandate within the law and are well staffed with specialists in different professional disciplines.
73. That as a trained diplomat, he has what it takes to resolve any inter-agency misunderstandings that may arise.

### **His views on corruption during the military**

74. Col. (Rtd) Mshimba stated that he did not experience it personally but the military has a severe punishment on perpetrators of corruption in different forms including recruitment where those involved are dismissed summarily.

### **His views on corruption in counties**

75. He stated that at the inception of devolution, counties started without entrenched devolved structures and systems. The existing vacuum contributed to widespread indiscipline in several counties.
76. He observed that EACC should enhance collaboration with JLAC and other agencies for a sound framework to improve management of public funds at county level.

### **His views on ties with China**

77. He averred that he trained in China in official capacity as an officer and not in private capacity. He further stated that the Honorary Medal he was awarded by the Peoples Republic of China during his tour of duty in that country was a diplomatic recognition of his work and would not make him treat China favorably in any way.

### **His views on Standard Gauge Railway (SGR) tendering process**

78. He observed that he does not have facts on SGR and will look at available reports collectively as a Commission and respond appropriately.

### **His views on lack of prosecutorial powers by the EACC**

79. He posited that historically the police were both investigators and prosecutors which raised issues of conflict of interest. This was addressed by the Constitution of Kenya 2010 that vested prosecution powers in the ODPP.

### **His views on lessons from China on corruption**

80. The nominee stated that the Chinese fight corruption by strictly enforcing the law generally and there is provision for the imposition of the death penalty in corruption cases.

## **3.2 DR. MONICA WANJIRU MUIRU**

81. Dr. Monica Wanjiru MuiRU the nominee for appointment as member of EACC appeared before the committee and submitted as follows:

### **Self-Introduction, Academic and Professional Qualifications**

82. She was born in Muranga County. She went to Kaaga Girls High School for Kenya Advanced Certificate of Education (KACE) and Chania High School for Kenya Certificate of Secondary Education (KCSE).

83. The nominee holds a PhD in Business and Management, Egerton University; Masters in Accounting and Financial Management (MAFM), Keller Graduate School of Management of DeVry University, USA; Graduate Certificate in Accounting, Keller Graduate School of Management of DeVry University; H.J. Heinz International Fellowship Program, University of Pittsburgh and Certificate in Small Business Management, Joseph M. Katz Graduate School of Business, University of Pittsburgh.
84. She is a trained, experienced and internationally-exposed business professional and academic scholar, offering over 15 years' experience in Accounting, Finance, Management, Leadership, and Customer Service across banking, media, higher education, government and technology sector.
85. The nominee has over 12 years teaching experience at the university level, an experienced presenter and facilitator in meetings, seminars and workshops, leadership, teamwork, communication and organizational skills.
86. She is knowledgeable with detailed-orientation in strategic thinking and of high integrity.
87. Dr. Monica Wanjiru informed the committee that she is results-focused and effective professional with a well-developed work ethic, with talent for proactively identifying, investigating and solving complex problems.
88. That she is a patriot who is rational, analytical and fair-minded and wants the best for her country, Kenya.

#### **On motivation to apply to be a commission at EACC**

89. She stated that her motivation was derived from her strong conviction that she has what it takes to offer her contribution and make things work at EACC.

#### **Her views on political parties**

90. She is not a member of any political party but has always exercised her democratic right by voting.

#### **Her views on foreign debts**

91. That there is nothing wrong with borrowing so long as it is done in a transparent and accountable manner.
92. She noted that the United States of America is an example of a country that is successful through borrowing.

#### **Her views on corruption in learning institutions**

93. There is corruption in universities and colleges and the menace should be dealt. It is important for students to work hard and earn their grades.

#### **On her experience at the Nairobi County Government**

94. Dr. Monica Wanjiru stated that manual collection of revenue at the county government contributed to a lot of loss of revenue and recommended for an efficient system that improved its collection targets.

**Her views on the fight against corruption**

95. She observed that there is need for political good will as a key component in combating widespread corruption. Politicians should lead from the front through sensitization of the public.

**Her views on causes of corruption**

96. She stated that corruption is caused by a number of factors including poverty, inefficient systems and lack of societal morals among others.

**Her views on improvement in the fight against corruption**

97. The nominee stated that she will borrow strategies from the best practices such as Hong Kong; she will lead from the front, empower and utilize the specialised expertise at EACC.

**Her views regarding her teaching career and appointment as EACC commissioner**

98. She informed members that she was aware that the EACC commission appointment is on a part time basis and it will not compromise her teaching at the university and she may take a leave of absence if it becomes necessary.

## CHAPTER FOUR

### 4.0 COMMITTEE'S OBSERVATIONS AND FINDINGS

99. The Committee having considered the curricula vitae of Col. (Rtd) Alfred Mtuweta Mshimba and Dr. Monica Wanjiru Muiru and having heard their submissions during the approval hearing/vetting made the following observations on their nomination:

**a) Col. (Rtd) Alfred Mtuweta Mshimba**

100. After conducting the approval hearings, the Committee made the following observations and findings:

- (i) Col. (Rtd) Alfred Mtuweta Mshimba has the requisite qualifications and experience which qualifies him for appointment to the position of member of EACC.
- (ii) Col. (Rtd) Alfred Mtuweta Mshimba, according to the records and information availed to the Committee, has never been implicated in any issues that may lead to a conclusion of lack of integrity on his part.
- (iii) The candidate exhibited impressive knowledge of topical issues including understanding of administration and management principles required to address the challenges facing the EACC.
- (iv) Members of the public were invited by the Office of the Clerk to submit any information of interest on any of the candidates. The Committee did not receive any written statement on oath contesting suitability of the nominee as required under section 6 (9) of the Public Appointments (Parliamentary Approval) Act, 2011.
- (v) The Committee exercised due diligence and contacted vetting bodies for confidential reports on the candidate. The Commission contacted the Kenya Revenue Authority, Higher Education Loans Board, Ethics and Anti-Corruption Commission, Directorate of Criminal Investigation and the Registrar of Political Parties. The said bodies had no adverse report on the nominee.
- (vi) The nomination of Col. (Rtd) Alfred Mtuweta Mshimba was in compliance with the Constitution, the Ethics and Anti-Corruption Commission Act and the Public Appointments (Parliamentary Approval) Act (Act No.33 of 2011).

**b) Dr. Monica Wanjiru Muiru**

101. After conducting the approval hearings, the Committee made the following observations and findings:

- (i) Dr. Monica Wanjiru Muiru has the requisite qualifications and experience which qualifies her for appointment to the position of member of EACC.
- (ii) Dr. Monica Wanjiru Muiru, according to the records and information availed to the Committee, has never been implicated in any issues that may lead to a conclusion of lack of integrity on his part.
- (iii) The candidate exhibited impressive knowledge of topical issues including understanding of administration and management principles required to address the challenges facing the EACC.
- (iv) Members of the public were invited by the Office of the Clerk to submit any information of interest on any of the candidates. The Committee did not receive any written statement on oath contesting suitability of the nominee as required under section 6 (9) of the Public Appointments (Parliamentary Approval) Act, 2011.
- (vii) The Committee exercised due diligence and contacted vetting bodies for confidential reports on the candidate. The Commission contacted the Kenya Revenue Authority, Higher Education Loans Board, Ethics and Anti-Corruption Commission, Directorate of Criminal Investigation and the Registrar of Political Parties. The said bodies had no adverse report on the nominee.
- (v) The nomination of Dr. Monica Wanjiru Muiru was in compliance with the Constitution, the Ethics and Anti-Corruption Commission Act and the Public Appointments (Parliamentary Approval) Act (Act No.33 of 2011).

**CHAPTER FIVE**

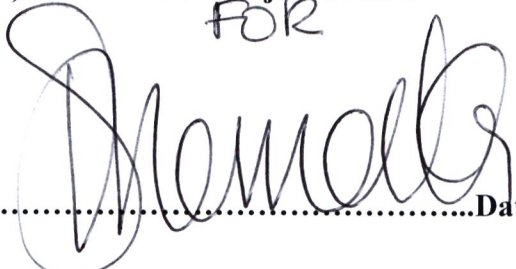
**5.0 RECOMMENDATION OF THE COMMITTEE**

102. THAT Pursuant to Article 250(2)(b) of the Constitution, the provisions of the Public Appointments (Parliamentary Approval) Act, 2011, the Ethics and Anti-Corruption Commission Act, 2011 and Standing Order 216 (5) (f) of the National Assembly, the Committee recommends that: **the House approves the nomination of the following persons for appointment by H.E the President as members of the Ethics and Anti-Corruption Commission (EACC);**

(i) Col. (Rtd) Alfred Mtuweta Mshimba

(ii) Dr. Monica Wanjiru Muiru

FOR

Signed .....  ..... Date 3 / 11 / 2021 .....

Hon. Clement Muturi Kigano, M.P.  
(Chairperson)  
Departmental Committee on Justice and Legal Affairs

THE NATIONAL ASSEMBLY PAPERS T AID	
DATE: 08 NOV 2021	
DAY: Tue	
TABLED BY:	Majority Whip Hon. Wanjiru
CLERK-AT THE-TABLE:	B. Inzoga

# **ANNEXURE 1**

## **MINUTES**

**MINUTES OF THE SITTING OF THE DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS HELD ON FRIDAY 22<sup>ND</sup> OCTOBER, 2021 AT 1:00 PM IN THE PIER HALL, ENGLISH POINT MARINA, MOMBASA COUNTY.**

**PRESENT-**

1. Hon. Tom Kajwang, M.P - Vice-Chairperson
2. Hon. John Olago Aluoch, M.P
3. Hon. Mwamkale Kamoti, M.P
4. Hon. Adan Haji Yussuf, M.P
5. Hon. Peter Opondo Kaluma, M.P
6. Hon. Zuleikha Hassan, M.P.
7. Hon. Jennifer Shamalla, M.P.
8. Hon. George Gitonga Murugara, M.P
9. Hon. Anthony Aluoch, M.P
10. Hon. Japheth Mutai, M.P
11. Hon. Anthony Githiaka Kiai, M.P
12. Hon. Robert Gichimu Githinji, M.P

**ABSENT WITH APOLOGIES-**

1. Hon. Muturi Kigano, M.P - Chairperson
2. Hon. Emmanuel Wangwe, M.P
3. Hon. Junet Sheikh Nuh Mohammed, M.P.
4. Hon. Josephine Naisula Lesuuda, M.P
5. Hon. John Kiarie Waweru, M.P.
6. Hon. Dan Kipkogei Rono, M.P.
7. Hon. Roselinda Soipan Tuya, M.P

**IN ATTENDANCE-**

**COMMITTEE SECRETARIAT-**

1. Mr. Abenayo Wasike - Principal Clerk Assistant
2. Mr. Denis Abisai - Deputy Dir. Directorate of Legal Services

**Min No. Jlac/01/2021: -**

The meeting commenced at 1:15 p.m with a word of prayer from the Vice- Chairperson and thereafter Members made observations and findings following the approval hearings of Col. (Rtd) Alfred Mtuweta Mshimba and Dr. Monica Wanjiru Muiru for appointment as members of EACC.

**PRELIMINARIES**

**Min No. Jlac/02/2021: -**

**OBSERVATIONS AND FINDINGS ON THE APPROVAL HEARING OF THE NOMINEES**

The Committee having considered the curriculum vitae of Col. (Rtd) Alfred Mtuweta Mshimba and Dr. Monica Wanjiru Muiru and having heard their submissions during the vetting made the following observations and findings on their nomination;

**Col. (Rtd) Alfred Mtuweta Mshimba**

1. He was born on in Maktau Sub Location, Mwatate Sub County; Taita Taveta County. He went to Maktau Primary School then, proceeded to St. Mary's High School Lushangonyi for (O-Levels) and Machakos Boys High School for A levels. Later on he did a Bachelor's degree in business administration at Kenya Methodist University and an MBA in strategic management at the University of Nairobi. In addition, he undertook extensive training in leadership, governance, security and management during his military career.
2. The nominee had a very fulfilling and impactful career in the Kenya Defence Forces for over 30 years, serving the Country both locally and internationally in different capacities.
3. He started his military career as an officer Cadet in 1981 and commissioned in 1982 and rose from the rank of Lieutenant to a Colonel. He was privileged to hold some key appointments in the military including commanding logistic units and Senior Staff Appointments at Defence Headquarters; where he gained a lot of experience in leadership, management of resources, strategic planning, logistics, budget preparation and implementation.
4. He worked as a Defence attaché in Beijing, Kenya Embassy in The Peoples Republic China and United Nations peacekeeping missions, which sharpened his negotiation, interpersonal and diplomacy skills that made him to appreciate different cultures and diversity.
5. Col. (Rtd) Alfred Mutweta Mshimba has the requisite qualifications and experience which qualifies him for appointment to the position of member of EACC.
6. Col. (Rtd) Alfred Mutweta Mshimba according to the records and information availed to the Committee has never been implicated in any issues that may lead to a conclusion of lack of integrity on his part.
7. The candidate exhibited impressive knowledge of topical issues including understanding of administration and management principles required to address the challenges facing the EACC.
8. Members of the public were invited by the Office of the Clerk to submit any information of interest on any of the candidates. The Committee did not receive any written statement on oath contesting suitability of the nominee as required under section 6 (9) of the Public Appointments (Parliamentary Approval) Act, 2011.
9. The Committee exercised due diligence and contacted vetting bodies for confidential reports on the candidate. The Commission contacted the Kenya Revenue Authority, Higher Education Loans Board, Ethics and Anti-Corruption Commission, Directorate of Criminal Investigation and the Registrar of Political Parties.
10. The nomination of Col. (Rtd) Alfred Mutweta Mshimba was in compliance with the Constitution, the Ethics and Anti-Corruption Commission Act and the Public Appointments (Parliamentary Approval) Act (Act No.33 of 2011).

**Dr. Monica Wanjiru Muiru**

1. She was born in Muranga County. She went to Kaaga Girls High School for Kenya Advanced Certificate of Education (KACE) and Chania High School for Kenya Certificate of Secondary Education (KCSE).
2. The nominee holds a PhD in Business and Management, Egerton University; Masters in Accounting and Financial Management (MAFM), Keller Graduate School of Management of DeVry University, USA; Graduate Certificate in Accounting, Keller Graduate School of Management of DeVry University; H.J. Heinz International Fellowship Program, University of Pittsburgh and Certificate in Small Business Management, Joseph M. Katz Graduate School of Business, University of Pittsburgh.
3. She is a trained, experienced and internationally-exposed business professional and academic scholar, offering over 15 years private sector experience in Accounting, Finance, Management, Leadership, and Customer Service across banking, media, higher education, government and technology sectors
4. The nominee has over 12 years teaching experience at the university level, an experienced presenter and facilitator in meetings, seminars and workshops, leadership, teamwork, communication and organizational skills.
5. She is knowledgeable with detailed-orientation in strategic thinking and of high integrity.
6. Dr. Monica Wanjiru Muiru has the requisite qualifications and experience which qualifies her for appointment to the position of member of EACC.
7. Dr. Monica Wanjiru Muiru according to the records and information availed to the Committee has never been implicated in any issues that may lead to a conclusion of lack of integrity on his part.
8. The candidate exhibited impressive knowledge of topical issues including understanding of administration and management principles required to address the challenges facing the EACC.
9. Members of the public were invited by the Office of the Clerk to submit any information of interest on any of the candidates. The Committee did not receive any written statement on oath contesting suitability of the nominee as required under section 6 (9) of the Public Appointments (Parliamentary Approval) Act, 2011.
10. The Committee exercised due diligence and contacted vetting bodies for confidential reports on the candidate. The Commission contacted the Kenya Revenue Authority, Higher Education Loans Board, Ethics and Anti-Corruption Commission, Directorate of Criminal Investigation and the Registrar of Political Parties.
11. The nomination of Dr. Monica Wanjiru Muiru was in compliance with the Constitution, the Ethics and Anti-Corruption Commission Act and the Public Appointments (Parliamentary Approval) Act (Act No.33 of 2011).

**Min.No.Jlac/03/2021: -**

**RESOLUTION OF THE COMMITTEE ON  
THE APPROVAL HEARING OF THE  
NOMINEES**

Committee Members resolved unanimously to approve the nomination Col. (Rtd) Alfred Mtuweta Mshimba and Dr. Monica Wanjiru Muiru for appointment as members of EACC.

**Min. No.Jlac/04/2021: -**

**ADOPTION OF COMMITTEE REPORT ON  
THE APPROVAL HEARING OF COL. (RTD)  
ALFRED MTUWETA MSHIMBA AND DR.  
MONICA WANJIRU MUIRU**

Hon.Yussuf Adan Haji, M.P proposed adoption of the Committee report and was seconded by Hon.Peter Opondo Kaluma, M.P.

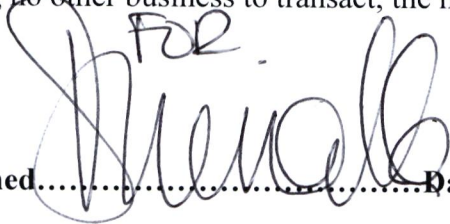
**Members of the Committee unanimously adopted the Committee report recommending to the House to approve the nomination of Col. (Rtd) Alfred Mtuweta Mshimba and Dr. Monica Wanjiru Muiru for appointment as members of EACC.**

**Min. No.Jlac/05/2021:-**

**ADJOURNMENT**

There being no other business to transact, the meeting was adjourned at 1:30 pm.

Signed.....Date.....

FOR  
 4<sup>th</sup> November 2021

**Hon.Clement Muturi Kigano**

**Chairperson**

# **ANNEXURE 2**

**MESSAGE FROM**

**H.E THE**

**PRESIDENT**



**REPUBLIC OF KENYA**

**TWELFTH PARLIAMENT - (FIFTH SESSION)**

**THE NATIONAL ASSEMBLY**

**MESSAGES**

**MESSAGE FROM THE PRESIDENT**

\_\_\_\_\_ *(No. 10 of 2021)* \_\_\_\_\_

**ON THE NOMINATION OF PERSONS FOR APPOINTMENT TO THE ETHICS AND ANTI CORRUPTION COMMISSION (EACC)**

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**Honourable Members,**

Pursuant to the provisions of Standing Order No. 42, I wish to convey a Message from His Excellency the President relating to the nomination of persons for appointment to the Ethics and Anti-Corruption Commission (EACC).

**Honourable Members,** the Message which was received in my office yesterday, 5<sup>th</sup> October, 2021 reads in part that, "in accordance with the provisions of sections 4 and 10(2) of the Ethics and Anti-Corruption Commission Act(No. 22 of 2011) as read together with sections 3 and 5 of the Public Appointments (Parliamentary Approval) Act, 2011, H.E. the President, having received the report of the Public Service Commission on recruitment of persons to replace the Commissioners who resigned recently, has nominated the following persons for appointment as Members of the Ethics and Anti-Corruption Commission-

1. Col. (Rtd) Alfred Mutweta Mshimba; and

2. Dr. Monica Wanjiru Muiru”.

In this regard, His Excellency the President now seeks the approval of the nominees by this House.

**Honourable Members**, sections 10 (2) and (3) of the Ethics and Anti-Corruption Commission Act (No. 22 of 2011) provide as follows and I quote-

*"10(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.*

*10(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."*

In this regard **Honourable Members**, pursuant to the provisions of Standing Order 45, I hereby refer the Message, together with the *Curriculum Vitae* and other testimonials of the nominees to the Departmental Committee on Justice and Legal Affairs for consideration.

**Honourable Members**, conscious of the importance of EACC's mandate in ensuring integrity in the public sector, H.E The President has requested the National Assembly to consider the nominees as matter of **priority**.

To this end **Honourable Members**, the Committee should expeditiously notify the nominees and the general public of the time and place for holding the approval hearings and thereafter, upon conclusion of the hearings and adoption of its Report, submit the same to enable the House to consider the matter within the statutory timelines.

**I thank you!**



**THE HON. JUSTIN B. N. MUTURI, EGH, MP**  
**SPEAKER OF THE NATIONAL ASSEMBLY**

*Wednesday, October 06, 2021*

**ANNEXURE 3**

**CURRICULUM**

**VITAE**

COL.(RTD) ALFRED MUTWETA MSHIMBAI

**COLONEL (Rtd) ALFRED MTUWETA MSHIMBA**  
P.O Box 67186-00200 Nairobi, Kenya  
Tel: +254 704 407 913  
Email: [mshimbaam@gmail.com](mailto:mshimbaam@gmail.com)

### **PROFILE SUMMARY**

A top performing and highly resourceful retired career military officer; with over 30 years experience in leadership, Administration, Human Resource Management, procurement and diplomacy having worked as a Defence Attaché in People's Republic of China. I possess excellent leadership and interpersonal skills and I am an expert in logistics and supply chain management. I hold an MBA in Strategic Management from The University of Nairobi and a Bachelor's Degree in Business Administration; Procurement and Supply Chain Management from Kenya Methodist University, in addition to having been trained extensively in leadership, governance, Security and Management during my Military career.

### **EDUCATION QUALIFICATIONS**

**MBA in Strategic Management:** University of Nairobi.

**Bachelor of Business Administration:** Supplies and Procurement option, Second Class upper Division (Hons) Kenya Methodist University (KEMU)

**Kenya Advanced Certificate of Education (A Level),** Machakos Boys High School

**Kenya Certificate of Education (O level),** St Mary's High School Lushangonyi

### **KEY SKILLS AND COMPETENCIES**

**Leadership and Strategy:** Track record of leading large teams and commanding Logistics Units/Regiments and peacekeeping operations.

**Budgeting and Financial management:** Provided leadership in budgeting and Public Financial management at Defence Headquarters Logistics Branch.

**Military Transportation Logistics/Operations:** Expert in logistic operations, management of transport assets, training and movement coordination to provide timely and cost-effective transport solutions.

**Procurement:** Experienced in procurement processes and well versed with Public Procurement and Disposal Act of Kenya.

**Computer:** Advanced computer Skills; Word, Power Point and other software applications

### **WORK HISTORY**

**2011 - 2013: Deputy Chief of Logistics/Colonel Supply and Maintenance, Kenya Defence Forces DHQs (KDF),**

#### **Duties and Responsibilities:**

##### **Procurement, Supplies and Maintenance of Equipment**

- In charge of Supplies and Maintenance of equipment
- Procurement of security equipment e.g. weapon systems, combat and administrative vehicles.
- Managed local and overseas payments for goods and services.

**Security Matters:** Establishing and maintaining security protocols and documentation on risk assessments, and development of protocols, contingency plans, staff trainings and VIP escorts and protection.

**2007 – 2011: Appointed Kenya Defence Attaché to Beijing, Peoples Republic of China,**

**Duties and Responsibilities:**

- Coordination of military activities and programmes between Peoples Republic of China and Kenya
- Advisor to the Kenya's Ambassador on Kenya's interests on security matters.
- Organised national events for the Embassy and Kenyan nationals living in China.
- Led and managed Kenya and the Republic of China diplomatic mission security programs at overseas posts.
- Prepared policy and strategy papers on issues relating to the Mission, advised the Mission on policy direction on specific issues, in particular on the Kenya-China relations.

**2006-2007: Promoted to the rank of Colonel and Appointed as the Commander, Kenya Army Corps-Transport.**

**Duties and Responsibilities:**

- Commander Kenya Army Transport Units responsible for provision of Logistic support and movement of Kenya Army.
- Training of Transport Corp personnel
- Leadership: lead high performing units and teams with challenging logistics requirements successfully.
- Management of personnel, career development and welfare.

**Logistics and Operations**

- Planned for and evaluated logistics readiness.
- Monitored a variety of assessment activities such as unit effectiveness through inspections and other command & field exercises.

**OTHER PAST SIGNIFICANT EXPERIENCES**

**2005-2006: Seconded by Government of Kenya as Liaison Officer, American Led Joint Task Force (JTF) Counter Terrorism Horn of Africa in Djibouti.**

**Milestone:** The attachment provided me with an opportunity of working with foreign militaries and provided me with valuable experience in counter terrorism operations and joint strategic missions planning.

**2004-2005: Staff Officer Grade One; Personnel Branch-Kenya Army Headquarters.**

**Milestone:** Gained a lot of experience in human resource management and development of personnel career path.

**2003-2005: Staff Officer Grade One in charge of Works Services; Kenya Army Headquarters Logistics Branch.**

**Responsibility:** In charge of maintenance of Army barracks buildings and planning of new infrastructure development.

**2000-2003: Promoted to Lieutenant Colonel and appointed Commanding Officer Transport Battalion.**

**Responsibility:** Facilitated the management of Transportation assets, drivers training and movement of Kenya Army Personnel; Developed a new concept of shuttle systems for Kenya Defence Forces covering all the regions which solved transportation challenges to KDF personnel and has been adopted by various security Forces

**1996-2000: Battalion Second in Command, Transport Battalion.**

**Responsibility:** Training of Unit personnel, career progression and welfare of unit personnel.

**1995-1996: Military Observer, United Nations Western Sahara Morocco (MINURSO),**  
Provided working experience with United Nations and in peace keeping.

**1990- 1995: Appointed Staff Officer Grade 11 (Two) in charge of Movement Control in Logistics Branch, Defence Headquarters Kenya.**

**Responsibility:** Planned and coordinated movement of DOD personnel and equipment locally and  
abroad using road platforms, railways, sea and air transport.

**1989-1990: Promoted to the rank of Major and appointed Staff Officer Grade Two:** In charge of procurement at the Kenya Defence HQ Logistics Branch

**1987-1989: Appointed Grade Three Staff Officer (Captain) Procurement at Logistics Branch, Defence Headquarters Kenya.**

**1985: Promoted to the rank of Captain and appointed Transport Second in Command,**  
**1982-1985: Platoon Commander Transport Company,**

**April 1981: Joined the Kenya Armed Forces as an Officer Cadet and Commissioned in the rank of Second Lieutenant on (March 1982):**

#### **AWARDS AND RECOGNITIONS**

- 25th Anniversary Commemorative; 10 Great Years of Nyayo Era and 20 Years of Nyayo Era
- UN Medal (MINRUSO)
- Honorary medal from People Republic of China
- Honorary Tail hooker, US Naval Aviation

#### **RELEVANT PROFESSIONAL TRAINING AND SHORT COURSES**

- Procurement Leadership, Kenya Institute of Supplies and Management (KISM); **2011**
- Foreign Purchase Executive Course; sponsored by American government; **2002**
- Security Assistance Management Foreign Purchase Executive Course, Defence Institute of Security Assistance Management: International course sponsored by American government; **2002**
- Mobile International Defence Management; **2002**
- Domestic Support Operations and Peace Support Operations Course; **2000**
- Senior Command Course, School Of Combat Lanet: Senior leadership course for Officers earmarked for senior and command appointments; **2000**
- Grade Two (II) Staff Course Defence Staff College Kenya: Leadership skills and command course; **1997-1998**
- Unit Commanders Course, Pakistan: Strategic leadership and deployment of logistic resources at strategic level; **1992**
- Sub-Unit Commander's Course, School Of Infantry Kenya: Mid level leadership, tactical and endurance course; **1990**
- Officer's Regimental Administration Course, Armed Forces Training College; Personnel management course; **1985**
- Platoon Commander's Course; junior leadership and tactical skills; **1984:**

- Motor Transport Officers Course: Management of motor vehicles fleet, movement operations and fuel management; 1982

#### **REFEREES**

1. Brigadier Mac-Oketch  
Defence Headquarters,  
Cell phone: +254 (0) 723 886 282  
Email address:
2. Basil Mwakilomba  
Modern Data  
P.O Box 10702-00100, Nairobi  
Tel: +254 (0) 724154042  
Email address: info@moderndatatechnologies.com
3. Mr. Claude Kamata  
CEO Tamana Enterprises  
Cell phone: +254 (0) 722 233 366  
Email address: claudekamata@gmail.com

**No. 33 of 2011 [Rev. 2012]**

*Public Appointments (Parliamentary Approval)*

[Issue 1] 8

SCHEDULE

[Section 6(8).]

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

**Notes:**

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

1. **Name:** (State full name) **ALFRED MTUWETA MSHIMBA**

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

COMMISSIONER, ETHICS AND ANTI CORRUPTION COMMISSION

3. **Sex:** MALE

4. **Date of Birth:** (State year and place of birth) 10<sup>TH</sup> AUGUST 1959, MAKTAU TAITA TAVETA COUNTY.

5. **Marital Status:** MARRIED

6. **Daytime phone number:** NONE

7. **Mobile phone number:** 0704407913

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

9. **ID Number:** 6260365



**10. PIN Number: A000104322R**

**11. Nationality: KENYAN**

**12. Postal Address: P.O BOX 129-80300**

**13. Town/City: VOI**

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

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

**UNIVERSITY OF NAIROBI  
MASTERS OF BUSINESS ADMINISTRATION, MBA  
REGISTRATION DATE: 7<sup>TH</sup> SEPTEMBER, 2016  
ADMISSION NO. D61/88091/2016  
GRADUATED ON 20<sup>TH</sup> DECEMBER. 2019.**

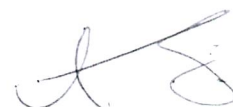
**KENYA METHODIST UNIVERSITY, NAIROBI CAMPUS  
ADMISSION DATE: JANUARY, 2014  
ADMISSION NO. BUS-1-1792-1/2014  
GRADUATED ON 23<sup>RD</sup> JULY, 2016**

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

**KENYA DEFENCE FORCES (KDF) FROM 4<sup>TH</sup> MAY 1981 TO 9<sup>TH</sup> AUGUST 2013**

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

- 1. 25<sup>TH</sup> ANNIVERSARY COMMEMORATIVE**
- 2. THE 10 GREAT YEARS OF NYAYO ERA**
- 3. 20 YEARS OF NYAYO ERA**
- 4. UNITED NATIONS MEDAL**
- 5. HONORARY MEDAL FROM PEOPLES REPUBLIC OF CHINA**
- 6. HONORARY TAIL HOOKER, US NAVAL AVIATION**



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

TAITA TAVETA COUNTY PROFESSIONALS ASSOCIATION

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

1. CATHOLIC MEN ASSOCIATION (CMA), ST CHAVARA CATHOLIC CHURCH  
MAKTAU
2. BOARD MEMBER MAKTAU HIGH SCHOOL

19. **Published Writings:**

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

**MBA THESIS: STRATEGIC CHALLENGES INFLUENCING COMPETITIVENESS OF KENYA MEAT COMMISSION. DATED: 3<sup>RD</sup> DECEMBER, 2019.**

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

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

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

.....  
N/A

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

.....  
N/A

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

NO



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

NO.....

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

	KSHS
SAFARICOM SHARES 1436 YR 2007	60,312
KEN GEN SHARES 1436 YR 2007	7,180
BEEF COWS 120 @50,000	6,000,000
<b>TOTAL</b>	<b>6,067,492</b>

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

1. MAKTAU CATHOLIC CHURCH ACTIVITIES
2. BOARD MEMBER MAKTAU SECONDARY SCHOOL

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

PENSION: JAN-DEC 2020	KSHS 1,427,693
PENSION: JAN-SEPT. 2021	KSHS 1,081,239
LIVESTOCK FARMING: JAN-DEC. 2020	KSHS 360,000
LIVESTOCK FARMING: JAN-SEPT. 2021	KSHS 270,000

**TOTAL KSHS 3,138,932**

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

.....COMPLIANT

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

KSHS 62,000,000 (KENYA SHILLINGS SIXTYTWO MILLION)

26. **Potential Conflicts of Interest:**

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

.....  
NONE. IF PRESENTED WITH A CONFLICT OF INTEREST, I WILL



DECLARE THE SAME AND EXECUSE MYSELF FROM DELIBERATING ON THE MATTER

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

GUIDED BY THE CONSTITUTION OF KENYA, 2010, LEADERSHIP AND INTEGRITY ACT OF 2011. CHAPTER 6. I WILL DECLARE ANY PERSONAL INTERESTS THAT WILL CONFLICT WITH PUBLIC DUTIES.

27. **Pro-Bono/Charity Work/Donations to charity:** (Describe what you have done by way of pro bono or charity work, listing specific instances, the amount contributed and the amount of time devoted to each).  
NONE.....

28. Have you ever been charged in a court or law in the last three years? If so, specify the nature of the charge, where the matter is ongoing, the present status of the matter, or where the matter is concluded, the judgment of the court, or otherwise, how the case was concluded.  
.....  
NO

29. Have you ever been adversely mentioned in an investigatory report of Parliament or any other Commission of inquiry in the last three years?  
.....  
NO

30. Have you any objection to the making of enquiries with your present employer/referees in the course of consideration of your nomination?  
.....  
NO.....  
.....  
.....  
.....



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

1. **BRIGADIER MAC-OKETCH**  
**DEFENCE HEADQUARTERS**  
**CELL PHONE: +254 (0) 723 886 282**
  
2. **BASIL MWAKILOMBA**  
**MODERN DATA**  
**P.O BOX 10702-00100 NAIROBI**  
**CELL PHONE+254 (0) 724 154 042**  
**Email Address: [info@moderndataftechnologies.com](mailto:info@moderndataftechnologies.com)**
  
3. **MR CLAUDE KAMATA**  
**CEO TAMANA ENTERPRISES**  
**CELL PHONE+254 (0) 722 233 366**  
**Email Address: [claudekamata@gmail.com](mailto:claudekamata@gmail.com)**

**No. 33 of 2011 [Rev. 2012]**

*Public Appointments (Parliamentary Approval)*

[Issue 1] 10



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

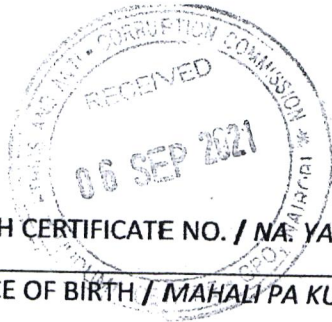
**FIRST SCHEDULE (S.13) / TARATIBU YA KWANZA (S.13)**

**SELF-DECLARATION FORM / FOMU YA KUJITANGAZA**

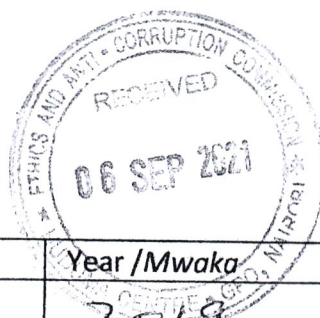


**1. GENERAL INFORMATION / TAARIFA YA JUMLA**

Title / Cheo	Surname / Jina la ukoo	First Name / Jina la Kwanza	Middle Name / Jina la Katikati	Other Names / Majina Mengine
<b>Mr/Mrs/Prof/ Miss/Ms/Dr Bw/Bi/Prof/ Binti/Bibi/Dkt</b>	MSHIMBA	ALFRED	MJUNETA	
ID CARD No. Na. ya Kitambulisho	PASSPORT NO. NA. ya PASIPOTI	EXPIRY DATE OF PASSPORT TAREHE YA MUDA WA PASIPOTI KUISHA	PIN NO. NA. ya PIN	
6260365			A000104322R	
SEX (Tick) JINSIA (Weka Alama)	Occupation: Kazi: RETIRED MILITARY OFFICER			
Male Kiume <input checked="" type="checkbox"/>	E-Mail Address: Mshimbaam@gmail.com Anwani ya Barua pepe:			
Female Kike <input type="checkbox"/>	Postal Address: PO Box 67186 Anwani ya Posta: SL Posta: NAIROBI Code: 00200 Msimbo:			
Telephone No. Na. ya Simu	Mobile No. Na. ya Rununu	Other Numbers Nambari Nyingine		
	0704407913			
RESIDENCE MAKAZI	ESTATE/TOWN/LOCATION MTAA/MJI/LOKESHENI			MAKTAU
	DISTRICT WILAYA			MWATATE
	COUNTY KAUNTI			TAITA - TAVETA
	TOWN/CITY MJI/JIJI			VOI
	COUNTRY NCHI			KENYA
<b>2. BIRTH INFORMATION / TAARIFA YA KUZALIWA</b>				
DATE OF BIRTH /TAREHE YA KUZALIWA			10 August, 1959	



BIRTH CERTIFICATE NO. / NA YA CHETI CHA KUZALIWA		BNO: 105207	
PLACE OF BIRTH / MAHALI PA KUZALIWA		TAVETA	
DISTRICT OF BIRTH / WILAYA YA KUZALIWA		TAVETA	
COUNTY OF BIRTH / KAUNTI YA KUZALIWA		TAITA - TAVETA	
COUNTRY OF BIRTH / NCHI YA KUZALIWA		KENYA	
<b>3. NATIONALITY / UTAIFA</b>			
Kenyan Mkenya <input checked="" type="checkbox"/>		Dual Kotekote <input type="checkbox"/> (Provide details _____) (Toa maelezo _____)	
<b>4. MARITAL STATUS / HALI YA NDOA</b>			
SINGLE <input type="checkbox"/> NINGALI SIJAOA/SIJAOLEWA		MARRIED <input checked="" type="checkbox"/> NIMEOA/NIMEOLEWA	
DIVORCED <input type="checkbox"/> NIMETALAKIANA		SEPARATED <input type="checkbox"/> NIMETENGANA	
WIDOWED <input type="checkbox"/> NIMEFIWA			
IF MARRIED GIVE NAMES OF THE SPOUSE(S) (Surname, First Name, middle name, others) KAMA UMEMEA TOA MAJINA YA MUME/MKE(Wa) WAKO (Jina la ukoo, Jina la Kwanza, jina la kati, mengine)			
MTUWETA FLORA MAGHANGA			
NATIONALITY OF SPOUSE UTAIFA WA MKE/MUME		KENYAN	
NAME OF CHILDREN UNDER THE AGE OF 18 YEARS JINA LA WATOTO WALIO CHINI YA UMRI WA MIAKA 18			
SEAN PAUL MBOSHOLI MTUWETA			
<b>5. EDUCATIONAL QUALIFICATIONS / KUFUZU KWA KIELIMU</b>			
PRIMARY CERTIFICATE CHETI CHA MSINGI <input checked="" type="checkbox"/>		SECONDARY SHULE YA UPILI <input checked="" type="checkbox"/>	
'A' LEVEL KIWANGO CHA 'A' <input checked="" type="checkbox"/>			
DIPLOMA <input checked="" type="checkbox"/> STASHAHADA		DEGREE <input checked="" type="checkbox"/> SHAHADA	
MASTERS <input checked="" type="checkbox"/> UZAMILI		PHD <input checked="" type="checkbox"/> UZAMIFU	
OTHERS VINGINE			



HIGHEST ACADEMIC QUALIFICATION OBTAINED  
KUFUZU KWA JUU ZAIDI KWA KIAKADEMIA ULIKOPATA

Qualification / Kufuzu	Institution / Taasisi	Year / Mwaka
Master of Business Administration	UNIVERSITY OF NAIROBI	2019

**6. LANGUAGE SPOKEN / LUGHA UNAZOZUNGUMZA**

First Language Lugha ya Kwanza	Second Language Lugha ya Pili	Others Nyingine
ENGLISH	KISWAHILI	KITAITA

**7. MEMBERSHIP OF PROFESSIONAL ORGANISATION(s) (If any)**

**UANACHAMA WA SHIRIKA(MA) YA KITAALAMU (Kama yapo)**

Name of Organization Jina la Shirika	Date of Admission Tarehe ya Kuandikishwa	Membership No. Na. ya Uanachama
KENYA INSTITUTE OF SUPPLIES MANAGEMENT (KISM)	2013	

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

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

Election  Employment   
Upigaji kura Kuajiriwa

Others (Specify) STATE AGENCIES  
Nyingine (Bainisha)

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

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

Answers to the following questions are mandatory. If YES to any question you must provide additional information on a supplementary sheet.

Majibu kwa maswali yafuatayo ni lazima. Kama NDIYO katika swali lolote lazima utoe taarifa ya ziada kwenye karatasi nyingine.

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



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



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

**10. EMPLOYMENT INFORMATION / TAARIFA YA KUAJIRIWA**

NAME OF EMPLOYER JINA LA MWAJIRI	POSITION/RANK CHEO/WADHIFA	DATE OF FIRST APPOINTMENT TAREHE YA KUAJIRIWA KWA KWANZA	DATE OF PRESENT APPOINTMENT TAREHE YA KUAJIRIWA KWA SASA
Kenya Defence Forces	COLONEL	26 March, 1982	13 Aug, 2013
WORKSTATION KITUO CHA KAZI	NATURE OF EMPLOYMENT (Constitutional/Elective/Permanent/Contractual/Other) AINA YA KUAJIRIWA (Kikatiba/Kuteuliwa/Kudumu/Kikandarasi/Nyingine)  CONTRACTUAL		



**OATH AND AFFIRMATION / KIAPO NA UTHIBITISHWAJI**

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

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

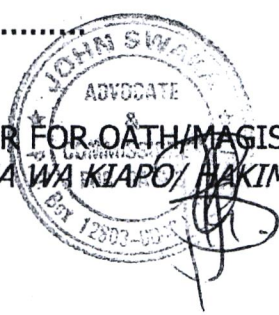
Dated at / Mnamo tarehe ..... 5<sup>th</sup> ....., this / kwenye..... Sept.....  
day of / siku hii ya ..... 2021 .....

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

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

This / Mnamo ..... 5<sup>th</sup> ..... day of / siku hii ya ..... Sept....., 20 21.....,  
at / katika mahali hapa..... NAIROBI.....

COMMISSIONER FOR OATH/MAGISTRATE  
KAMISHNA WA KIAPO/ HAKIMU



**DR. MONICA WANJIRU MUIRU**

15 copies

Monica Muiru

**Dr. MONICA WANJIRU MUIRU, PhD**

P. O. Box 26426-00100

Nairobi, Kenya

Telephone: 0722545561

Email: muirumonica@gmail.com

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**CAREER SUMMARY**

A trained, experienced and internationally-exposed business professional and academic scholar, offering over 15 years private sector experience in Accounting, Finance, Management, Leadership, and Customer Service across banking, media, higher education, government and technology sectors. In addition I have 12 years teaching experience at the university level. Also, I am an experienced presenter and facilitator in meetings, seminars and workshops. I have excellent leadership, teamwork, communication and organizational skills. I am detail-oriented, strategic in thinking and of high integrity. I am a results-focused and effective professional with a well-developed work ethic, with talent for proactively identifying, investigating and solving complex problems. I am a patriot who is rational, analytical and fair-minded and wants the best for my country, Kenya.

**CAREER OBJECTIVE:**

To provide excellent services to my clients and to exceed their expectations.

**EDUCATION**

August 2014 to November 2019: **PhD in Business and Management**, Faculty of Commerce, Egerton University.

December 2007: **Masters in Accounting and Financial Management (MAFM)**, Keller Graduate School of Management of DeVry University, USA. Attained GPA of 3.97 out of 4.0.

June 2007: **Graduate Certificate in Accounting**, Keller Graduate School of Management of DeVry University

Aug. 1995 to Aug. 1996: **H.J. Heinz International Fellowship** Program, University of Pittsburgh. I was the only recipient of this prestigious fellowship from the developing world in 1995. Studied business leadership, accounting and finance; and toured various states, in the US and Caribbean countries.

April 1996: **Certificate in Small Business Management**, Joseph M. Katz Graduate School of Business, University of Pittsburgh.

March 1995: **Certificate in Marketing**, Marketing Society of Kenya.

June 1993: **Diploma in Marketing**, Chartered Institute of Marketing (CIM), UK., and qualified as a *Fellow of CIM*.

Sept. 1986- June 1989: **Bachelor of Commerce (B.Com)**, Business Administration Option, University of Nairobi. I was feted and awarded a certificated for being the best student taking Business Administration Option and also received media coverage in the Kenyan press.

December 1984: Kenya Advanced Certificate of Education (KACE), Kaaga Girls High School

December 1982: Kenya Certificate of Secondary Education (KCSE), Chania High School

December 1978: Certificate of Primary Education (CPE).

### **PROFESSIONAL WORK EXPERIENCE**

#### **October 2020 to Present: Lecturer, Nakuru Town Campus College, Egerton University**

- Teaching university courses at both under graduate and post graduate levels in Finance and Accounting.
- Undertaking academic research and publishing research work.
- Participate in developing teaching materials and in curriculum development.
- Supervising, guiding and assessing post-graduate students in research activities.
- Participate in the departmental and faculty meetings.
- Academic advising, counselling and student mentoring.
- Any other duties and responsibilities assigned or delegated by the Chair of Department, Accounting Finance and Management Science and Dean of Faculty of Commerce, Nakuru Town Campus College.

#### **February 2018 to October 2020: Coordinator Commerce Programs/Lecturer, Nairobi City Campus, Egerton University**

- Undertaking Head of Department duties such as chairing meetings within the campus faculty.
- Supervising lecturers and non-teaching staff working for the faculty of commerce.
- Teaching university courses at both under graduate and post graduate levels in Finance and Accounting.
- Undertaking academic research.
- Supervising and guiding masters students.
- Processing exams: ensuring exams are internally and externally moderated; final exam scripts are submitted on time and marks are entered in the ARMs system.
- Participating in the departmental courses allocation meetings and prepare the final course allocation schedule.
- Attending to student's academic issues
- Any other duties and responsibilities assigned by the dean, faculty of commerce or the director, Nairobi City Campus.

**May 2011 to 2018: Lecturer, Nairobi Campus and Nakuru Town Campus College, Egerton University**

- Teaching university courses at both graduate and MBA levels in Finance and Accounting.
- Developing course outlines, selecting relevant teaching materials and texts books.
- Setting and administering exams, develop marking schemes, marking and grading exams.
- Supervising and guiding MBA students during the proposal and thesis writing process.
- Student advising.
- Research, consultancy and Publication.
- Other university work such as attending faculty board meetings.

**August 2010 to April 2011: Lecturer, St. Paul's University, Limuru**

- Teaching university courses at both under graduate and post graduate levels in Finance and Accounting.
- Setting, marking, grading exams.
- Undertaking academic research.
- Other university work such as attending meetings.

**October 2009 to August 2015: Consultant and Trainer/Lecturer**

- Facilitator-EMBA program at MKU in conjunction with Copenhagen Business School.
- Providing consultancy in Financial Management, Market linkage and Business counseling to Small & Medium Enterprises at Inoorero University.
- Conducting training seminars for "Get-Ahead" an ILO-sponsored project for women entrepreneurs.
- Conducting training for Synergy Management Consultants on entrepreneurship and business proposal writing.
- Part-time teaching at Egerton University. Courses taught included Introduction to Finance, Corporate Finance, Public Finance and Financial Management.
- Teaching at Continental College. Courses taught include Cost Accounting, Business Finance, Stores and Inventory Management.

**May 2008 to Dec 2008- Culver-Stockton College, USA**

- Taught Accounting and Finance courses

**September 2006 to August 2008: Full-time Graduate Student, Keller Graduate School of Management, DeVry University**

- Pursued specialized and intensive study of accounting and financial management as coursework for a master's degree in accounting and financial management.

**Sept. 2002 to August 30, 2006: Accounting Manager, Motient Corporation, Reston, VA**

- In charge of operations within the accounting department.
- Supervised the accounting department staff.
- Contributed in the preparation of the company's budget.
- Responsible for the preparation of financial statements in accordance to Generally Accepted Accounting Principles (GAAP).
- Responsible for maintaining accurate general ledger accounts.

**Sept 2000 to August 2002: Accounting Specialist, Motient Corporation, Reston, VA**

- Maintain fiscal records by reviewing payroll information, purchase requisitions, vouchers, receipts and other documents.
- Entered data onto computer spread sheets, ledgers, worksheets and other forms;
- Researching and resolving customer billing and credit inquiries.
- Compare data contained in a variety of financial records in order to detect errors/discrepancies.
- Examined invoices, expense vouchers and other source documents to verify obligations and accuracy.
- Customer service: verbal and written communication to customers on various aspects of their accounts.

**Sept. 1998 to Sept 2000: Customer Service Supervisor, Mellon Bank, N.A. Pittsburgh**

- Worked in a busy consolidated banking Center assisting customers with banking services including meeting with customers and answering calls related to account opening, verification of credentials, income, and address, loan processing, cash management, loan inquiries, and communicate approvals and denials.

**Aug. 1996 to Sept. 1998: Module Processor, Mellon Bank, N. A., Pittsburgh**

- Processing payments made to large Mellon Bank clients, including corporate, federal, non-governmental organizations, and religious organizations.

**June 1993 to July 1995: Assistant Manager, Digger Classified, *The Standard* Newspaper**

- Managed the Classified Advertising Section
- Supervised a team of nine sales professionals
- Coordinated the flow of advertising copy
- Cash management and cost control
- Special project management.

**1991-1993: Sales Executive, East African Standard**

**1990-1991: Marketing officer, Kenya Broadcasting Corporation (KBC)**

**ACADEMIC PUBLICATIONS AND REPORTS:**

1. Harrison, F. N., and **Muiru, M.W.** (2021) Effects of Selected Financial Management Practices on Financial Performance of Commercial Banks in Kenya. *International Journal of Finance*. Vol. 6 (1), 17-38.
2. Ademba A. V., **Muiru M.**, and Auka D. (2021). Effect of Financing Structure on the Profitability of Micro and Small Enterprises in Nakuru Central Business District. *The International Journal of Business Management and Technology*, 5 (2), 18-23
3. **Muiru, M.W.** (2020). Capital Markets key to the post Covid-19 Economic recovery. *ViewPoints*. Available online at <https://viewpoints.ke/capital-markets-key-to-the-post-covid-19-economic-recovery/>
4. **Muiru, M.W.**, Kibet, L.K., and Kalui, F. (2019). Foreign Exchange Risk Hedging, Corporate Governance and Financial Performance: Evidence from Kenya. *Research Journal of Finance and Accounting*, 10 (5), 88-100
5. **Muiru, M.W.**, Kisaka, S.E., and Kalui, F. (2018). Effect of Foreign Exchange Risk Hedging Techniques on Financial Performance of Listed Firms in Kenya. *International Journal of Accounting and Financial Reporting*, 8(3), 156-173
6. Ajang. J.J., **Muiru, M.W.**, and Wycliffe O. Oluoch, W. O. (2018). Effect of loan portfolio management on the Profitability of deposit taking microfinance Institutions in Nairobi, Kenya. *International Journal of Economics, Commerce and Management* Vol. VI (2), 283-295.
7. Ngicuru, P.N. and **Muiru, M.W.** (2016). Effect of selected factors affecting revenue collection in Nairobi city county government. *American Journal of Finance Vol 1 (1), 1-10*.
8. **Muiru, M.W.** and Murage, C. W. (2016). The Effect of Credit Risk on Corporate Liquidity of Deposit Taking Microfinance Institutions, *International Journal of Business and Social Science* Vol. 7, No. 4, 181-189.
9. Kimwele, S.M., Bosire, M., **Muiru, M.W.** and Kamau, S.M. (2015); Effect of Automation of Bond Trading on Bond Market Performance: The Case of Nairobi Securities Exchange. *International Journal of Economics, Finance and Management Sciences*, 3(3): 279-284

10. **Muiru, M.W.** and Kamau, S.M. (2014). An Assessment of Capital Structure Decisions by Small and Medium Enterprises in Kenya. *Research Journal of Finance and Accounting*, 5 (15), 20-27.
11. Sirma, J., **Muiru, M.W.** and Kipchillat, C. (2014) impact of information security policies on computer security breach incidences in Kenyan public universities, *Journal of Information and Knowledge Management*, Vol X, No.X, 1-11
12. Inoti, G. G., Onyuma, S. O. and **Muiru, M.W.** (2014). Impact of acquisitions on the financial performance of the acquiring companies in Kenya: A case study of listed acquiring firms at the Nairobi securities exchange, *Journal of Finance and Accounting*, 2(5), 108-115
13. *One Year in Pittsburgh: A H.J. Heinz Fellowship Report*. University of Pittsburgh, August 1996.

#### POSTGRADUATE STUDENTS SUPERVISION

I have supervised the following MBA students to completion:

	<b>Student's Name</b>	<b>Title of the project</b>	<b>Graduation Period</b>
1	Victor Achola Ademba	<i>Effect of Capital Structure on the Profitability of Micro and Small Enterprises: A Case Study of Nakuru Central Business District</i>	2021
2	Manyara Brian Elijah Obara	<i>Effect of Selected Factors on Financial Innovation in Commercial Banks in Kenya</i>	2018
3	Joseph Jok Ajang	<i>Effect of Loan Portfolio Management on the Profitability of Deposit Taking Microfinance Institutions in Nairobi, Kenya</i>	2018
4	Caroline N. Ikunda	<i>The impact of Corporate Governance on Dividend Payout of Manufacturing Firms Listed at the Nairobi Securities Exchange</i>	2016
5	Patrick Ngicuru	<i>Effect of selected factors affecting revenue collection in Nairobi city county government</i>	2016
6	George Gitonga Inoti	<i>Impact of Acquisitions on the Financial Performance of the Acquiring Company in Kenya: A Case Study of Listed Acquiring Firms at the Nairobi Securities Exchange.</i>	2012

## TRAINING MATERIAL DEVELOPMENT

### 2015 to Present: E-Learning Materials, E-learning Campus, Egerton University

- Participates in the continuous process of developing e-learning modules. I have developed and reviewed the following E-learning modules:

#### Courses Developed

Course Code and Course Title	Date of Submission
BFIN 730: Financial Management	July, 2015
BFIN 731- Corporate Finance	October, 2018
BFIN 335- Corporate Finance	March, 2018
BFIN 433- Investment and Portfolio Management	October, 2019
BFIN 733: Financial Institutions and Markets	April, 2020
BUST 412 –Financial Management	June, 2020

#### Course Reviewed

Course Reviewed	Date of Submission
BFIN 332: Financial Management II	November 2017

### 2020 to Present: E-Learning Materials, Astria Learning

- Participates in the development of peer reviewed e-learning modules. I have developed the following under-graduate courses: Financial Risk Management and Quality Management modules.

## CURRICULUM REVIEW

### 2021- Curriculum Review- Egerton University

- Currently Coordinating the curriculum review process of the Finance Courses of the Accounting, Finance and Management Science Department

### 2010-2015: Curriculum Review –St Paul’s Institute of Long Life Learning & Leadership Development Centre (SPILL & LDC) – NGOTI project

- Developed Management Accounting and Financial Management Module for the Non—Government Organization Training Institute (NGOTI)

## CONSULTANCY WORK

### April 2020 to Present: Astria Learning, Tampa, Florida

- Provide university-level instructional and courses development services for Astria Learning’s client Universities based in various countries around the world.

### April to November 2011: Assessment and Evaluation project – Emmanuel Christian Training Centre, Yei South Sudan

- Assessed and evaluated the center for its potential to be ungraded to offer degree programs.

## CONFERENCES AND WORKSHOPS AND SPECIALISED TRAINING

- Research Proposal Writing and Data Management Workshop, Egerton University, January 2014

- Pedagogy Workshop, ARC Hotel, Egerton University, February, 2010
- Personal Leadership development, Garcia gardens Hotel, Copenhagen Business School in conjunction with Inoorero University.
- Get-Ahead Trainers Conference, Shirock Hotel, Mombasa, June 8-12, 2009
- 2005 INFORMS Marketing Science Conference, Goizueta Business School, Emory University, June 16-18, 2005
- Networking for Success, Jamaica Institute of Management, Jamaica Pegasus Hotel, Kingston, June 12-14, 1996.
- Zonta International 53<sup>rd</sup> Convention, July 14-21, 1996. St. Louis, Missouri
- November 12, 1995: Entrepreneur Day, The Enterprise Corporation of Pittsburgh

#### **AWARDS, SCHOLARSHIPS, & FELLOWSHIPS:**

- Motient Corporation Champion Employee May 2002
- Motient Corporation's Special Recognition Award in Appreciation for Outstanding Support of the September 11, 2001 Emergency Response. November 2001
- H.J. Heinz Fellowship, University of Pittsburgh, 1995-96 Academic year
- East African Industries Award for Best Final-Year student taking the Business Administration Option (Major) at the University of Nairobi - 1990

#### **PROFESSIONAL MEMBERSHIP**

- Associate Member, American Institute of Chartered Public Accountants (AICPA)
- Fellow, Chartered Institute of Marketing (CIM), UK
- Member, Marketing Society of Kenya (1992-1996)
- Zonta International

#### **PRESENTATIONS**

- Guest Speaker, Kirksville Chamber of Commerce, Kirksville MO, May 6, 2008
- Guest Speaker, Association of Kenyan Professionals in Atlanta, June 3, 2006
- Guest Speaker, North Allegheny Intermediate School, December 4, 1995
- "Kenya: Country and Culture" World Affairs Council of Pittsburgh, Dec. 7, 1995
- Guest Speaker, Breakfast Meeting, Greater Pittsburgh Commission for Women, April 9, 1996
- Guest Speaker, Zonta Club of Pittsburgh, January 12, 1996

#### **SPECIALIZED PROFESSIONAL TRAINING**

- July 2010: Case Writing Workshop, University of Pretoria, South Africa
- February 2010: Pedagogy Workshop for University Lecturers, Egerton University, Njoro
- July 2005: Investing for Success, Emory University, Atlanta
- June 2001: Motivational Skills Workshop, Dynamic Management Resources, Inc.,
- January- April 1996: Women in Management Program, International Management and Development Institute (IMDI), Pittsburgh

- January – April 1996: Project Development and Proposal Writing (audit), Graduate School of Public and International Affairs (GSPIA), University of Pittsburgh
- February 1996: Interpreting Financial Statements, Duquesne University Small Business Development Centre (DUSBDC)
- September- December 1995: Sales Management(audit), College of Business Administration, University of Pittsburgh
- September – December 1995: Perspectives on Entrepreneurship(audit), College of Business Administration, University of Pittsburgh

#### **MEDIA APPEARANCES**

- “Kenyan Monica Muiru – Heinz Fellow,” *The Daily Observer*, Kingston, Jamaica, June 17, 1996 p.12
- “A Success Story,” *The Standard*, Nairobi, August 1, 1994 p. V
- “Varsity Standards Still Intact,” *The Standard*, Nairobi, November 22, 1990 p.5

**No. 33 of 2011 [Rev. 2012]**

*Public Appointments (Parliamentary Approval)*

[Issue 1] 8

SCHEDULE

[Section 6(8).]

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

**Notes:**

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

1. **Name:** (State full name) **MONICA WANJIRU MUIRU**

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

MEMBER, ETHICS AND ANTI-CORRUPTION COMMISSION (EACC)

3. **Sex:** FEMALE

4. **Date of Birth:** (State year and place of birth)  
1965, MURANGA

5. **Marital Status:** MARRIED

6. **Daytime phone number:** 0722545561

7. **Mobile phone number:** 0722545561

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

9. **ID Number:** 7456620

10. **PIN Number:** A001613719M

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11. **Nationality:** KENYAN

12. **Postal Address:** P.O.BOX 26426-00100

13. **Town/City:** NAIROBI

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

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

NAME OF INSTITUTION	DATES OF ATTENDANCE	ACADEMIC AWARD OBTAINED	WAS A DEGREE AWARDED	DATES AWARDED
Egerton University	August 2014 to November 2019	PhD in Business and Management Degree	YES	29 <sup>th</sup> November 2019
DeVry University, USA	July 2006-December 2007	Master of Accounting and Financial Management Degree	YES	23 <sup>rd</sup> December 2007
DeVry University, USA	July 2006-June 2007	Graduate Certificate in Accounting	YES	24 <sup>th</sup> June 2007
Marketing Society of Kenya	1994-1995	Certificate of Achievement	YES	31 <sup>st</sup> March 1995
The Chartered Institute of Marketing	1992-1993	Diploma in Marketing	YES	June 1993
University of Nairobi	Sept. 1986-June 1989	Bachelor of Commerce, (Business Administration Option)	YES	28 <sup>th</sup> November 1989

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

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NAME OF INSTITUTION	DATES OF ENAGEMENT	NATURE OF AFFILIATION
Egerton University	May 2011 to present	Employee/Lecturer
St. Paul's University	August 2010 to April 2011	Employee/Lecturer
MKU in conjunction with Copenhagen Business School	October 2009 to August 2015	Consultant/Facilitator
Synergy Management Consultants	2010	Consultant
Continental College	2010	Part-time Lecturer
Culver-Stockton College, USA	May 2008 to Dec 2008	Lecturer
Motient Corporation, Reston, VA	Sept 2000 to August , 2006	Employee
Mellon Bank, N. A., Pittsburgh	1996- August 2000	Employee
<i>The Standard</i> Newspaper	1991 to July 1995	Employee
Kenya Broadcasting Corporation (KBC)	1990-1991	Employee
Palmy Limited	2012 to Present	Director
Fairfax Multimedia	2012- Present	Director

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

Name of Institution or organization	Type	Name of the award	Date of award

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The Kenya Society for the Blind	Outstanding service	Certificate of Appreciation	24 <sup>th</sup> September 2016
Inoorero University/ Copenhagen Business School	Facilitator training	Certificate of Participation- Personal leadership Development	23 <sup>rd</sup> January, 2013
Emory University	Non-Credit Continuing education course	Certificate of Completion	13 <sup>th</sup> July, 2006
University of Pittsburgh	Fellowships	H.J. Heinz International Fellowship Program	20 <sup>th</sup> August, 1996
University of Pittsburgh	Certificate of Achievement	Certificate in Small Business Management	5 <sup>th</sup> April, 1996
University of Nairobi/East African Industries	Outstanding achievement/ Best final year student taking business administration option	Certificate of Merit	21 <sup>st</sup> November 1990

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

1. Associate member of the American Institute of Certified Public Accountants- AICPA - 2007-2008

2. Fellow- Chartered Institute of Marketing - 1993

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

1. Zonta International- 1995 to 1996

19. **Published Writings:**

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



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1. Harrison, F. N., and **Muiru, M.W.** (2021) Effects of Selected Financial Management Practices on Financial Performance of Commercial Banks in Kenya. *International Journal of Finance*. Vol. 6 (1), 17-38.
2. Ademba A. V., **Muiru M.**, and Auka D. (2021). Effect of Financing Structure on Profitability of Micro and Small Enterprises in Nakuru Central Business District. *International Journal of Business Management and Technology*, 5 (2), 18-23
3. **Muiru, M.W.** (2020). Capital Markets key to the post Covid-19 Economic recovery. *ViewPoints*. Available online at <https://viewpoints.ke/capital-markets-key-to-the-post-covid-19-economic-recovery/>
4. **Muiru, M.W.**, Kibet, L.K., and Kalui, F. (2019). Foreign Exchange Risk Hedging, Corporate Governance and Financial Performance: Evidence from Kenya. *Research Journal of Finance and Accounting*, 10 (5), 88-100
5. **Muiru, M.W.**, Kisaka, S.E., and Kalui, F. (2018). Effect of Foreign Exchange Risk Hedging Techniques on Financial Performance of Listed Firms in Kenya. *International Journal of Accounting and Financial Reporting*, 8(3), 156-173
6. Ajang. J.J., **Muiru, M.W.**, and Wycliffe O. Oluoch, W. O. (2018). Effect of loan portfolio management on the Profitability of deposit taking microfinance Institutions in Nairobi Kenya. *International Journal of Economics, Commerce and Management* Vol. VI (2), 282-295.
7. Ngicuru, P.N. and **Muiru, M.W.** (2016). Effect of selected factors affecting revenue collection in Nairobi city county government. *American Journal of Finance* Vol 1 (1), 10.
8. **Muiru, M.W.** and Murage, C. W. (2016). The Effect of Credit Risk on Corporate Liquidity of Deposit Taking Microfinance Institutions, *International Journal of Business and Social Science* Vol. 7, No. 4, 181-189.
9. Kimwele, S.M., Bosire, M., **Muiru, M.W.** and Kamau, S.M. (2015); Effect of Automation of Bond Trading on Bond Market Performance: The Case of Nairobi Securities Exchange. *International Journal of Economics, Finance and Management Sciences*, 3(3): 279-284
10. **Muiru, M.W.** and Kamau, S.M. (2014). An Assessment of Capital Structure Decisions of Small and Medium Enterprises in Kenya. *Research Journal of Finance and Accounting* (15), 20-27.
11. Sirma, J., **Muiru, M.W.** and Kipchillat, C. (2014) impact of information security policies on computer security breach incidences in Kenyan public universities, *Journal of Information and Knowledge Management*, Vol X, No.X, 1-11
12. Inoti, G. G., Onyuma, S. O. and **Muiru, M.W.** (2014). Impact of acquisitions on the financial performance of the acquiring companies in Kenya: A case study of listed acquiring firms at the Nairobi securities exchange, *Journal of Finance and Accounting* 2(5), 108-115

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13. *One Year in Pittsburgh: A H.J. Heinz Fellowship Report*. University of Pittsburgh, August 1996.

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

I have attached a business plan for Egerton University Nairobi Learning Center, which participated in its preparation.

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

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

NONE

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

NONE

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

NO

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

NO

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

Sources	Type	Amounts	Dates of all anticipated receipt
1. Egerton University	Deferred Taxed Net Pay	Ksh 14,800.45	2021-2022- The university pays 10% every month
2. Egerton University	Deferred Untaxed Gross Pay	Ksh 348,693.20	2021-2022- The university pays 10% every month

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3. Mentor Sacco Society Limited	Shares	Ksh 1,754,500	The shares are currently used as collateral for a loan
4. Unaitas Savings and Credit Cooperative (SACCO)	Shares	Ksh 353,787	Long-term investment
5. NSSF	Pension	Ksh 10 million	At retirement

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

I will continue teaching at Egerton University, where the mode of instruction is blended that is, face-to-face and virtual.

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

Sources	Amounts	Calendar year
1. Egerton University- Gross pay	Ksh 2,659,430.8	January- December 2020
2. Egerton University- Gross pay	Ksh 1,812,831.80	January-September 2021
3. Astria Learning	Ksh 146,473.8	October-December 2020
4. Astria Learning	Ksh 886,655	January –September 2021
5. Mentor Sacco Dividends	Ksh 93, 368	2020
6. Unitas Dividends	Ksh 33,497	2020
7. Income from farming	Ksh 150,000	2020
8. Income from farming	Ksh 90,000	January-September 2021

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

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I have fully complied with my tax obligations

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

My financial net worth is approximately Ksh 76 million

26. **Potential Conflicts of Interest:**

(a) Identify the family members or other persons, parties, categories or financial arrangements that are likely to present potential conflicts-of-interest when you first assume the position to which you have been nominated. Explain how you would address any such conflict if it were to rise.  
NONE

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

A conflict of interest occurs when an individual in a private or in a public organization has competing professional obligations or personal or financial interests which can potentially influence the exercise of his or her duties.

To resolve any potential conflict of interest, I will be guided by Article 75 of the constitution. Specifically I will, whether in public and official life, in private life or in association with other persons,

- i) avoid any conflict between personal interests and public or official duties;
- ii) Will not compromise any public or official interest in favour of a person's interest;
- iii) Will not demean the office the officer holds.

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

Type	Specific instances	Amount of time devoted
1. Charity Work	Treasurer – Kahawa Sukari Baptist church	4 years
2. Charity Work	Participated in fund raising and hiking event organized to raise funds for the prevention of blindness	One day

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

NO

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

NO

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

NO

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

1. Rev. Ezekiel Kayeli,  
Senior Pastor, Kahawa Sukari Baptist Church,  
P.O. Box 40432-00100,  
Nairobi.  
Telephone: 0721 524 914  
Email: ekayeli@gmail.com

2. Dr. Fredrick Kalui,  
Associate Professor, (My PhD Supervisor)  
Department of Accounting, Finance and Management Science, Egerton University,  
P.O Box 536, Egerton, Kenya.  
Telephone: 0722900753  
Email: [fredkalui@yahoo.co.uk](mailto:fredkalui@yahoo.co.uk)

3. Dr. Mary Bosire,  
Chair of the Department of Accounting, Finance and Management Science,  
Egerton University,  
P.O Box 536, Egerton, Kenya.  
Telephone: 0722 981 665  
Email: [mary.bosire@egerton.ac.ke](mailto:mary.bosire@egerton.ac.ke) or bosiremary@yahoo.com

**No. 33 of 2011 [Rev. 2012]**

*Public Appointments (Parliamentary Approval)*

[Issue 1] 10

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**FILLED SELF-  
DECLARATION FORM**

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LEADERSHIP AND INTEGRITY ACT, 2012 /KIFUNGU CHA SHERIA CHA UONGOZI NA UADILIFU, 2012  
**FIRST SCHEDULE (S.13) / TARATIBU YA KWANZA (S.13)**

**SELF-DECLARATION FORM / FOMU YA KUJITANGAZA**

**1. GENERAL INFORMATION / TAARIFA YA JUMLA**

Title / Cheo	Surname / Jina la ukoo	First Name / Jina la Kwanza	Middle Name / Jina la Katikati	Other Name: Mengine
<b>Mr/Mrs/Prof/ Miss/Ms/Dr Bw/Bi/Prof/ Binti/Bibi/Dkt</b>	MUIRU	MONICA	WANJIRU	
ID CARD No. Na. ya Kitambulisho	PASSPORT NO. NA. ya PASIPOTI	EXPIRY DATE OF PASSPORT TAREHE YA MUDA WA PASIPOTI KUISHA		PIN NO. NA. ya PIN
7456620	A179622	24 JULY 2019		A001013711
SEX (Tick) JINSIA (Weka Alama) Male Kiume <input type="checkbox"/> Female Kike <input checked="" type="checkbox"/>	Occupation: Kazi: LECTURER	E-Mail Address: muiromonica@gmail.com Anwani ya Barua pepe:		
	Postal Address: PO Box 26426 Anwani ya Posta: SL Posta:	Code: 001 Msimbo:		
	Other Addresses: Anwani Nyingine: N/A			
Telephone No. Na. ya Simu 0722545561	Mobile No. Na. ya Rununu 0722545561	Other Numbers Nambari Nyingine		
RESIDENCE MAKAZI	ESTATE/TOWN/LOCATION MTAA/MJI/LOKESHENI		THIKA GRE	
	DISTRICT WILAYA		GATANGA	
	COUNTY KAUNTI		MUZANGA	
	TOWN/CITY MJI/JIJI		THIKA	
	COUNTRY NCHI		KENYA	
<b>2. BIRTH INFORMATION / TAARIFA YA KUZALIWA</b>				
DATE OF BIRTH /TAREHE YA KUZALIWA			6 <sup>th</sup> September, 1965	



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BIRTH CERTIFICATE NO. / NA. YA CHETI CHA KUZALIWA	0703499/19
PLACE OF BIRTH / MAHALI PA KUZALIWA	NGINDA
DISTRICT OF BIRTH / WILAYA YA KUZALIWA	MURANG'A
COUNTY OF BIRTH / KAUNTI YA KUZALIWA	MURANG'A
COUNTRY OF BIRTH / NCHI YA KUZALIWA	KENYA

**3. NATIONALITY /UTAIFA**

Kenyan <input checked="" type="checkbox"/> Mkenya	Dual <input type="checkbox"/> Kotekote (Provide details _____) (Toa maelezo _____)
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**4. MARITAL STATUS / HALI YA NDOA**

SINGLE <input type="checkbox"/> NINGALI SIJAOA/SIJAOLEWA	MARRIED <input checked="" type="checkbox"/> NIMEOA/NIMEOLEWA	SEPARATED <input type="checkbox"/> NIMETENGANA
DIVORCED <input type="checkbox"/> NIMETALAKIANA	WIDOWED <input type="checkbox"/> NIMEFIWA	

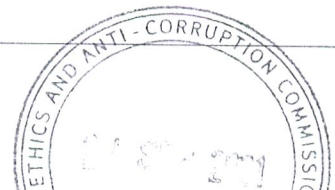
IF MARRIED GIVE NAMES OF THE SPOUSE(S) (Surname, First Name, middle name, others)  
 KAMA UMEMEA TOA MAJINA YA MUME/MKE(Wa) WAKO (Jina la ukoo, Jina la Kwanza, jina la mengine) **NGUGI CHARLES MUIRU**

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

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

**5. EDUCATIONAL QUALIFICATIONS / KUFUZU KWA KIELIMU**

PRIMARY CERTIFICATE <input checked="" type="checkbox"/> CHETI CHA MSINGI	SECONDARY <input checked="" type="checkbox"/> SHULE YA UPILI	'A' LEVEL <input type="checkbox"/> KIWANGO CHA 'A'
DIPLOMA <input type="checkbox"/> STASHAHADA	DEGREE <input checked="" type="checkbox"/> SHAHADA	MASTERS <input checked="" type="checkbox"/> UZAMILI
OTHERS <input type="checkbox"/> VINGINE	PHD <input type="checkbox"/> UZAMIFU	



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HIGHEST ACADEMIC QUALIFICATION OBTAINED  
KUFUZU KWA JUU ZAIDI KWA KIAKADEMIA ULIKOPATA

Qualification / Kufuzu	Institution / Taasisi	Year /Mwaka
PHD	EGERTON UNIVERSITY	201

**6. LANGUAGE SPOKEN / LUGHA UNAZOZUNGUMZA**

First Language Lugha ya Kwanza	Second Language Lugha ya Pili	Others Nyingine
KIKOYO	ENGLISH	KISWAHILI

**7. MEMBERSHIP OF PROFESSIONAL ORGANISATION(s) (If any)**

**UANACHAMA WA SHIRIKA(MA) YA KITAALAMU (Kama yapo)**

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

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

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

Election  Employment   
Upigaji kura Kuajiriwa

Others (Specify) \_\_\_\_\_  
Nyingine (Bainisha)

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

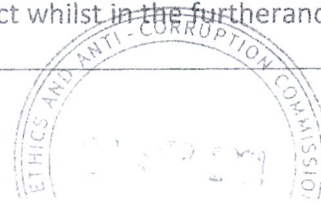
PUBLIC SERVICE

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

Answers to the following questions are mandatory. If YES to any question you must provide additional information on a supplementary sheet.

Majibu kwa maswali yafuatayo ni lazima. Kama NDIYO katika swali lolote lazima utoe taari ziada kwenye karatasi nyingine.

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



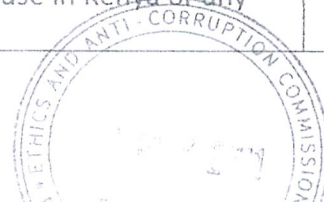
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d) Umewahi kujihusisha katika tabia mbaya huku ukitaka kujinufaisha kibinafsi?			
e) Have you ever misused public resources? e) Umewahi kutumia vibaya rasilimali za umma?			
f) Have you ever discriminated against anyone of any grounds other than as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

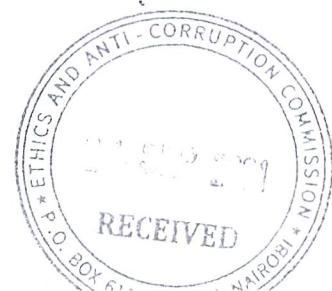


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n) Umewahi kutuma ombi la Cheti cha kuondolewa Hatia au Cheti cha Kinidhamu au cha visa au nyaraka nyingine zinazoidhinisha kazi katika ofisi ya umma na hivyo basi wewe kunyimwa na/ au kukataliwa kwa sababu yoyote nchini Kenya au nchi yoyote nyingine?

**10. EMPLOYMENT INFORMATION / TAARIFA YA KUAJIRIWA**

NAME OF EMPLOYER JINA LA MWAJIRI	POSITION/RANK CHEO/WADHIFA	DATE OF FIRST APPOINTMENT TAREHE YA KUAJIRIWA KWA KWANZA	DATE OF P APPOINTM TAREHE YA KUAJIRIWA SASA
EGERTON UNIVERSITY	LECTURER	May 10 <sup>th</sup> 2011	Sept 3
ST PAUL'S UNIVERSITY	LECTURER	SEPT 1 <sup>st</sup> 2010	
MKU WITH CONJUNCTION WITH COPENHAGEN BUSINESS SCHOOL	CONSULTANT/ FACILITATOR	OCT 2009	
WORKSTATION KITUO CHA KAZI NAKURU TOWN CAMPUS COLLEGE	NATURE OF EMPLOYMENT PERMANENT (Constitutional/Elective/Permanent/Contractual/Other) AINA YA KUAJIRIWA (Kikatiba/Kuteuliwa/Kudumu/Kikandarasi/Nyingine)		



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**OATH AND AFFIRMATION / KIAPO NA UTHIBITISHWAJI**

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

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

Dated at / Mnamo tarehe ..... 24<sup>th</sup> ....., this / kwenye.....

day of / siku hii ya ..... September ..... 2021

SIGNATURE OF DECLARANT: ..... *[Signature]* .....  
SAINI YA ANAYEJITANGAZA:

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

This / Mnamo ..... 24<sup>th</sup> ..... day of / siku hii ya ..... September ..... 2021 .....

at / katika mahali hapa..... *NAIROBI* ..... ADVOCATE  
**MUSYOKI KIOKO**  
COMMISSIONER FOR OATHS  
P.O. BOX 41935 - 00100, NAIROBI

COMMISSIONER FOR OATH/MAGISTRATE  
KAMISHNA WA KIAPO/ HAKIMU



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**ANNEXURE 4**  
**NEWSPAPER**  
**ADVERTISEMENT**



REPUBLIC OF KENYA  
**THE NATIONAL ASSEMBLY**  
TWELFTH PARLIAMENT - FIFTH SESSION

In the Matter of Approval Hearing by the National Assembly's  
Departmental Committee on Justice and Legal Affairs of the  
persons nominated for appointment to the Ethics and Anti-Cor-  
ruption Commission (EACC)

**Notification of the General Public and Submission  
of Memoranda**

**Notification of nomination**

His Excellency the President through a Notification to the Speaker dated 4<sup>th</sup> October, 2021 informed the National Assembly of the Nomination of **Col.(Rtd) Alfred Mutweta Mshimba and Dr. Monica Wanjiru Muiru** for appointment as members of the Ethics and Anti-Corruption Commission (EACC). The nomination was done in exercise of the powers conferred to His Excellency the President by Sections 4 and 10(2) of the Ethics and Anti-Corruption Commission Act (No.22 of 2011) as read together with the Sections 3 and 5 of the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011).

**Committal**

The Hon.Speaker committed the matter to the Departmental Committee on Justice and Legal Affairs on Wednesday, October 6<sup>th</sup>, 2021 to conduct approval hearings of the nominees in accordance with the provisions of the Public Appointments (Parliamentary Approval) Act (No.33 of 2011) and National Assembly Standing Order No.45.

**Notification of Approval Hearings**

Pursuant to provisions of Article 118(b) of the Constitution and Section 6(4) of the Public Appointments ((Parliamentary Approval) Act (No. 33 of 2011), the general public is hereby notified that the Departmental Committee on Justice and Legal Affairs shall conduct Approval Hearings (Vetting) of the nominees for appointment as members of the Ethics and Anti-Corruption Commission on **Tuesday, October 19<sup>th</sup>, 2021** in the Mini-Chamber, County Hall, Parliament Buildings at 10.00 a.m. as follows;

	<b>NOMINEE</b>	<b>DATE</b>	<b>TIME</b>
1.	Col.(Rtd) Alfred Mutweta Mshimba	19/10/2021	10.00 a.m
2.	Dr. Monica Wanjiru Muiru	19/10/2021	11.30 a.m

The nominees are requested to bring the originals of their identity cards, academic and professional certificates and other relevant testimonials. In addition, the nominees are required to obtain letters/certificates of compliance from the following institutions: -

- DP
1. Ethics and Anti- corruption Commission;
  2. Kenya Revenue Authority;
  3. Higher Education Loans Board;
  4. Directorate of Criminal Investigations; and,
  5. Office of the Registrar of political Parties.

**Public Participation and Submission of Memoranda**

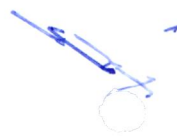
The Committee is required under Article 118 (1) (b) of the Constitution to involve the public in the approval hearings of the nominees. In addition, Section (6)(9) of the Public Appointments (Parliamentary Approval) Act (No.33 of 2011 provides that *“any person may prior to the approval hearing and by written statement on oath, provide the Clerk with evidence contesting the suitability of a candidate to hold the office to which the nominee 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 (No.33 of 2011), the Committee invites interested members of the Public to submit any representations they may have by written statements (affidavits) with supporting evidence on the suitability or otherwise of the nominees for appointment to the office.

The representations may be forwarded to the **Clerk of the National Assembly, P.O. Box 41842-00100, Nairobi**; hand-delivered to the **Office of the Clerk, Main Parliament Buildings, Nairobi**; or emailed to [clerk@parliament.go.ke](mailto:clerk@parliament.go.ke); to be received **on or before Friday, 15<sup>th</sup> October, 2021 at 5.00 pm.**

**MICHAEL R, SIALAI, CBS**  
**CLERK OF THE NATIONAL ASSEMBLY**

8<sup>th</sup> October, 2021



STANDARD  
8/10/21



**REPUBLIC OF KENYA  
THE NATIONAL ASSEMBLY  
TWELFTH PARLIAMENT - FIFTH SESSION**

**In the Matter of Approval Hearing by the National Assembly's Departmental Committee on Justice and Legal Affairs of the persons nominated for appointment to the Ethics and Anti-Corruption Commission (EACC)**

**Notification of the General Public and Submission of Memoranda**

**Notification of nomination**

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**Committal**

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**Notification of Approval Hearings**

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	<b>NOMINEE</b>	<b>DATE</b>	<b>TIME</b>
1.	Col.(Rtd) Alfred Mutweta Mshimba	19/10/2021	10.00 a.m
2.	Dr. Monica Wanjiru Muiru	19/10/2021	11.30 a.m

The nominees are requested to bring the originals of their identity cards, academic and professional certificates and other relevant testimonials. In addition, the nominees are required to obtain letters/certificates of compliance from the following institutions: -

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

Handwritten blue ink scribble or signature.

### **Public Participation and Submission of Memoranda**

The Committee is required under Article 118 (1) (b) of the Constitution to involve the public in the approval hearings of the nominees. In addition, Section (6)(9) of the Public Appointments (Parliamentary Approval) Act (No.33 of 2011 provides that *“any person may prior to the approval hearing and by written statement on oath, provide the Clerk with evidence contesting the suitability of a candidate to hold the office to which the nominee has been nominated”*.

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**MICHAEL R, SIALAI, CBS**  
**CLERK OF THE NATIONAL ASSEMBLY**

8. Attention is drawn to the Procurement Regulations requiring the borrower to disclose information on beneficial ownership, as part of the Contract Award Notice, using the Beneficial Ownership Declaration Form. Attention is also drawn to the Procurement Regulations requiring the borrower to disclose information on beneficial ownership, as part of the Contract Award Notice, using the Beneficial Ownership Declaration Form.

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**ANNEXURE 5**  
**CLEARANCE**  
**CERTIFICATES**

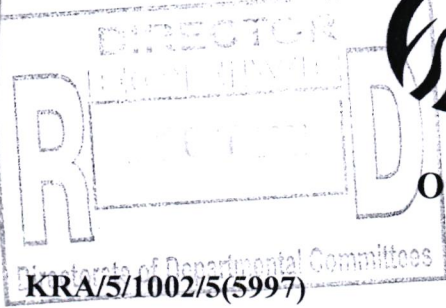




# KENYA REVENUE AUTHORITY

ISO 9001:2015 CERTIFIED

Office of the Commissioner General



18<sup>th</sup> October 2021

Mr. Michael Sialai, EBS  
Clerk of the National Assembly  
Parliament Buildings  
P. O. Box 41842-00100  
Nairobi

DC 19/10/21

Dear

**APPROVAL HEARINGS OF COL. (RTD) ALFRED MUTWETA MSHIMBA AND DR. MONICA WANJIRU MUIRU AS MEMBERS OF THE ETHICS AND ANTI-CORRUPTION COMMISSION (EACC)**

Reference is made to your letter Ref: NA/DCS/JLAC/2021/30 dated 13<sup>th</sup> October 2021 seeking for the tax compliance status of the nominees for the appointment to the positions of members of the Ethics and Anti-Corruption Commission (EACC).

Below is the tax compliance status of the nominees.

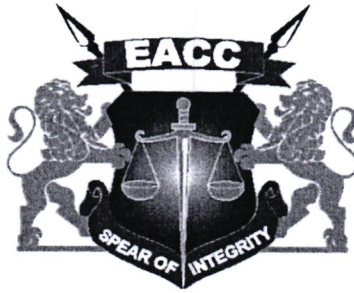
No.	Name	ID No.	KRA PIN	Compliance Status
1.	Col. (Rtd) Alfred Mutweta Mshimba	6260365	A000104322R	Compliant
2.	Dr. Monica Wanjiru Muiru	7456620	A001613719M	Compliant

Yours sincerely,

**Githii Mburu, CBS**  
**COMMISSIONER GENERAL**

*Abenayo Wawake*  
*pls facilitate*  
*21/10/21*

19 OCT 2021



## ETHICS AND ANTI-CORRUPTION COMMISSION

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

When replying please quote:

**Our Ref: EACC.7/10/5 VOL XVIII (247)**

**18<sup>th</sup> October 2021**

**Michael R. Sialai, EBS**  
Clerk of the National Assembly  
Clerk's Chambers  
Parliament Buildings  
P O Box 41842 - 00100  
**NAIROBI**

*Abenayo Wasike*  
*pls facilitate*  
*na n/w*  
*22/10/21* D/DC  
*21/10/21*

Dear *Mr. Siaki,*

**RE: APPROVAL HEARING OF COL. (RTD) ALFRED MTUWETA MSHIMBA AND DR. MONICA WANJIRU MURIU AS MEMBERS OF THE ETHICS AND ANTI-CORRUPTION COMMISSION (EACC)**

Your letter referenced NA/DDS/JLAC/2021/32 dated 13<sup>th</sup> October 2021 on the above subject matter refers.

We confirm that the Commission has not undertaken any investigations where the following nominees have been found culpable.

S/No	Nominee	ID Number
1.	Col. (Rtd) Alfred Mtuweta Mshimba	6260365
2.	Dr. Monica Wanjiru Muiru	7456620

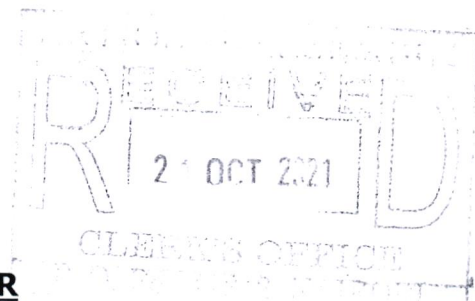
The information provided herein is based on records available as of **18<sup>th</sup> October 2021**.

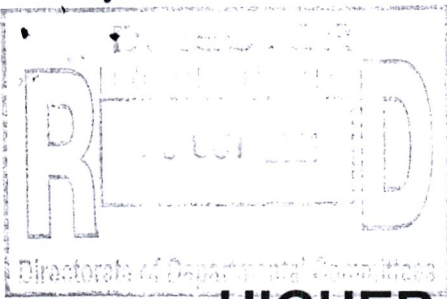
Yours

*Sincerely*

**ABDI A. MOHAMUD, MBS**  
**AG. DEPUTY CHIEF EXECUTIVE OFFICER**  
**FOR: SECRETARY/CHIEF EXECUTIVE OFFICER**

LCK/fk





# HIGHER EDUCATION LOANS BOARD

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Nairobi, Kenya

HELB/RR/112009/128

*Abenayo Wasike*  
*pls facilitate*  
*19/10/21*  
*D/D C*

15<sup>th</sup> October 2021

Mr. Michael R. Sialai, EBS  
Clerk,  
National Assembly  
Parliament Buildings  
P.O Box 41842-00100  
NAIROBI.

*18/10/21*

Dear Sir,

## VETTING FOR NOMINEES TO THE POSITION OF MEMBERS OF THE ETHICS AND ANTI-CORRUPTION COMMISSION (EACC)

We acknowledge with thanks the receipt of your letter *Ref. NA/DCS/JLAC/2021/033* dated 13<sup>th</sup> October 2021 requesting HELB to provide a report on repayment of any loans that may have been advanced to the nominees for appointment to the above position for purposes of vetting by the Committee on Justice and Legal Affairs (JLAC).

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

S/No.	Name	ID No.	Status	Year of Clearance
1.	Col. (Rtd) Alfred Mutweta Mshima	6260365	Not a beneficiary	N/A
2.	Dr. Monica Wanjiru Muiru	7456620	Cert No. 10062	30 <sup>th</sup> Oct 2007

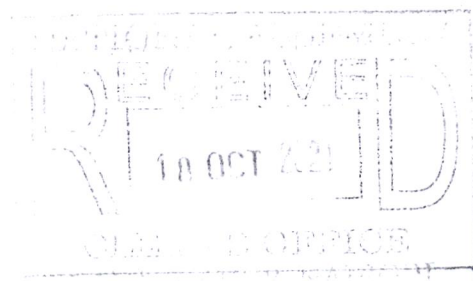
We kindly urge you to continue encouraging applicants to seek their compliance certificate from HELB as part of testimonials and conformity to Chapter Six of the Constitution of Kenya.

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

Yours

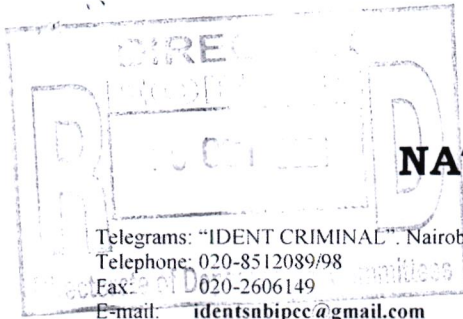
*Sincerely*

**CHARLES M. RINGERA**  
**CHIEF EXECUTIVE OFFICER**



ISO 9001:2015 Certified.





# NATIONAL POLICE SERVICE

Telegrams: "IDENT CRIMINAL" Nairobi  
Telephone: 020-8512089/98  
Fax: 020-2606149  
E-mail: [identsnbipcc@gmail.com](mailto:identsnbipcc@gmail.com)  
When replying please quote ref No. and date



CRIMINAL RECORDS OFFICE,  
P.O. Box 30460 – 00100 GPO,  
NAIROBI

## DIRECTORATE OF CRIMINAL INVESTIGATIONS

DCI/CRO/SEC/6/7/2/A/VOL.X/54

18<sup>TH</sup> OCTOBER, 2021

Clerk Of The National Assembly  
Clerks chambers  
National buildings  
P O Box 41842-00100  
NAIROBI

*Aberayo waake*  
*pls facilitate*  
*we will*  
*19/10/21*  
*D/DC*  
*18/10/21*

Attn: Jeremiah Ndombi

**RE: APPROVAL HEARINGS OF COL. (RTD) ALFRED MUTWETA MSHIMBA AND DR, MONICA WANJIRU MURIU AS MEMBERS OF THE ETHICS AND ANTI-CORRUPTION COMMISSION (EACC)**

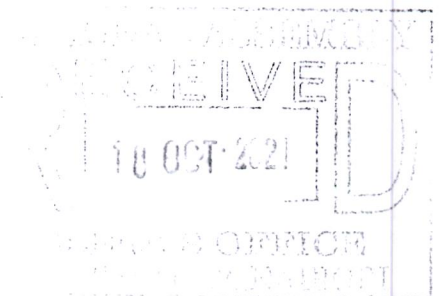
Your correspondence ref. NA/DCS/JLAC/2021/31 dated 14<sup>th</sup> October, 2021 refers. The below mentioned persons applied for police clearance certificates on diverse dates and were **genuinely** issued with certificates by this office.

S/NO.	NAME	ID NO.	DCI REF. NO.	DATE ISSUED
1	COL. (RTD) ALFRED MUTWETA MSHIMBA	6260365	PCC-YLTKYL6L	14/09/2021
2	DR. MONICA WANJIRU MUIRU	7456620	PCC-QPTD5LD2	29/09/2021

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

Kind regards.

D. NDETO  
FOR DIRECTOR CRIMINAL INVESTIGATIONS.

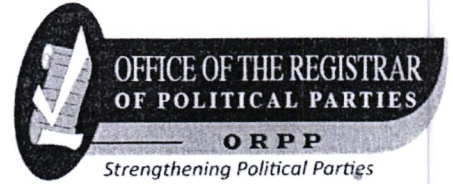
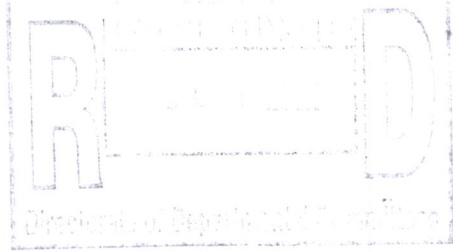


**FACES CAN LIE. FINGERPRINTS NEVER.**

OUR VISION: To be the best forensic fingerprint science laboratory with emphasis on continual linkage of the **Crime**, the **Crime-Scene** and the **Criminal**



REPUBLIC OF KENYA



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

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

Ref: RPP/ORG/034 Vol. V (18)

Date: 18<sup>th</sup> October, 2021

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

*Abenayo Wasike*  
*pls facilitate*  
*19/10/21*  
*D/DC*  
*18/10/21*

Dear Sir,

**RE: VERIFICATION OF PERSONS REGARDING MEMBERSHIP TO POLITICAL PARTIES**

This Office acknowledges receipt of your letter Ref: NA/DCS/JLAC/2021/34 dated 13<sup>th</sup> October, 2021 on the above subject matter.

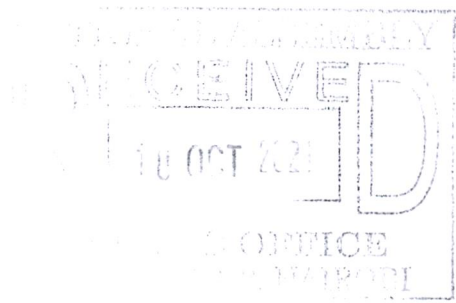
According to the records held by this office as at 18<sup>th</sup> October, 2021, the following nominees are not officials of any registered political party.

**Member of Ethics and Anti-Corruption Commission (EACC)**

S/No.	Nominee	ID No.
1.	Col (Rtd) Alfred Mutweta Mshimba	6260365
2.	Dr. Monica Wanjiru Muiru	7456620

Yours faithfully,

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



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ORPPKenya

Handwritten marks and symbols in the top right corner, including a series of small, irregular shapes and a larger, faint mark.

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