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227

KENYA NATIONAL ASSEMBLY
17 FEBRUARY
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MAIN BUILDING



REPUBLIC OF KENYA
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KENYA NATIONAL ASSEMBLY

TENTH PARLIAMENT-SECOND SESSION

**DEPARTMENTAL COMMITTEE ON ADMINISTRATION OF
JUSTICE AND LEGAL AFFAIRS**

**REPORT ON THE NOMINATION OF NAMES FOR
APPOINTMENT TO THE KENYA ANTI CORRUPTION
ADVISORY BOARD**

KENYA NATIONAL ASSEMBLY
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Clerk's chambers,
National Assembly,
NAIROBI

December, 2008

PREFACE

Mr. Speaker, Sir,

The Departmental Committee on Administration of Justice and Legal Affairs is established under Standing Order No. 151; its mandate pursuant to Standing Order 151(4) is:-

- a) to investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned Ministries and departments;*
- b) to study the programme and policy objectives of the Ministries and departments and the effectiveness for implementation;*
- c) to study and review all legislation after First Reading, subject to the exceptions under Standing Order 101A (4);*
- d) to study, assess and analyze the relative success of Ministries and departments as measured by the results obtained as compared with its stated objectives;*
- e) to investigate and inquire into all matters relating to all assigned Ministries and Departments as they may deem necessary, and as may be referred to them by the House or a Minister and;*
- f) to make reports and recommendations to the House as often as possible, including recommendation of proposed legislation.*

The Committee comprises:

- (i) The Hon. Abdikardir Mohammed, MP – Chairman
- (ii) The Hon. Millie Odhiambo, MP
- (iii) The Hon. Olago Aluoch, MP
- (iv) The Hon. Amina Abdalla, MP
- (v) The Hon. Njoroge Baiya, MP
- (vi) The Hon. Alfred Sambu, MP
- (vii) The Hon. George Nyamweya, MP
- (viii) The Hon. Ababu Namwamba, MP
- (ix) The Hon. Isaac Ruto Kiprono, MP
- (x) The Hon. Mutava Musyimi, MP
- (xi) The Hon. Wamalwa Eugene, MP

MANDATE OF THE COMMITTEE

Mr. Speaker, Sir, the Committee was mandated to consider and recommend the names of persons for appointment to the Advisory Board of the Kenya Anti Corruption Commission. Eighteen names had been forwarded by the Minister for Justice, National Cohesion and Constitutional affairs.

The Main Committee constituted a subcommittee at a meeting held on 1st December 2008 to help it fast track the nominations.

The Sub Committee comprised the following Members:-

- i. The Hon. Amina Abdalla M.P.
- ii. The Hon. Millie Odhiambo, M.P.
- iii. The Hon. Njoroge Baiya, M.P.
- iv. The Hon. Alfred Wekesa Sambu, M.P.

The Sub Committee met on Wednesday 3rd December 2008 and considered the eighteen names that had been forwarded by the Minister for Justice and Constitutional Affairs. The nominees consisted of the following-

| SUMMARY LIST OF NOMINEES | |
|--|----------------------------|
| Organization | Name of Person |
| Institute of Certified Public Accountants | Hon Billow Adan Kerrow |
| | Dr William Otiende Ogara |
| Kenya Bankers Association | Mr John Khameme Wanyela |
| | Mr Samuel Mutungi |
| Federation of Kenya Employers | Mrs Jacqueline Mugo |
| | Mr Mugo Kibati |
| Institute of Engineers of Kenya | Eng Francis W Ngokonyo |
| | Eng Reuben K Kosgei |
| Kenya Medical Association | Dr Stephen Ochiel |
| | Dr Abdallah Athman Kibwana |
| Kenya Association of Manufacturers | Mr Allan N Ngugi |
| | Mr Suru Tana |
| Architectural Association of Kenya | Architect Evan Juma |
| | Planner Irene Keino |
| Association of Professional Societies of East Africa | Mrs Anna Muchungu |
| | Mrs Grace Kaome Injene |
| COTU | Mr Francis Atwoli |
| | Mr Francis Wangara |

4. The Sub Committee considered the names with regard to the requirements of paragraph 7 of the First Schedule to the Anti Corruption and Economic Crimes Act which states as follows-

(7) In nominating and approving persons to be members of the Advisory Board, the nominating body and the National Assembly shall have regard to —

(a) the honesty and integrity of the person and the person's knowledge and experience; and

(b) the importance of representing Kenya's diversity on the Advisory Board

With regard to the requirement of diversity, the Subcommittee categorized it to consist of regional balance and gender

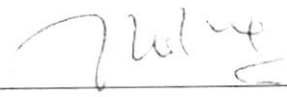
5. After intense consideration and consultations, the subcommittee unanimously agreed to recommend the following names -

| Organization | Name of Person | Criteria Used |
|--|----------------------------|--|
| Institute of Certified Public Accountants | Hon Billow Adan Kerrow | Regional Balance (North Eastern Province) |
| Kenya Bankers Association | Mr John Khameme Wanyela | Regional Balance (Western Province) |
| Federation of Kenya Employers | Mrs Jacqueline Mugo | Gender |
| Institute of Engineers of Kenya | Eng Reuben K Kosgei | Regional Balance (Rift Valley Province) |
| Kenya Medical Association | Dr Abdallah Athman Kibwana | Regional Balance (North Eastern Province) |
| Kenya Association of Manufacturers | Mr Suru Tana | Experience & Regional Balance (Nairobi Province) |
| Architectural Association of Kenya | Planner Irene Keino | Gender & Regional Balance (North Eastern Province) |
| Association of Professional Societies of East Africa | Mrs Grace Kaome Injene | Gender & Regional Balance ((Eastern Province) |
| COTU | Mr Francis Wangara | Regional Balance (Western Province) |

The subcommittee tabled its report in a full Committee meeting held on 10th December 2008 and its report was adopted by the main Committee without any changes.

Mr. Speaker, Sir, on behalf of the Members of the Departmental Committee on Administration of Justice and Legal Affairs, I wish to present to the House the Report of the Committee and the above names of the qualified candidates for further consideration and subsequent adoption by the House.

Hon Millie Odhiambo, MP

Sign  _____

Date ^{the} 11 December 2008

MINUTES OF THE TWENTY EIGHT SITTING OF THE DEPARTMENTAL
COMMITTEE ON ADMINISTRATION OF JUSTICE AND LEGAL AFFAIRS
HELD ON TUESDAY 10TH DECEMBER 2008 IN COMMITTEE ROOM NO 7,
MAIN PARLIAMENT BUILDING AT 11.00AM.

PRESENT

Hon. Abdikadir Mohamed, M.P. - **Chairman**
Hon. Ababu Namwamba, M.P.
Hon. Mutava Musyimi, M.P.
Hon. Baiya Peter, M.P.
Hon. Millie Odhiambo, M.P.
Hon. Amina Abdalla, M.P

ABSENT WITH APOLOGY

Hon. Wamalwa Eugene, M.P.
Hon. Isaac Ruto, M.P.
Hon. Olago Aluoch, M.P.
Hon. Alfred Sambu, M.P.
Hon. Nyamweya George, M.P.

IN ATTENDANCE

KENYA NATIONAL ASSEMBLY

Mrs Lucy Wanjohi
MrMr.Joash Atandi

Clerk Assistant
Parliamentary Intern

LAW SOCIETY OF KENYA

Mr.Apollo Mboya

MIN. NO. 122/2008 - REPORT ON THE INTERNATIONAL CRIMES
BILL,2008

The Committee adopted the Report by the Sub-Committee and approved it for tabling on Wednesday December 11, 2008.

MIN. NO.123/2008 REPORT ON THE CONSIDERATION OF NAMES
FOR APPOINTMENT TO THE KENYA ANTI CORRUPTION ADVISORY
BOARD

The Committee considered and adopted the Report by the Sub-Committee and approved it for tabling in the House.

MIN. NO. 124/ 2008 ADJOURNMENT

And there being no other business, the Chairman adjourned the sitting at twelve O'clock.

Signed



Hon. Millie Odhiambo

Date

11th December 2008