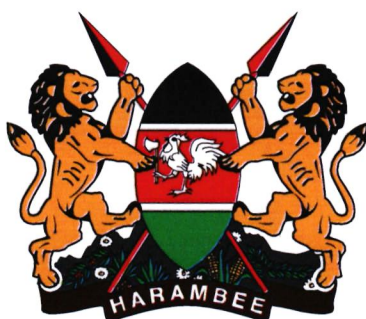


REPUBLIC OF KENYA

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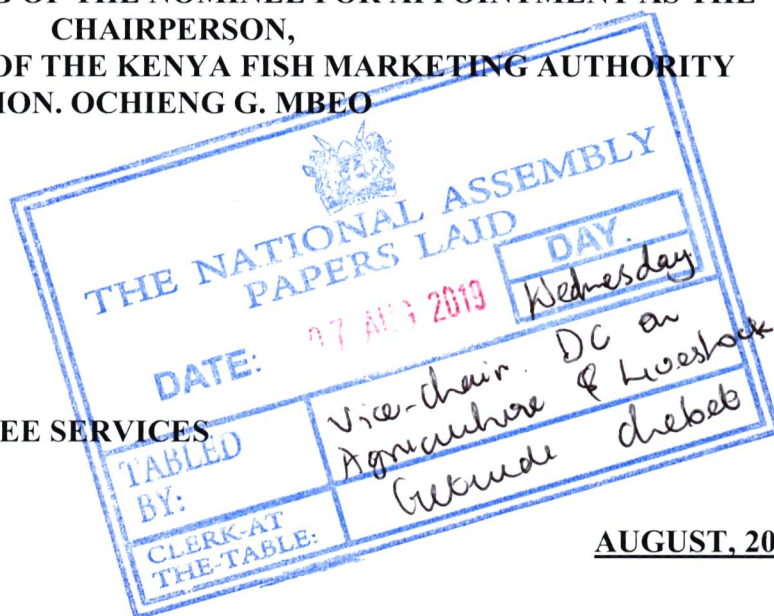


THE NATIONAL ASSEMBLY

TWELFTH PARLIAMENT - THIRD SESSION

THE DEPARTMENTAL COMMITTEE ON AGRICULTURE AND LIVESTOCK

REPORT ON THE VETTING OF THE NOMINEE FOR APPOINTMENT AS THE  
CHAIRPERSON,  
BOARD OF DIRECTORS OF THE KENYA FISH MARKETING AUTHORITY  
HON. OCHIENG G. MBEO



DIRECTORATE OF COMMITTEE SERVICES  
THE NATIONAL ASSEMBLY  
PARLIAMENT BUILDINGS  
NAIROBI

AUGUST, 2019

## TABLE OF CONTENTS

Table of Contents.....	1
<b>LIST OF ABBREVIATIONS AND ACROYNMS.....</b>	<b>2</b>
ANNEXURES .....	3
CHAIRPERSON’S FOREWORD.....	4
1.0 PREFACE.....	6
ESTABLISHMENT AND MANDATE OF THE COMMITTEE .....	6
MEMBERS OF THE COMMITTEE .....	7
COMMITTEE SECRETARIAT.....	7
2.0 BACKGROUND .....	8
2.1 LEGAL FRAMEWORK .....	8
2.2 Committal to the Departmental Committee on Agriculture and Livestock.....	8
2.3 Invitation of Memoranda .....	8
2.4 Notification to the Nominee.....	9
2.5 Clearance requirements.....	9
2.6 Issues for consideration during the Approval Hearing .....	10
3.0 APPROVAL HEARING OF THE NOMINEE .....	15
3.1 Hon Ochieng Mbeo – Nominee for the position of Chairperson of the Board.....	16
4.0 COMMITTEE OBSERVATIONS .....	19
5.0 COMMITTEE RECOMMENDATION .....	20

## **LIST OF ABBREVIATIONS AND ACROYNMS**

<b>DCI</b>	- Directorate of Criminal Investigations
<b>EA</b>	- East Africa
<b>EACC</b>	- Ethics and Anti-Corruption Commission
<b>EALA</b>	- East Africa legislative Assembly (EALA)
<b>HELB</b>	- Higher Education Loans Board
<b>KRA</b>	- Kenya Revenue Authority
<b>NARC</b>	- National Rainbow Coalition
<b>ODM</b>	- Orange Democratic Movement
<b>PAPAA</b>	- Public Appointments (Parliamentary Approval) Act

## ANNEXURES

- Annexure 1 Letter of notification from the appointing authority H.E the President
- Annexure 2 Advertisement inviting submissions of memoranda from the public
- Annexure 3 Invitation letter from the Clerk of the National Assembly to the nominee for the approval hearing
- Annexure 4 Letter from the Clerk of the National Assembly to the various Government Agencies requesting for reports on the nominee
- Annexure 5 Higher Education Loans Board letter
- Annexure 6 Kenya Revenue Authority (KRA) letter
- Annexure 7 Kenya Revenue Authority (KRA) certificate
- Annexure 8 Ethics and Anti-Corruption Commission (EACC) letter
- Annexure 9 Directorate of Criminal Investigations (DCI) letter
- Annexure 10 Adoption List
- Annexure 11 Oath
- Annexure 12 Minutes

## CHAIRPERSON'S FOREWORD

Pursuant to section 201(1)(a) and (2) of the Fisheries Management and Development Act (No 35 of 2016) and in accordance with sections 3 and 5 of the Public Appointments (Parliamentary Approval) Act, No. 33 of 2011, His Excellency the President nominated **Hon. Ochieng G. Mbeo** for the position of Chairperson of the Board of Directors of the Kenya Fish Marketing Authority. The nomination was conveyed to the Speaker of the National Assembly through a letter Ref. No. OP/CAB.1/10A dated 9<sup>th</sup> July, 2019 (*Annexure 1*). The nominee's Curriculum Vitae and Testimonials were enclosed in the reference letter.

On 23<sup>rd</sup> July, 2019, the Speaker of the National Assembly pursuant to Standing Order 42(1), read the message from H.E. the President communicating the name of the nominee for the position of Chairperson of the Board of Directors of the Kenya Fish Marketing Authority to the House. Pursuant to section 4 of the Public Appointments (Parliamentary Approval) Act, 2011 and Standing Order 45(1)&(4), the name of the nominee was committed to the Departmental Committee on Agriculture and Livestock for approval hearing and reporting to the House within fourteen (14) days.

The Clerk of the National Assembly placed an advertisement in the print media on Friday, 26<sup>th</sup> July, 2019 (*Annexure 2*) inviting the public to submit memoranda by way of written statements on oath (affidavit) on the suitability or otherwise of the nominee in conformity with section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011. The advertisement indicated that the submissions were to be received by Thursday, 1<sup>st</sup> August, 2019 at 5.00 pm. By close of the submissions' deadline, the Committee had not received any submission on the suitability or otherwise for appointment to the position of Chairperson of the Board of Directors of the Kenya Fish Marketing Authority.

The nominee appeared before the Committee on Tuesday, 6<sup>th</sup> August 2019 for vetting in accordance with the provisions of the Constitution, the Public Appointments (Parliamentary Approval) Act, 2011 and the National Assembly Standing Orders on his suitability or otherwise for appointment to the position of Chairperson of the Board of Directors of the Kenya Fish Marketing Authority.

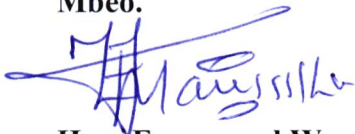
Following the vetting, the Committee observed that:

- (1) The nominee possesses a Bachelor of Arts degree in political science and history from the Guilford College, North Carolina, USA, and a master's degree in international management from American graduate school of international Management thunderbird Arizona USA. His academic credentials and experience meet the standard required under section 6 (7) of the Public Appointments (Parliamentary Approval) Act, No. 33 of 2011.
- (2) The nominee exhibited knowledge and understanding of the fish sector in which he is expected to serve as the Chairperson of the Board of Directors of the Kenya Fish Marketing Authority.
- (3) The nominee satisfies the requirements of Chapter 6 of the Constitution on leadership and integrity. The Committee observed that the DCI, HELB and EACC had sent clearance letters with respect to the nominee. The nominee has not been charged in a Court of Law in the last three years. However, the Kenya Revenue Authority in its letter indicated that the nominee was not tax compliant.
- (4) As stipulated under Clause 12(1) of the Public Officer Ethics Act, 2003, the nominee submitted that he has potential conflict of interest between his personal interests and his public or official duties if approved.

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

On behalf of the Departmental Committee on Agriculture and Livestock section 8(1) of the Public Appointments (Parliamentary Approval) Act, 2011 and the provisions of Standing Order 199(6), it is now my singular duty and privilege to present to the House, this Report of the Departmental Committee on Agriculture and Livestock on the vetting of the nominee for the position of Chairperson of the Board of Directors of the Kenya Fish Marketing Authority **Hon. Ochieng G**

**Mbeo.**



**Hon. Emmanuel Wangwe, M.P**

**Vice – Chairperson, Departmental Committee on Agriculture and Livestock**

## 1.0 PREFACE

### ESTABLISHMENT AND MANDATE OF THE COMMITTEE

The Departmental Committee on Agriculture and Livestock is one of the Departmental Committees of the National Assembly established under Standing Order 216 and is mandated to:

- (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 the 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 inquire into all matters relating to the assigned ministries and departments as they may deem necessary and as may be referred to them by the House;
- (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*); and**
- (fa) examine treaties, agreements and conventions;
- (g) make reports and recommendations to the House as often as possible, including recommendation of proposed legislation.
- (h) consider reports of Commissions and Independent Offices submitted to the House pursuant to the provisions of article 245 of the Constitution; and
- (i) examine any questions raised by Members on a matter within its mandate.

The Departmental Committee on Agriculture and Livestock deals with matters concerning; Agriculture, Livestock, Irrigation, Fisheries, Development, Production and Marketing. In discharge of its mandate, the Committee oversees the following: -

- a) The State Department for Crops Development
- b) The State Department for Livestock
- c) The State Department for Fisheries, Aquaculture and the Blue Economy
- d) The State Department for Irrigation
- e) The State Department of Agricultural Research Services

## MEMBERS OF THE COMMITTEE

The Departmental Committee on Agriculture and Livestock was constituted by the House on Wednesday 14<sup>th</sup> December, 2017 and comprises the following Members:-

NAME	CONSTITUENCY	PARTY
The Hon. Adan Haji Ali, MP. <b>(Chairperson)</b>	Mandera South	Jubilee
The Hon Emmanuel Wangwe, MP. <b>(Vice-Chairperson)</b>	Navakholo	Jubilee
The Hon. Maison Leshoomo, MP.	Samburu County	Jubilee
The Hon. Ferdinard Wanyonyi, MP	Kwanza	ODM
The Hon. Florence Mutua, MP.	Busia County	ODM
The Hon. Silas Kipkoech Tiren, MP.	Moiben	Jubilee
The Hon. Simba Arati, MP.	Dagoretti	ODM
The Hon. Yegon Brighton Leonard, MP	Konoin	Jubilee
The Hon. Gabriel Kago Mukuha, MP.	Githunguri	Jubilee
The Hon. John Paul Mwirigi, MP.	Igembe South	Independent
The Hon. Dr. John Kanyuithia Mutunga, MP.	Tigania West	Jubilee
The Hon. Adan Haji Yussuf, MP.	Mandera West	EFP
The Hon. Janet Jepkemboi Sitienei, MP.	Turbo	Jubilee
The Hon. Francis Munyua Waititu, MP.	Juja	Jubilee
The Hon. Dr. Daniel Kamuren Tuitoek, MP.	Mogotio	Jubilee
The Hon. Fred Ouda, MP.	Kisumu Central	ODM
The Hon. Joyce Kamene, MP.	Machakos County	WDP
The Hon. Justus Makokha Murunga, MP.	Matungu	ANC
The Hon. Silvanus Osoro Onyiego, MP.	South Mungirango	KNC

## COMMITTEE SECRETARIAT

The following officers are deployed to serve the Committee: -

Mr. Ahmad Kadhi	-	First Clerk Assistant
Mr. Nicodemus Maluki	-	Third Clerk Assistant
Mr. Salem Lorot	-	Legal Counsel
Mr. Eric Kariuki	-	Research Officer
Mr. Alex Mutuku	-	Sergeant-At-Arms
Mr. Faith Makena	-	Sergeant-At-Arms
Mr. John Nganga	-	Audio Officer
Ms. Deborah Mupusi	-	Media Officer

## 2.0 BACKGROUND

### 2.1 LEGAL FRAMEWORK

In accordance with the provisions of section 201(1)(a) and (2) of the Fisheries Management and Development Act (No 35 of 2016) and sections 3 and 5 of the Public Appointments (Parliamentary Approval) Act, No. 33 of 2011, His Excellency the President forwarded to the National Assembly, the notification of nomination, curriculum vitae and testimonials of Hon. Ochieng G. Mbeo vide a letter dated 9<sup>th</sup> July, 2019 and reference number OP/CAB.1/10A (*Annexure 1*) for the approval of National Assembly before appointment to the position of the Chairperson of the Board of Directors of the Kenya Fish Marketing Authority.

### 2.2 Committal to the Departmental Committee on Agriculture and Livestock

The Committee on Agriculture and Livestock being one of the Departmental Committees of the National Assembly under Standing Order 216(6) is mandated to vet and report on all appointments where the Constitution or any law requires the National Assembly to approve.

Pursuant to section 4 of the Public Appointments (Parliamentary Approval) Act, 2011 and Standing Order 204, the name and curriculum vitae of the nominee: was committed to the Departmental Committee on Agriculture and Livestock for vetting. The Committee is required to report to the House within fourteen (14) days.

### 2.3 Invitation of Memoranda

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

Pursuant to this provision, the Clerk of the National Assembly placed an advertisement in the print media on Friday, 26<sup>th</sup> July, 2019 (*Annexure 2*) informing the general public of the intention of the Committee to conduct approval hearings, as provided for by Article 118 (1) (a) (b) and (2) of the Constitution and Section 6(4) of the Public Appointments (Parliamentary Approval) Act, (No.33 of 2011), which allow public participation in Committee proceedings. The notification invited the public to submit memoranda by way of written statements on oath (**affidavit**) with supporting evidence contesting the suitability of the nominee in conformity with section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011.

By close of business on Thursday, 1<sup>st</sup> August, 2019 at 5.00 pm the Committee had not received any submissions against the nomination and approval for appointment of Hon Ochieng Mbeo for the position of Chairperson of the Board of Directors of the Kenya Fish Marketing Authority.

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

#### **2.4 Notification to the Nominee**

On Thursday, 25<sup>th</sup> July, 2019, pursuant to 6(3) of the Public Appointments (Parliamentary Approval) Act, 2011, the Clerk of the National Assembly officially invited the nominee for the approval hearing indicating the time and place (*Annexure 3*).

#### **2.5 Clearance requirements**

In a letter dated 25<sup>th</sup> July, 2019, the Clerk of the National Assembly wrote to the Ethics and Anti-Corruption Commission (EACC), Kenya Revenue Authority (KRA), Directorate of Criminal Investigations (DCI) and the Higher Education Loans Board (HELB), (*Annexure 4*) requesting for reports with respect to the nominee on the following matters:

- (a) ethics and integrity;
- (b) tax compliance; and,
- (c) loan repayments, if any.

Responding to the request, the Higher Education Loans Board confirmed *vide* a letter Ref. No. HELB/RR/112009/V/VOL2 dated 31<sup>st</sup> July, 2019 (*Annexure 5*), that the nominee, Hon. Ochieng G. Mbeo, was not a beneficiary of the HELB Loans Scheme.

With regard to matters on tax compliance, the Kenya Revenue Authority *vide* a letter Ref. No. NA/DCS/A&L/2019/38 dated 1<sup>st</sup> August, 2019, (*Annexure 6*) that the nominee had outstanding issues.

Tax Compliance Certificate (*Annexure 7*) from 05/07/2018 valid to 04/07/2019 was issued by the Kenya Revenue Authority confirming that Gilbert Ochieng Mbeo, of Personal Identification Number A000122092C had filed the relevant tax returns and paid taxes due as provided by law. This was in conformance to item 25 to the schedule in the Public Appointments (Parliamentary Approval) Act no. 33 of 2011. It stated that tax obligations to the state are up to the end of the financial year immediately preceding the nomination for appointment.

On matters of ethics and integrity, the Ethics and Anti-Corruption Commission *vide* a letter Ref. No. NA./DCS/A&L/2019/37 and dated 2<sup>nd</sup> August, 2019, (*Annexure 8*) confirmed that there were no outstanding issues or ongoing investigations against the nominee.

The Directorate of Criminal Investigations (DCI) through a letter Ref. No. DCI/IB/SEC/4/3/1/VOL.XII/108 dated 30<sup>th</sup> July, 2019 (*Annexure 9*) confirmed that there were no outstanding investigations against the nominee.

## **2.6 Issues for consideration during the approval hearing**

The following statutes/provisions guided the Committee as it executed this mandate:

- (i) The Public Appointments (Parliamentary Approval) Act (No. 33 of 2011);
- (ii) Chapter 6 of the Constitution on leadership and integrity;
- (iii) Article 232 of the Constitution on values and principles of public service;
- (iv) Article 10 of the Constitution on the national values and principles of governance;
- (v) The Leadership and Integrity Act (Cap. 182);
- (vi) The Public Service (Values and Principles) Act (No. 1A of 2015)
- (vii) The Public Officer Ethics Act (Cap. 183)
- (viii) The Fisheries Management and Development Act (no. 35 of 2016)

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

Section 7 of the Public Appointments (Parliamentary Approval) Act, 2011 provides that the issues for consideration by the relevant House in relation to any nomination shall be:

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

The schedule to the Public Appointments (Parliamentary Approval) Act provides for the criteria to guide the Committee. These are:

- Education, employment record;
- Public office, political activities and affiliations;
- Deferred income or future benefits;
- Sources of income, tax status, statement of net worth;
- Potential conflicts of interest;
- Pro bono or charity work;
- Whether the nominee has been charged in a court of law or convicted;

- Adverse mention in an investigatory report of a Parliamentary Committee or Commission.

During the approval hearing, section 6 of the Public Appointments (Parliamentary Approval) Act (PAPAA) provides important points, that is:

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

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

The Committee, in determining the suitability of the nominee, took into consideration the provisions on leadership and integrity as outlined under Chapter Six of the Constitution. In particular, the Committee took cognizance of the following provisions:

- i) Article 73 (2) of the Constitution which 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, favoritism, 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.
- i. Article 75(1) 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 and Article 75(3) of the Constitution that prohibits a State Officer who has been removed from office under that Article from holding any other State Office.
  - ii. Article 77(1) of the Constitution that prohibits a full time State Officer from participating in any other gainful employment.
  - iii. Article 77(2) of the Constitution that prohibits an appointed State officer from holding office in a political party.
  - iv. Article 78 of the Constitution that disqualifies persons who are not Kenyan Citizens and persons holding dual citizenship from appointment as State Officers.

### **The Leadership and Integrity Act, 2012**

The primary purpose of the Leadership and Integrity Act (No. 19 of 2012) is to ensure that State officers respect the values, principles and requirements of the Constitution. According to the Act, a State officer is obligated to respect the values, principles and the requirements of the Constitution, including the national values and principles provided for under Article 10 of the Constitution; the rights and fundamental freedoms provided for under Chapter Four of the Constitution; the responsibilities of leadership provided for under Article 73 of the Constitution; the principles governing the conduct of State officers provided for under Article 75 of the Constitution; the educational, ethical and moral requirements in accordance with Articles 99(1)(b) and 193(1)(b) of the Constitution; in the case of County governments, the objectives of devolution provided for under Article 174 of the Constitution; and in so far as is relevant, the values and principles of Public Service as provided for under Article 232 of the Constitution.

The Committee, in determining the suitability of the nominee, took into consideration the following provisions of the Leadership and Integrity Act, among others:

- (i) Section 8 which provides that a public office is an office of public trust and shall be exercised in the best interests of the people of Kenya;

- (ii) Section 10 which requires public officers to carry out duties in an efficient and honest manner; transparency; accurate records and documentation; report truthfully on all matters;
- (iii) Section 11 which requires public officers to carry out their duties with utmost professionalism to build public confidence and to exercise courtesy, respect, non-discrimination and high standards of performance;
- (iv) Section 12 which provides for financial integrity: officers should not enrich oneself or another person;
- (v) Section 14 which provides for the receipt of gifts or benefits; state officers are required to declare gifts of any value to the employer;
- (vi) Section 15 which provides that public officers should not use their office wrongfully or unlawfully to influence the acquisition of property;
- (vii) Section 16 which requires state officers to declare conflict of interest in the course of discharge of their duties;
- (viii) Section 23 calls on public officers to exercise political neutrality;
- (ix) Section 24 calls public officers to exercise impartiality in the performance of duties;
- (x) Section 26 requires public officers not to engage in any other gainful employment; Provided for in Article 77 of the Constitution in case of State officers; and
- (xi) Section 32 requires public officers to conduct their private affairs in a manner that maintains public confidence in the integrity of the office.

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

Article 232 of the Constitution provides for the values and principles of public service which include high standards of professional ethics; efficient, effective and economic use of resources; responsive, prompt, effective, impartial and equitable provision of services; involvement of the people in the process of policy making; accountability for administrative acts; transparency and provision to the public of timely, accurate information; fair competition and merit as the basis of appointments and promotions; representation of Kenya's diverse communities; and affording

adequate and equal opportunities for appointment, training and advancement, at all levels of the public service of men and women; the members of all ethnic groups; and persons with disabilities.

The Committee also took into consideration the requirements provided under Article 232 of the Constitution while it was conducting the approval hearing.

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

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

### **The Public Service (Values and Principles) Act, 2015**

The Public Service (Values and Principles) Act (No. 1A of 2015) gives effect to Article 232 of the Constitution of Kenya. The Committee took into consideration the provisions of the Act and in particular:

- (i) Section 5 which provides that every public officer shall maintain high standards of professional ethics;
- (ii) Section 6 which provides that a public officer shall use public resources in an efficient, effective and economic manner;
- (iii) Section 7 which provides that the public service shall ensure that public services are provided promptly, effectively, impartially and equitably;
- (iv) Section 8 which prohibits a public officer from giving information that the public officer knows or ought to know to be inaccurate; or unduly delays the provision of any information where required to provide that information;
- (v) Section 9 which provides that every public officer shall be accountable for his or her administrative acts;
- (vi) Section 10 which provides that the public service, a public institution or an authorised officer shall ensure that public officers are appointed and promoted on basis of fair competition and merit.

### **The Public Officer Ethics Act, 2003**

The Public Officer Ethics Act, 2003 provides for obligations to be carried out by a public officer. These include professionalism, carrying out duties in accordance with the law, prohibition from unjust enrichment, avoiding conflict of interest, not using office as an avenue for soliciting or collecting harambees; not acting for foreigners; care of property; political neutrality, prohibition of nepotism or favouritism, giving impartial advice, conducting private affairs in a way that maintains public confidence, bar from sexual harassment, submission of declaration of income, assets and liabilities once every two years, among other worthy provisions. The Committee considered the provisions of the Public Officer Ethics Act, 2003 during its approval process.

### **The Fisheries Management and Development Act**

Section 201 (1) (a) of the Fisheries Management and Development Act (No 35 of 2016) provides that -

- (1) There shall be a Board of Directors of the Fish Marketing Authority which shall consists of*
- (a) a chairperson appointed by the President*

### **3.0 APPROVAL HEARING OF THE NOMINEE**

The Departmental Committee on Agriculture and Livestock held a sitting on Tuesday, 6<sup>th</sup> August, 2019 to deliberate on the approval hearing and the following were highlighted:

- (a) That, by the deadline date and time of Thursday, 1<sup>st</sup> August, 2019 at 5.00 pm, the Clerk of the National Assembly had not received any submissions against the nomination and approval for appointment of Hon. Ochieng G. Mbeo for the position of Chairperson of the Board of Directors of the Kenya Fish Marketing Authority.
- (b) That, the nominee had not notified the Clerk of the National Assembly of the withdrawal from the approval process as outlined under section 6(10) of the Public Appointments (Parliamentary Approvals) Act, 2011.

The Committee therefore resolved to undertake the approval hearing as per the schedule that had been advertised by the Clerk of the National Assembly and which was communicated to the nominee and to the public. In conducting the approval hearing, the Committee examined the

nominee against the following criteria, as set out in section 6(8) of the Public Appointments (Parliamentary Approval) Act, 2011 and Article 156(3) of the Constitution among others.

- (a) Educational and professional background;
- (b) Work experience;
- (c) Membership to professional bodies;
- (d) Public office and political affiliations held - to ascertain whether the nominee does not hold office in a political party in compliance with Article 77(2) of the Constitution that prohibits an appointed State Officer from holding an office in a political party;
- (e) 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 this Article from holding any other State Office;
- (f) Nominee's finances;
- (g) Tax status and net worth;
- (h) Potential conflict of interest - Section 12 (1) of the Public Officer Ethics Act, 2003 stipulates that a public officer shall use his best efforts to avoid being in a position in which his personal interests conflict with his official duties;
- (i) Whether the nominee has been charged in a court of law in the past three years; and
- (j) Whether the nominee has been adversely mentioned in a report of Parliament or a Commission of inquiry in the past three years.

### **3.1 Hon Ochieng Mbeo – Nominee for the position of Chairperson of the Board**

**Hon. Ochieng G. Mbeo** appeared before the Committee on Tuesday, 6<sup>th</sup> August, 2019 at 9.00 am and was interviewed pursuant to the provisions of the Constitution, Public Appointments (Parliamentary Approval) Act, 2011 and the Standing Orders of the National Assembly.

The nominee responded to several questions during the vetting as follows:-

#### **Citizenship, Date and Place of Birth**

He is Kenyan, male citizen, Identity Card Number 4859537, born on 5<sup>th</sup> April, 1948 in Homa Bay County.

#### **Academic and Professional Qualifications**

- (a) In 1974, he graduated with a Masters degree in International Management from American Graduate School of International Management.

- (b) In 1973, he graduated with a Bachelor of Arts degree in political science and history from Guilford College, North Carolina, USA.
- (c) Between year 1965 and year 1968 he pursued his secondary school education at the Duke of Gloucester School in Nairobi (current Jamhuri high school) . Prior to his secondary education between year 1956 and 1964 he attended Kamagambo Mission School and Ranen mission school in Migori County for his primary education.

## **Work and professional experience**

### **1) Political Experience**

- (a) In year 2017 and year 2013 National elections he was unsuccessful (ODM) Senatorial Nomination candidate for Migori County.
- (b) Between year 2002 and year 2005 he was a (NARC) Election Board Member and deputy director of elections.
- (c) Between year 2001 and year 2006 he was a Member of East Africa legislative Assembly (EALA). In EALA he was the Chairman of Regional Affairs and Conflict Resolution Committee and a Committee Member of Tourism, Agriculture and Natural Resources Committee.
- (d) Between year 1995 and year 1997 he was the President of Global Parliamentarians on Habitat Africa
- (e) Between year 1994 and year 1997 he was the Member of Parliament for Mathare Constituency (current Kasarani Constituency)

### **2) Business Experience**

- (a) From year 2016 to date he is the Chairman of Aquaculture Round table, Kenya which brings together all the players and stakeholders in fish farming value chain
- (b) From year 2013 to date he was the founder and is chairman of Lakeview fisheries limited.
- (c) From 2008 to date he was the founder and is the Chairman of Kinda Company Limited which engages in social and economic activities in the former Nyanza province through Nyanza consultative and development forum
- (d) Between year 1983 and year 1998 he was the executive Chairman of Olago Pharmaceutical limited in Nairobi.
- (e) Between year 1980 and year 1983 he was the marketing manager, Johnsons Wax (EA)
- (f) Between year 1980 and 1983 he was the Sales and marketing manager, Colgate Palmolive (EA)

### **Professional Associations**

He is a member and Chairman of Aquaculture Round Table Kenya whose vision is to bring together all stakeholders in the fish farming value chain.

### **Potential Conflict of Interest**

There was a potential conflict of interest being the Chairman and founder of Lakeview fisheries limited which was founded in year 2013. The company is a supplier of tilapia fish and other fish products to Nairobi and Eldoret with current annual production of about 500 metric tonnes.

The Nominee informed the Committee that he was willing to relinquish his position as Chairman of Lakeview fisheries limited if his nomination is approved by Parliament.

### **Sources of Income and Net-worth**

His sources of income comprise of rental income; dividends from shares in various listed companies; and Parliamentary pension.

### **Integrity**

The nominee has not been dismissed nor removed from office for contravening the provisions of Article 75 of the Constitution. He has also not been adversely associated with practices that depict bias, favoritism or nepotism in the discharge of public duties. He has not been charged in court of law in the last three years or been adversely been mentioned in an investigatory report of Parliament or any other Commission of inquiry in the last three years.

However, the nominee has pending matters with KRA due to non-compliance status from the letter received by the committee from KRA (*annexure 6*). The nominee tabled tax compliance certificate dated 6<sup>th</sup> July 2018 (*annexure 10*) that indicated he was tax compliant tabling a certificate valid up to 4<sup>th</sup> July 2019. He acknowledged that between 1994 and 1995 he was informed of outstanding matters which he believed were since resolved and the matter should have been cleared.

### **Membership to Political Party**

The Nominee informed the Committee that he is a life member of ODM party having been a Member of Parliament. However, he dint hold any position in the Party.

#### 4.0 COMMITTEE OBSERVATIONS


The Members deliberated on their interaction with the Nominee and made the following observations taking into consideration the nominee's curriculum vitae, filled questionnaire and having conducted the Vetting hearing: -

1. THAT, in the nominee is a Kenyan citizen born in Homa Bay County and does not hold dual citizenship.
2. THAT, the nominee possesses a Bachelor of Arts degree in political science and history from the Guilford College, North Carolina, USA, and a Master's degree in international Management from American graduate school of international Management thunderbird Arizona USA.
3. THAT, the DCI, HELB and EACC had sent clearance letters with respect to the nominee. The nominee has not been charged in a Court of Law in the last three years.
4. THAT, The Kenya Revenue Authority Commissioner of Domestic Taxes, vide letter Ref KRA/CDT/HO/54 dated 1<sup>st</sup> August 2019 noted that the Nominee was not tax compliant. The Nominee had been alerted of outstanding issues and upon resolution of the same, the status would be reviewed as appropriate.
5. THAT, a Tax Compliance Certificate from 05/07/2018 valid to 04/07/2019 was issued by the Kenya Revenue Authority confirming that Gilbert Ochieng Mbeo, of Personal Identification Number A000122092C had filed the relevant tax returns and paid taxes due as provided by law. This was in conformance to item 25 to the schedule in the Public Appointments (Parliamentary Approval) Act no. 33 of 2011. It stated that tax obligations to the state are up to the end of the financial year immediately preceding the nomination for appointment.
6. THAT, as stipulated in Article 75(1) of the Constitution, the nominee would resign as Chairman of Lakeview Fisheries Limited prior to his appointment as Chairperson, Kenya Fish Marketing Authority.
7. THAT, the nominee does not hold office in any political party and hence satisfies the provisions of Article 77(2) of the Constitution.
8. THAT, the nominee had never been dismissed from office under Article 75 of the Constitution for contravention of the provisions of Articles 75(1) (conflict of interest), Article 76 (financial probity), Article 77(restriction on activities of State Officers) and Article 78(2) (dual citizenship) of the Constitution and is therefore fit to hold office as the Chairperson of the Board of Directors of the Kenya Fish Marketing Authority.
9. THAT, the nominee has exhibited knowledge of fisheries and fish marketing thus making him suitable to serve as the Chairperson of the Board of Directors of the Kenya Fish Marketing Authority.

## 5.0 COMMITTEE RECOMMENDATION

Having conducted the approval hearings for the nominee pursuant to section 201(1)(a) and (2) of the Fisheries Management and Development Act (No 35 of 2016), sections 3 and 5 of the Public Appointments (Parliamentary Approval) Act, 2011 and Standing Order 216 (f), **the Committee recommends that the National Assembly approves the appointment of Hon. Ochieng G. Mbeo as Chairperson of the Board of Directors of the Kenya Fish Marketing Authority by His Excellency the President of the Republic of Kenya.**

Signed .....



Date .....



**Hon. Emmanuel Wangwe, M.P**  
**Vice – Chairperson**  
**Departmental Committee on Agriculture and Livestock**

# ANNEXTURES

Annexure 1

Letter of notification from the appointing authority H.E  
the President



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**REPUBLIC OF KENYA**  
**TWELFTH PARLIAMENT- (THIRD SESSION)**  
**THE NATIONAL ASSEMBLY**  
**MESSAGES**

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**MESSAGES FROM THE PRESIDENT**  
(No. 010 of 2019)

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**ON NOMINATION OF PERSON FOR APPOINTMENT AS  
CHAIRPERSON OF BOARD OF DIRECTORS OF THE KENYA FISH  
MARKETING AUTHORITY**

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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 nomination of person for appointment as Chairperson of the Board of Directors of the Kenya Fish Marketing Authority.

In the Message, H.E. The President conveys that, in exercise of powers conferred by section 201(1)(a) and (2) of the Fisheries Management and Development Act (No.35 of 2016), as read together with sections 3 and 5 of the Public Appointments (Parliamentary Approval) Act, 2011, he nominates **Mr. Ochieng Mbeo** for appointment as the Chairperson of the Board of Directors of the Kenya Fish Marketing Authority. In this regard, H.E. The President seeks the approval of this House on the nominee for appointment to the aforementioned position.


**Honourable Members,** Standing Order 45 requires that, upon receipt of notification of nomination for appointments, such nomination shall stand committed to the relevant Departmental Committee of the House for consideration. Pursuant to the provisions

of the said Standing Order therefore, and paragraph (3) of Standing Order 42 (*Messages from the President*), I hereby refer the Message to the Departmental Committee on Agriculture and Livestock to undertake the necessary approval hearings.

**Honourable Members**, the Committee is required to table its report in the House within fourteen (14) days from the date on which the notification was given. Consequently, I wish to guide the Committee and the House as follows:-

- (i) That the Committee should notify the nominee and the general public of the time and place for holding the approval hearings, in good time. The notification should therefore be made on Wednesday, July 24, 2019; and,
- (ii) That the Committee should thereafter commence the necessary approval hearings and submit its report to the House on or before **Thursday, August 1, 2019.**

**I thank you!**

  
**THE HON. JUSTIN B.N. MUTURI, EGH, MP**  
**SPEAKER OF THE NATIONAL ASSEMBLY**  
**Tuesday, July 23, 2019**

③ Head, table  
This  
pls prepare the  
envelope message  
with the date 23/7/19  
Dummins  
Hassan



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

NATIONAL ASSEMBLY  
RECEIVED  
22 JUL 2019  
SPEAKER'S OFFICE  
P. O. Box 41842, NAIROBI.

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

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

Ref. No. **OP/CAB.1/10A**  
and date

**July 9, 2019**

CONFIDENTIAL

② DLG  
Pse process  
date 23/7/19

**Hon. Justin Muturi, EGH**  
Speaker of the National Assembly  
Parliament Building  
**NAIROBI**

Noted. CNA to prepare the  
necessary communication.

BR  
CNA  
23/7/19

Dear *Hon. Muturi,*

**RE: NOMINATION OF CHAIRPERSON TO THE BOARD OF DIRECTORS OF THE KENYA FISH MARKETING AUTHORITY**

The Kenya Fish Marketing Authority is established under section 198 of the Fisheries Management and Development Act (No. 35 of 2016) with the object of marketing fish and fisheries products from Kenya.

The Chairperson of the Board of Directors established under section 201(1)(a) as read together with subclause (2) is to be appointed by the President upon approval of the National Assembly.

H.E. The President has nominated **Mr. Ochieng Mbeo**, to be the Chairperson of the Kenya Fish Marketing Authority. In furtherance of the same, we submit the curriculum vitae of the choice candidate as well as accompanying documentation for your further action.

Yours Sincerely  
*Joseph K. Kinyua*

PKK  
Please process to 23/7  
23/7/19

**JOSEPH K. KINYUA, EGH**  
**HEAD OF THE PUBLIC SERVICE**

RECEIVED  
23 JUL 2019  
CLERK'S OFFICE

CONFIDENTIAL

Copy to: **Hon. Mwangi Kiunjuri, EGH**  
Cabinet Secretary  
Ministry of Agriculture, Livestock,  
Fisheries and Irrigation  
**NAIROBI**

# Hon. Ochieng' G. Mbeo

P.O. box 47422-00100, Nairobi  
Telephone: 0722-285-323  
Email: [ochikul@yahoo.com](mailto:ochikul@yahoo.com)

---

## BIO-DATA:

**Nationality** : Kenyan  
**Religion** : Christian  
**ID** : 4859537  
**Date of Birth** : April 5, 1948

**Marital Status:** Widowed

**Language Proficiency:** English, Kiswahili, Luo

## EDUCATION / ACADEMIC QUALIFICATIONS

**1974 - MIM - Master of International Management**

(American Graduate School of International Management (Thunderbird)  
Arizona, USA)

**1973 - B.A - Political Science and History** (Guilford College, North  
Carolina, USA)

**1965-68 - Secondary School** - Duke of Gloucester School, Nairobi

**1956-64 - Primary School** - Kamagambo Mission School  
Ranen Mission School  
(Migori County)

## POLITICAL EXPERIENCE

**2017: Senatorial Nomination Candidate, Migori County (ODM)**

**2013: Senatorial Nomination Candidate, Migori County (ODM)**

**2002- 2005: Board Member and Deputy Director of Elections - NARC  
Election Board**

**2001-2006: Member of East African Legislative Assemble (EALA)- Arusha**

**2001-2006: CHAIRMAN - Regional Affairs and Conflict Resolution  
Committee - EALA**

**COMMITTEE MEMBER - Tourism, Agriculture and Natural Resources -  
EALA**

**1995 - 1997: PRESIDENT - Global Parliamentarians on HABITAT (Africa)**

**Kenya National Assembly**

**1994 - 1997: Member of Parliament (MP) - Mathare Constituency (Now  
Kasarani)**

**Kenya National Assembly**

## BUSINESS EXPERIENCE

**November 2017: Certified Professional Mediator** (MTI International, U.S.A)

**2016 -To date: CHAIRMAN - Aquaculture Round Table, Kenya** (Aquat).  
Bringing together all the players and stakeholders in fish farming value chain.

**2013 -To date: Founder / Chairman - Lakeview Fisheries Ltd.**

The Company is engaged in vertically integrated commercial fish farming (cages) in Lake Victoria.

**2009 - Advocacy Consultant:** (Family Planning)

Future Group,

Population Reference Bureau

National Coordination Agency for Population Development

**2008 - To Date: Founder/ Chairman - Kinda Company Limited**

The Company is engaged in Social and Economic activities in Nyanza Province through **Nyanza Consultative and Development Forum.**

**Salaawa Ginnery/ Dunavant (U) Limited / World Bank** Collaboration in establishment of small scale integrated Cotton Processing Cluster in Nyanza.

**KINDA/DANIDA Collaboration** - Mini Tannery Project started in Nyanza for processing hides, skins to Wet-Blue through Community Participation in Homabay.

**1983-1998: Executive Chairman, Olago Pharmaceuticals Ltd-** Nairobi. The firm was engaged in whole sale and retail of pharmaceutical products, cosmetics and boutique in Nairobi.

**1980 - 1983: Sales & Marketing Manager, Johnsons Wax (EA). Ltd.** Nairobi, Kenya. The company is engaged in manufacture and distribution of consumer products like insecticide, industrial cleaning materials and beauty products.

**1975- 1980 - Sales & Marketing Manager, Colgate Palmolive (EA) Ltd.** Nairobi, Kenya. Manufactures and distributors of the famous Colgate brand products, i.e Colgate toothpastes, Palmolive and Protex soaps, Shampoos, detergents etc.

## Annexure 2

Advertisement inviting submissions of memoranda from  
the public

REPUBLIC OF KENYA



**THE NATIONAL ASSEMBLY**  
TWELFTH PARLIAMENT - THIRD SESSION

In the matter of consideration by the National Assembly of the Finance Bill  
(National Assembly Bill No. 51 of 2019)

**SUBMISSION OF MEMORANDA**

Article 118(1)(b) of the Constitution provides that, "Parliament shall facilitate public participation and involvement in the legislative and other business of Parliament and its Committees". Further, the National Assembly Standing Order 127(3) requires the Departmental Committee to which a Bill is committed to facilitate public participation and take into account the views and recommendations of the public when the Committee makes its report to the House.

The Finance Bill, 2019 seeks to formulate the proposals announced in the Budget for 2019/2020 relating to liability and collection of taxes and for matters incidental thereto by amending the Income Tax Act Cap 470; Value Added Tax Act No. 35 of 2013; Excise Duty Act No. 23 of 2015; Tax Procedures Act No. 29 of 2015; Miscellaneous Fees and Levies Act No. 20 of 2016.

The Bill also seeks to amend the following:-

1. **The Privileges and Immunities Act (Cap. 179).** The Bill seeks to amend the Fourth Schedule to the Act to exempt goods and services imported or locally purchased by privileged organizations for their official use from taxes.
2. **The Capital Market Act (Cap. 485).** The Bill seeks to amend the Act to provide for financial penalties imposed by the Authority to be considered as civil debts with the Capital Markets Authority mandated to recover them in line with provisions for the recovery of decretal sums. The amendment is intended to enhance enforcement and recovery of financial penalties imposed by the Authority.
3. **The Banking Act (Cap. 488).** The Bill seeks to amend the Act by repealing section 33B to remove the caps on interest charged on loans. This is aimed at encouraging the banks to provide credit to Small and Medium Enterprises (SMEs).
4. **The Standards Act (Cap. 496).** The Bill seeks to amend the Act to provide for registration of consolidators of air and sea cargo.
5. **The Retirement Benefits Act (No. 3 of 1997).** The Bill proposes to activate the benefits and other accrued income of members of retirement benefits schemes who cannot be traced and that were rendered redundant with the enactment of the Unclaimed Financial Assets Act, 2011. The amendment also intends to provide time limit in which approved issuers shall transfer scheme funds in guaranteed funds to one (1) year to protect the interests of members by reducing the exposure to low returns over an extended transfer period.
6. **The Employment Act (No. 11 of 2008).** The Bill seeks to introduce the definition of "basic salary" to guide on the base amount for computing the levy payable to the National Housing Development Fund. The amendment also seeks to delete the definition of "employee's earnings", words which have not been used in the Act.
7. **The Accountants Act (No. 15 of 2008).** The Bill proposes to remove the requirement for the students to register with ICPAK before qualifying as accountants.
8. **The Proceeds of Crime and Anti-Money Laundering Act (No. 9 of 2009).** The Bill seeks to designate lawyers, notaries and other independent legal professionals as amongst reporting entities to whom Anti-Money Laundering/Combating Financing of Terrorism obligations shall apply.

The Finance Bill, 2019 has undergone First Reading in accordance with the provisions of Standing Order 127(3) and is now committed to the Departmental Committee on Finance and National Planning for consideration, undertaking public participation and reporting to the House.

Pursuant to Article 118(1)(b) of the Constitution and Standing Order 127(3), the Committee invites members of the public to submit any representations that they may have on the said Bill. The presentations may be forwarded to the Clerk of the National Assembly, P.O. Box 41842-00100, Nairobi; hand-delivered to the Office of the Clerk of the National Assembly, First Floor, Main Parliament Buildings, Nairobi, or emailed to [clerk@parliament.go.ke](mailto:clerk@parliament.go.ke), to be received on or before Friday, 9<sup>th</sup> August, 2019 at 5.00 pm.

A copy of the Bill may be downloaded from <http://www.parliament.go.ke/the-national-assembly/house-business/bills>

MICHAEL R. SIALAI, EBS  
CLERK OF THE NATIONAL ASSEMBLY

REPUBLIC OF KENYA



**THE NATIONAL ASSEMBLY**  
TWELFTH PARLIAMENT - THIRD SESSION

In the matter of consideration by the National Assembly of the Banking (Amendment) Bill (National Assembly Bill No. 55 of 2019)

**SUBMISSION OF MEMORANDA**

Article 118(1)(b) of the Constitution provides that, "Parliament shall facilitate public participation and involvement in the legislative and other business of Parliament and its Committees". Further, the National Assembly Standing Order 127(3) requires the Departmental Committee to which a Bill is committed to facilitate public participation and take into account the views and recommendations of the public when the Committee makes its report to the House.

The Banking (Amendment) Bill, 2019 seeks to amend the Banking Act to clarify any vague, ambiguous, imprecise and indefinite word contained in Section 33B as follows:-

1. The amendment seeks to remove any ambiguity in section 33B (1) by clarifying that the interest rate under reference is to be computed or applied on an annual basis.
2. The amendment seeks to clarify what a credit facility is by replacing the term "credit facility" with the word "loan" which is a more suitable and comprehensive term for purposes of section 33B (1). The amendment will also ensure consistency in the use of terminologies bearing the same meaning in the context of the Act. In this regard, the term "loan" is defined in section 44A (5) and its broad meaning thereunder addresses the mischief the provision seeks to cure, that is exorbitant interest rates charged for any financing given on credit terms by banks and financial institutions.
3. The amendment seeks to reaffirm that the maximum interest rate charged by banks and financial institutions on loans should not exceed four points percentage above Central Bank Rate as set out by the Central Bank of Kenya pursuant to the provisions of section 36 (4) of the Central Bank Act. As it stands, the provision is unclear as to whether banks should set the maximum interest rate at four percentage points below or above the Central Bank Rate. For avoidance of doubt, the amendment will precisely point the applicable base rate as that which is set and will also precisely point the applicable base rate as that which is set and published by the Central Bank under Section 36 (4) of the Central Bank Act. Further, for a legal provision to have effect, it follows that a corresponding penalty be imposed for non-compliance. As it stands, the penal provision under subsection (3) is couched in discriminatory terms as it applies only to banks and financial institutions yet the legal obligation is aimed at the bank/financial institution and the borrower/customer.

The Banking (Amendment) Bill, 2019 has undergone First Reading pursuant to Standing Order 127(3) and is now committed to the Departmental Committee on Finance and National Planning for consideration, undertaking public participation and thereafter report to the House.

Pursuant to Article 118(1)(b) of the Constitution and Standing Order 127(3), the Committee invites members of the public to submit any representations that they may have on the said Bill. The presentations may be forwarded to the Clerk of the National Assembly, P.O. Box 41842-00100, Nairobi; hand-delivered to the Office of the Clerk of the National Assembly, First Floor, Main Parliament Buildings, Nairobi, or emailed to [clerk@parliament.go.ke](mailto:clerk@parliament.go.ke), to be received on or before Thursday, 1<sup>st</sup> August, 2019 at 5.00 pm.

(Copy of the Bill may be downloaded from <http://www.parliament.go.ke/the-national-assembly/house-business/bills>).

MICHAEL R. SIALAI, EBS  
CLERK OF THE NATIONAL ASSEMBLY

REPUBLIC OF KENYA



**THE NATIONAL ASSEMBLY**  
TWELFTH PARLIAMENT - THIRD SESSION

In the matters of consideration by the National Assembly of :-  
1. The Competition (Amendment) Bill (National Assembly Bill No. 49 of 2019)  
2. The Insurance (Amendment) Bill (National Assembly Bill No. 50 of 2019)

**SUBMISSION OF MEMORANDA**

Article 118(1)(b) of the Constitution provides that, "Parliament shall facilitate public participation and involvement in the legislative and other business of Parliament and its Committees". Further, the National Assembly Standing Order 127(3) requires the Departmental Committee to which a Bill is committed to facilitate public participation and take into account the views and recommendations of the public when the Committee makes its report to the House.

**The Competition (Amendment) Bill, 2019** seeks to amend the Competition Act No. 12 of 2010 to facilitate investigations with a view to mitigating abuse of bargaining or buyer power which adversely affects the economy and empowers the Competition Authority to investigate and take action against such conduct.

**The Insurance (Amendment) Bill, 2019** seeks to introduce provisions for the protection of policyholders where an insurer is in distress and the assets are put in statutory management. It empowers the Authority to prescribe the manner of submission of various kinds of returns and provides for a penalty for late submission which shall be payable into the policyholders' Compensation Fund.

The aforementioned bills have undergone First Reading pursuant to Standing Order 127(3) and are now committed to the Departmental Committee on Finance and National Planning for consideration and thereafter reporting to the House.

Pursuant to the provisions of Article 118(1)(b) of the Constitution and Standing Order 127(3), the Committee invites interested members of the public to submit any representations that they may have on the said Bills. 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 of the National Assembly, First Floor, Main Parliament Buildings, Nairobi, or emailed to [clerk@parliament.go.ke](mailto:clerk@parliament.go.ke), to be received on or before Thursday, 1<sup>st</sup> August, 2019 at 5.00 pm.

Copies of the Bills may be downloaded from <http://www.parliament.go.ke/the-national-assembly/house-business/bills>.

MICHAEL R. SIALAI, EBS  
CLERK OF THE NATIONAL ASSEMBLY

REPUBLIC OF KENYA



**THE NATIONAL ASSEMBLY**  
TWELFTH PARLIAMENT - THIRD SESSION

In the matter of approval by the National Assembly of the person  
Nominated for appointment as Chairperson to the Board of Directors of  
Kenya Fish Marketing Authority

**SUBMISSION OF MEMORANDA**

Pursuant to the provisions of section 201(1)(a) & (2) of the Fisheries Management and Development Act (No. 35 of 2016) as read together with sections 3 and 5 of the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011), His Excellency the President has nominated **Hon. Ochieng' G. Mbeo** for appointment as the Chairperson of Board of Directors of Kenya Fish Marketing Authority.

Following the receipt of the nomination, the Departmental Committee **Agriculture and Livestock** is mandated to vet and consider the suitability of the said nominee for appointment to office.

Pursuant to Section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011, the Committee invites interested members of the public to submit any representations by written statement on oath (**affidavit**) with supporting evidence contesting the suitability of the said nominee for appointment to 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 Thursday, 1<sup>st</sup> August, 2019 at 5.00 pm.

MICHAEL R. SIALAI, EBS  
CLERK OF THE NATIONAL ASSEMBLY

## Annexure 3

Invitation letter from the Clerk of the National Assembly  
to the nominee for the approval hearing

REPUBLIC OF KENYA

Telegram 'Bunge'  
Telephone: +254 20 2221 291  
Fax: +254 20 2243 694  
E-mail: [clerk@parliament.go.ke](mailto:clerk@parliament.go.ke)  
When replying please quote



NATIONAL ASSEMBLY

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

Ref.NA/DCS/A&L/2019/42

2<sup>nd</sup> August, 2019

Hon. Ochieng' G. Mbeo  
P.O. Box 47422-00100  
**NAIROBI**  
Tel. 0722285323  
Email: [ochikul@yahoo.com](mailto:ochikul@yahoo.com)

Dear *Hon Mbeo*

**RE: INVITATION FOR VETTING BY THE DEPARTMENTAL COMMITTEE ON AGRICULTURE AND LIVESTOCK**

Our letter Ref.NA/DCS/A&L/2019/35 dated 25<sup>th</sup> July, 2019 on the above subject refers.

Due to unavoidable circumstances, the Departmental Committee on Agriculture and Livestock did not conduct the vetting scheduled on Friday 2<sup>nd</sup> August, 2019.

Consequently, the Committee has rescheduled your appearance before it for vetting to **Tuesday, 6<sup>th</sup> August, 2019 in Committee Room on 4<sup>th</sup> Floor, Continental House, Parliament Buildings at 9.30 am.**

You are reminded to bring with you originals of your National Identity Card, academic and professional certificates and any other documents and testimonials. In addition, you should bring letters/certificates of clearance from the following:-

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

Yours

A handwritten signature in blue ink, appearing to be 'J. Ndombi'.

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

REPUBLIC OF KENYA

Telegram 'Bunge'  
Telephone: +254 20 2221 291  
Fax: +254 20 2243 694  
E-mail: [clerk@parliament.go.ke](mailto:clerk@parliament.go.ke)  
When replying please quote



NATIONAL ASSEMBLY

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

Ref.NA/DCS/A&L/2019/35

25<sup>th</sup> July, 2019

Hon. Ochieng' G. Mbeo  
P.O. Box 47422-00100  
**NAIROBI**  
Tel. 0722285323  
Email: [ochikul@yahoo.com](mailto:ochikul@yahoo.com)

Dear *Hon Mbeo*

**RE: INVITATION FOR VETTING BY THE DEPARTMENTAL COMMITTEE ON  
AGRICULTURE AND LIVESTOCK**

---

Following your nomination by His Excellence the President for appointment to the position of the Chairperson of the Board of Directors of the Kenya Fish Marketing Authority, the **Departmental Committee on Agriculture and Livestock** of the National Assembly hereby invites you for vetting pursuant to section 6(3) of the Public Appointments (Parliamentary Approval) Act, 2011, on **Friday, 2<sup>nd</sup> August, 2019** in **Committee Room on 4<sup>th</sup> Floor, Continental House, Parliament Buildings at 9.30 am.**

Kindly fill the attached questionnaire as required by the Public Appointments (Parliamentary Approval) Act, 2011 and return **on or before Wednesday, 31<sup>st</sup> July, 2019.**

You are required to bring with you originals of your National Identity Card, academic and professional certificates and any other documents and testimonials. In addition, you should bring letters/certificates of clearance from the following:-

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

Yours

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

## Annexure 4

Letter from the Clerk of the National Assembly to the various Government Agencies requesting for reports on the nominee

REPUBLIC OF KENYA

Telegram 'Bunge'  
Telephone: +254 20 2221 291  
Fax: +254 20 2243 694  
E-mail: [clerk@parliament.go.ke](mailto:clerk@parliament.go.ke)  
When replying please quote



NATIONAL ASSEMBLY

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

Ref.NA/DCS/A&L/2019/39

25<sup>th</sup> July, 2019

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

Dear *M. Ringira*

**RE: VETTING OF THE PERSON NOMINATED FOR APPOINTMENT TO THE POSITION OF CHAIRPERSON TO THE BOARD OF DIRECTORS OF KENYA FISH MARKETING AUTHORITY**

---

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

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

The Committee will be vetting Hon. Ochieng' G. Mbeo ((ID No. 4859537 and KRA Pin No. A000122092C) for appointment as the Chairperson to the Board of Directors of Kenya Fish Marketing Authority on **Friday, 2<sup>nd</sup> August, 2019.**

This is therefore to request you to provide the Committee with a report on payment of any loans that may have been advanced by the Board to the said nominee to enable the Committee to undertake its mandate more effectively. We will appreciate if the information is received by **Wednesday, 31<sup>st</sup> July, 2019.**

Yours

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

REPUBLIC OF KENYA

Telegram 'Bunge'  
Telephone: +254 20 2221 291  
Fax: +254 20 2243 694  
E-mail: [clerk@parliament.go.ke](mailto:clerk@parliament.go.ke)  
When replying please quote



NATIONAL ASSEMBLY

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

25<sup>th</sup> July, 2019

Ref.NA/DCS/A&L/2019/36

Mr. George Maingi Kinoti  
Director Criminal Investigation Department  
Mazigira Complex  
Kiambu Road Opp. Forestry Department  
Headquarters, Karura  
**NAIROBI**

Dear Mr. Kinoti

**RE: VETTING OF THE PERSON NOMINATED FOR APPOINTMENT TO THE POSITION OF CHAIRPERSON TO THE BOARD OF DIRECTORS OF KENYA FISH MARKETING AUTHORITY**

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

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

The Committee will be vetting Hon. Ochieng' G. Mbeo (ID No. 4859537 and KRA Pin No. A000122092C) for appointment as the Chairperson to the Board of Directors of Kenya Fish Marketing Authority on **Friday 2<sup>nd</sup> August, 2019**.

This is therefore to request you to provide the Committee with a report on or any information touching on the conduct of the said nominee that may be in possession of the Directorate of Criminal Investigations to enable the Committee to undertake its mandate more effectively. We will appreciate if the information is received by **Wednesday, 31<sup>st</sup> July, 2019**.

Yours

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

REPUBLIC OF KENYA

Telegram 'Bunge'  
Telephone: +254 20 2221 291  
Fax: +254 20 2243 694  
E-mail: [clerk@parliament.go.ke](mailto:clerk@parliament.go.ke)  
When replying please quote



NATIONAL ASSEMBLY

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

Ref.NA/DCS/A&L/2019/38

25<sup>th</sup> July, 2019

Mr. James Gathii Mburu  
Commissioner General  
Kenya Revenue Authority  
P. O. Box 62345 - 00200  
**NAIROBI**

Dear *Mr Mburu*

**RE: VETTING OF THE PERSON NOMINATED FOR APPOINTMENT TO THE POSITION OF CHAIRPERSON TO THE BOARD OF DIRECTORS OF KENYA FISH MARKETING AUTHORITY**

---

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

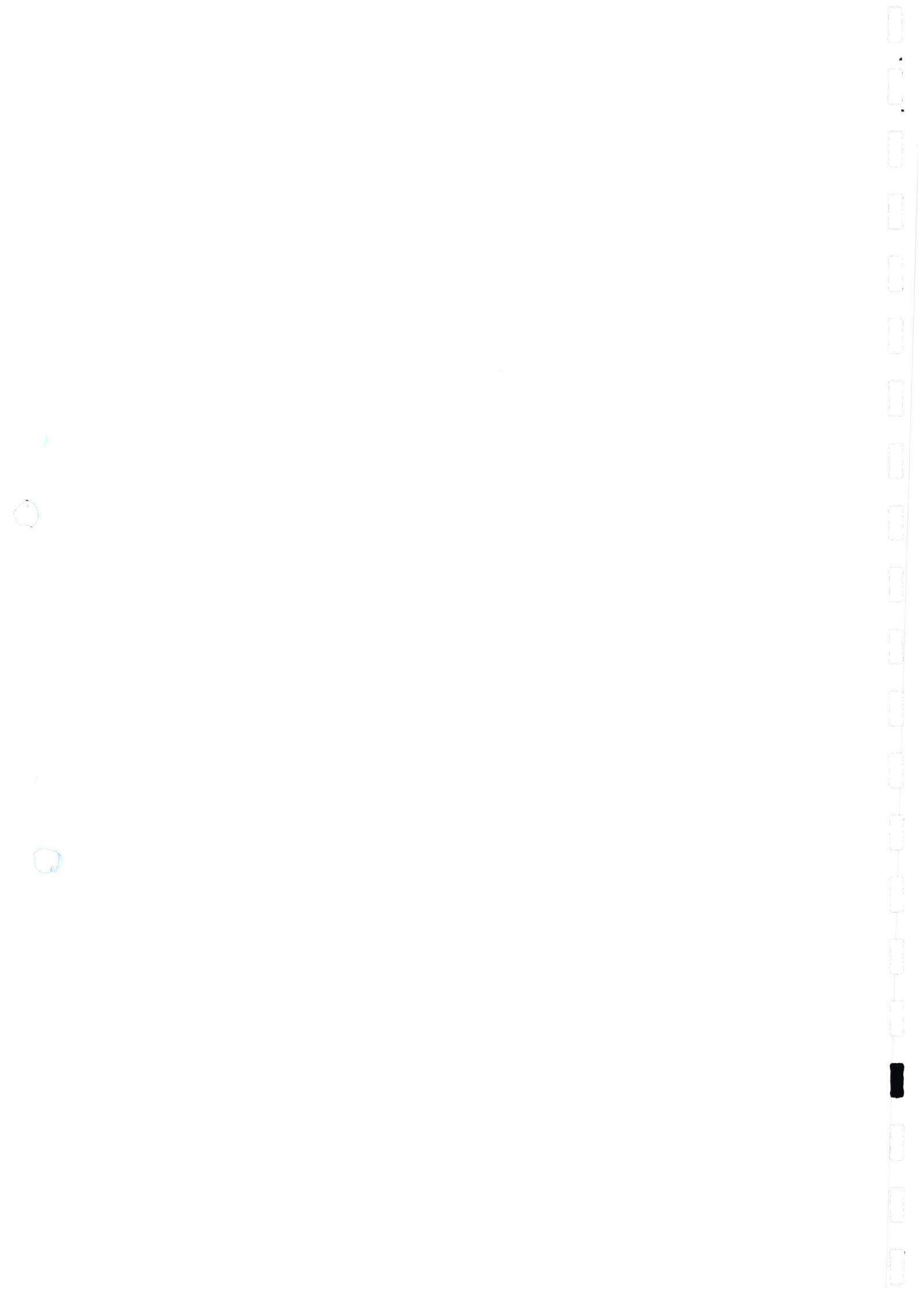
In this regard, the Departmental Committee on Agriculture and Livestock of the National Assembly is established and mandated pursuant to Standing Orders 216(5)(f) to vet and report on appointments where the Constitution or any law requires the National Assembly to approve except those under Standing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

The Committee will be vetting **Hon. Ochieng' G. Mbeo (ID No. 4859537 and KRA Pin No. A000122092C)** for appointment as the Chairperson to the Board of Directors of Kenya Fish Marketing Authority on **Friday 2<sup>nd</sup> August, 2019**.

This is therefore to request you to provide the Committee with a report on tax compliance by the said nominee to enable the Committee to undertake its mandate more effectively. We will appreciate if the information is received by **Wednesday, 31<sup>st</sup> July, 2019**.

Yours

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



REPUBLIC OF KENYA

Telegram 'Bunge'  
Telephone: +254 20 2221 291  
Fax: +254 20 2243 694  
E-mail: [clerk@parliament.go.ke](mailto:clerk@parliament.go.ke)  
When replying please quote



NATIONAL ASSEMBLY

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

Ref.NA/DCS/A&L/2019/37

25<sup>th</sup> July, 2019

Twalib Adallah Mbarak  
Secretary/Chief Executive  
Ethics and Anti-corruption Commission  
Integrity Centre  
Milimani / Valley Road Junction  
**NAIROBI**

Dear *Twalib*

**RE: VETTING OF THE PERSON NOMINATED FOR APPOINTMENT TO THE POSITION OF CHAIRPERSON TO THE BOARD OF DIRECTORS OF KENYA FISH MARKETING AUTHORITY**

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

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

The Committee will be vetting **Hon. Ochieng' G. Mbeo (ID No. 4859537 and KRA Pin No. A000122092C)** for appointment as the Chairperson to the Board of Directors of Kenya Fish Marketing Authority on **Friday, 2<sup>nd</sup> August, 2019.**

This is therefore to request you to provide the Committee with a report on or any information touching on the conduct of the said nominee that may be in possession of the Ethics and Anti-Corruption Commission to enable the Committee to undertake its mandate more effectively. We will appreciate if the information is received by **Wednesday, 31<sup>st</sup> July, 2019.**

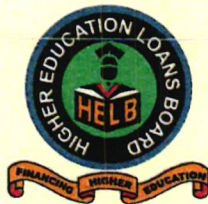
Yours

A handwritten signature in blue ink, appearing to be 'J. Ndombi'.

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

Annexure 5

Higher Education Loans Board letter



## HIGHER EDUCATION LOANS BOARD

Tel: 0711052000  
E-mail: contactcentre@helb.co.ke  
Website: www.helb.co.ke

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

HELB/RR/112009/V/VOL2

31<sup>st</sup> July, 2019

**Michael R. Sialai, EBS**  
Clerk  
The National Assembly  
P.O Box 41842-00100  
**NAIROBI.**

Dear Sir,

### **VETTING OF THE PERSON NOMINATED FOR APPOINTMENT TO THE POSITION OF CHAIRPERSON TO THE BOARD OF DIRECTORS OF KENYA FISH MARKETING AUTHORITY**

We acknowledge with thanks the receipt of your letter dated 25<sup>th</sup> July 2019 regarding the vetting of Hon. Ochieng G. Mbeo for appointment as the Chairperson to the Board of Directors of Kenya Fish Marketing Authority by the Departmental Committee on Agriculture and Livestock.

The Higher Education Loans Board wishes to inform you that **Hon. Ochieng G. Mbeo (ID No. 4859537 and KRA Pin A000122092C)** was **NOT** a beneficiary of the GOK/HELB Loans Scheme.

We urge you to encourage applicants to seek their compliance certificate from the Board 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 Faithfully,

**GEOFFREY MONARI**  
CHIEF OPERATIONS OFFICER  
**FOR: CHIEF EXECUTIVE OFFICER**



*ISO 9001:2015 Certified.*



Annexure 6

Kenya Revenue Authority (KRA) letter



# KENYA REVENUE AUTHORITY

ISO 9001:2015 CERTIFIED

1157

Our Ref: KRA/CDT/HO/54

Your Ref: NA/DCS/A&L/2019/38

1<sup>st</sup> August 2019

The Clerk's Chambers  
National Assembly,  
P.O. Box 41842 - 00100  
NAIROBI

① D/ant  
5/8/19

Dear Sir,

## VETTING OF PERSONS NOMINATED FOR APPOINTMENT TO THE POSITION OF CHAIRPERSON TO THE BOARD OF DIRECTORS OF KENYA FISH MARKETING AUTHORITY

We refer to your letter dated 25<sup>th</sup> July 2019 on the subject matter herein.

The compliance status of the nominees is as follows:

	Name	PIN	Compliance Status
1	Gilbert Ochieng Mbeo	A000122092C	Not Compliant

The taxpayer has been alerted of outstanding issues and upon resolution of the same, the status may be reviewed as appropriate.

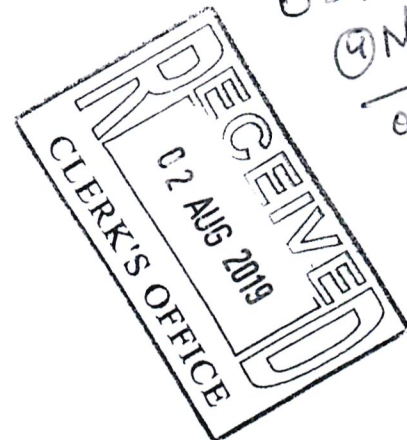
Yours faithfully,

**E. Meyo (Mrs.)**  
**Commissioner of Domestic Taxes**

② KAOH ✓  
Please check

FA 05/8/19  
④ Noted  
05/8/19

③ Ericson  
Please note  
FA 05/8/19



**Tulipe Ushuru, Tujitegemee!**





Annexure 7

Kenya Revenue Authority (KRA) certificate

Tabbed by Hon Mbeo  
AK  
06/08/19



KENYA REVENUE  
AUTHORITY

## Tax Compliance Certificate

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

[www.kra.go.ke](http://www.kra.go.ke)

**Taxpayer PIN :** A000122092C

**Certificate Date:** 05/07/2018

**Name and Address :**

**Gilbert Ochieng Mbeo**  
-, NAIROBI CITY (EAST), Nairobi East District,  
PO Box:47422,  
Postal Code:00100

**Certificate Number:**

KRAEON1972422018



**This is to confirm that Gilbert Ochieng Mbeo,  
Personal Identification Number A000122092C  
has filed relevant tax returns and  
paid taxes due as provided by Law.**

**This Certificate will be valid for  
twelve (12) months up to 04/07/2019.**

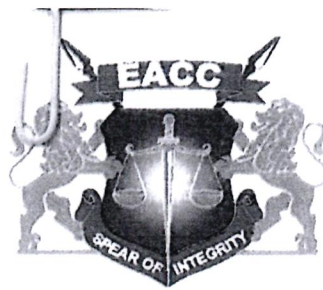


**Caveat:** This certificate is issued on the basis of information available with the authority as at the certificate date mentioned above. The Authority reserves the right to withdraw the certificate if new evidence materially alters the tax compliance status of the recipient.

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

Annexure 8

Ethics and Anti-Corruption Commission (EACC) letter



1163.

**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. X (61)**

**2<sup>nd</sup> August, 2019**

**The Clerk**  
National Assembly  
Parliament Building  
P O Box 41842-00100  
**NAIROBI**

① Dant 5/8/19

**(Attn: Mr. Jeremiah W. Ndombi)**

**RE: VETTING OF THE PERSON NOMINATED FOR APPOINTMENT TO THE POSITION OF CHAIRPERSON TO THE BOARD OF DIRECTORS OF KENYA FISH MARKETING AUTHORITY**

Your letter referenced NA/DCS/A&L/2019/37 dated 25<sup>th</sup> July, 2019 on the above subject matter, refers.

We wish to confirm that we have not undertaken any investigations where **Hon. Ochieng' G. Mbeo of Identification Number 4859537** has been found culpable.

The information provided is based on records available as at 2<sup>nd</sup> August, 2019.

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

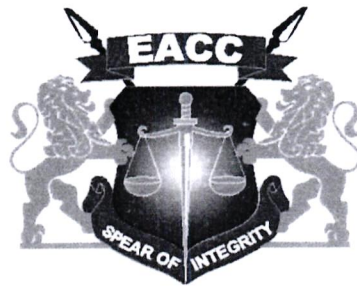
**LUCY KINUTHIA**  
**FOR: SECRETARY/CHIEF EXECUTIVE OFFICER**  
EH/tm

② KADH ✓  
please deal

③ Amos  
please note

FA  
05/8/19  
Tuungamize Ufisadi, Tuijenge Kenya

FA  
05/8/19  
Noted  
AK 05/8/19  
**RECEIVED**  
05-AUG-2019  
CLERK'S OFFICE



1199

## 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. X (61)**

**2<sup>nd</sup> August, 2019**

### The Clerk

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

*Handwritten signature and date: 5/8/19*

*(Attn: Mr. Jeremiah W. Ndombi)*

**RE: VETTING OF THE PERSON NOMINATED FOR APPOINTMENT TO THE POSITION OF CHAIRPERSON TO THE BOARD OF DIRECTORS OF KENYA FISH MARKETING AUTHORITY**

Your letter referenced NA/DCS/A&L/2019/37 dated 25<sup>th</sup> July, 2019 on the above subject matter, refers.

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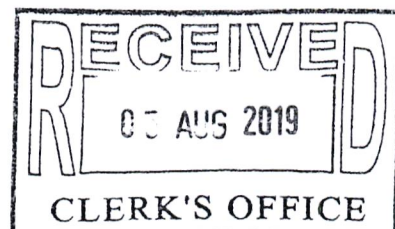
Please note that the absence of records in the Commission's database is not a guarantee of absolute integrity of the nominees.

*Handwritten signature*  
**LUCY KINUTHIA**  
**FOR: SECRETARY/CHIEF EXECUTIVE OFFICER**

*EH/tm*

*Handwritten notes: (2) KADH ✓ Please deal*

*Handwritten notes: HA 06/8/19*



*Handwritten notes: Noted AK 06/8/19*

Annexure 9

Directorate of Criminal Investigations (DCI) letter

# NATIONAL POLICE SERVICE

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



MAZINGIRA HOUSE  
KIAMBU ROAD  
P.O. Box 30036  
NAIROBI.

## DIRECTORATE OF CRIMINAL INVESTIGATIONS

DCI/IB/SEC/4/3/1/VOL.XII/108

30<sup>th</sup> July,,2019

Clerk's Chambers  
National Assembly  
Parliament Building  
P.O BOX 41842-00100  
NAIROBI

(1) Dants  
1/8/19

ATT: JEREMIAH W. NDOMBI

**RE: VETTING OF THE PERSON NOMINATED FOR  
APPOINTMENT TO THE POSITION OF CHAIRPERSON TO  
THE BOARD OF DIRECTORS OF KENYA FISH  
MARKETING AUTHORITY**

We are in receipt of a your letter ref: NA/DCS/A/&L/2019/36  
date 25<sup>th</sup> July,2019 in reference to the above subject matter.

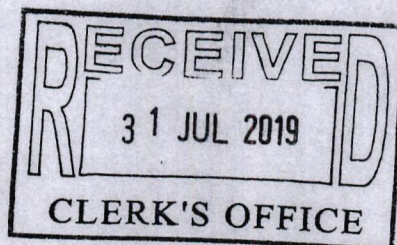
We wish to inform you that we have conducted checks in our  
criminal registers and report that the candidate is not under  
investigations by this office.

Please be informed accordingly.

**CAREY NYAWINDA  
FOR: DIRECTOR CRIMINAL INVESTIGATIONS**

(2) KATH ✓  
Please deal  
FA  
01/8/19

(3) EMERSON  
Please note  
FA  
01/8/19



(4) Moted  
AK  
01/8/19

② KADAM ✓  
please clear  
FA 01/8/19  
③ Noted  
AK 01/8/19

# NATIONAL POLICE SERVICE

Telegrams: "IDENT CRIMINAL", Nairobi  
Telephone: 020-8512089/98  
Fax: 020-2606149  
E-mail: [identsnbi@gmail.com](mailto:identsnbi@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.VII/162

31<sup>ST</sup> JULY, 2019

### The Clerk of the National Assembly

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

① Dic-11000  
2  
1/8/19

**Attn: Mr. Jeremiah W. Ndombi**

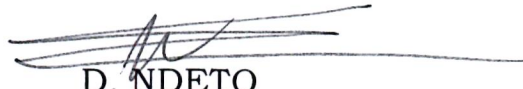
### **RE: VETTING OF THE PERSON NOMINATED FOR APPOINTMENT TO THE POSITION OF CHAIRMAN TO THE BOARD OF DIRECTORS OF KENYA FISH MARKETING AUTHORITY**

Your correspondence Ref. NA/DCS/A&L/2019/36 dated 25<sup>th</sup> July, 2019 refers.

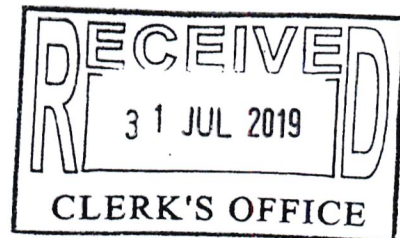
This office confirms that the subject Hon. Ochieng' G. Mbeo had applied for Police Clearance Certificate and was issued with one in the year 2018.

Please note that Police Clearance Certificate is valid for a maximum period of six (6) months. Therefore, we advice that the candidate makes a fresh application for vetting.

Kind regards.

  
D. NDETO

**FOR: DIRECTOR OF CRIMINAL INVESTIGATIONS**



OUR VISION: To be the best forensic science laboratory with emphasis on continual linkage of the Crime,  
the Crime -Scene and the Criminal.  
FACES CAN LIE, FINGERPRINTS NEVER.

Annexure 10


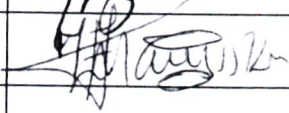
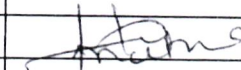
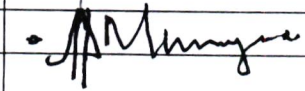

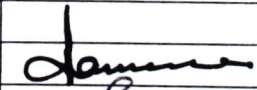
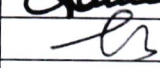
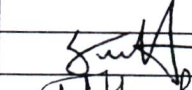

Adoption List

**THE NATIONAL ASSEMBLY**  
**DEPARTMENTAL COMMITTEE ON AGRICULTURE AND LIVESTOCK**  
**MEMBERS ATTENDANCE REGISTER**

DATE:..... START:..... END:.....

VENUE : .....

AGENDA: ADOPTION OF REPORT LIST .....

	NAME	TITLE	SIGNATURE
1	Hon. Adan Haji Ali, MP.	CHAIRPERSON	
2	Hon. Emmanuel Wangwe, MP.	VICE-CHAIRPERSON	
3	Hon. Maison Leshoomo, MP.		
4	Hon. Ferdinard Wanyonyi, MP.		
5	Hon. Florence Mutua, MP.	member	
6	Hon. Simba Arati, MP.		
7	Hon. Francis Munyua Waititu, MP.	member	
8	Hon. Silas Kipkoech Tiren, MP.		
9	Hon. John Paul Mwirigi, MP.		
10	Hon. Adan Haji Yussuf, MP.		
11	Hon. Janet Jepkemboi Sitienei, MP.	Member	
12	Hon. Gabriel Kago Mukuha, MP.		
13	Hon. Daniel Kamuren Tuitoek, MP.		
14	Hon. Fred Ouda, MP.		
15	Hon. Joyce Kamene, MP.	member	
16	Hon. Yegon Brighton Leonard, MP.	member	
17	Hon. Dr. John Kanyuithia Mutunga, MP.		
18	Hon. Silvanus Osoro Onyiego, MP.	Member	
19	Hon. Justus Makokha Murunga, MP.	member	

COMMITTEE

CLERK:..... AHMAD KADHI .....

DIRECTOR:.....

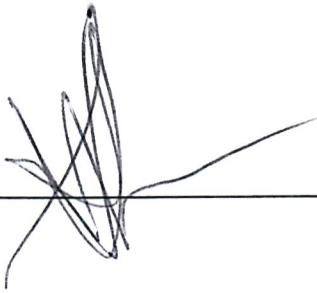
Annexure 11

Oath

# OATH

I..... Ochery G. Mboe (Hon)

DO SWEAR THAT THE INFORMATION THAT I SHALL GIVE BEFORE THIS COMMITTEE SHALL BE THE TRUTH, THE WHOLE TRUTH AND NOTHING BUT THE TRUTH. SO HELP ME GOD.

Signature:  Date 6-8-19

Annexure 12

Minutes

**MINUTES OF THE 29<sup>TH</sup> SITTING OF THE DEPARTMENTAL COMMITTEE ON AGRICULTURE AND LIVESTOCK HELD ON TUESDAY 6<sup>TH</sup> AUGUST, 2019, IN THE COMMITTEE ROOM, 4<sup>TH</sup> FLOOR, CONTINENTAL HOUSE ,AT 9.00 AM.**

---

**PRESENT**

1. Hon. Adan Haji Ali, MP.
2. Hon. Emmanuel Wangwe, MP.
3. Hon. Maison Leshoomo, MP.
4. Hon. Florence Mutua, MP.
5. Hon. Francis Munyua Waititu, MP.
6. Hon. Silas Kipkoech Tiren, MP.
7. Hon. Joyce Kamene, MP.
8. Hon. Janet Jepkemboi Sitienei, MP.
9. Hon. Silvanus Osoro Onyiego, MP
10. Hon. John Paul Mwirigi, MP.
11. Hon. Justus Makokha Murunga, MP
12. Hon. Yegon Brighton Leonard, MP

**Chairperson**

**Vice- Chairperson**

**APOLOGIES**

1. Hon. Ferdinard Wanyonyi, MP.
2. Hon. Simba Arati, MP.
3. Hon. Dr. John Kanyuithia Mutunga, MP
4. Hon. Adan Haji Yussuf, MP
5. Hon. Dr. Daniel Kamuren Tuitoek, MP.
6. Hon. Fred Ouda, MP.
7. Hon. Gabriel Kago Mukuha, MP

**COMMITTEE SECRETARIAT**

- |                       |   |                       |
|-----------------------|---|-----------------------|
| 1. Mr. Ahmad Kadhi    | - | First Clerk Assistant |
| 2. Mr. Salem Lorot    | - | Legal Counsel         |
| 3. Mr. Eric Kariuki   | - | Research Officer      |
| 4. Mr. Robert Ngetich | - | Fiscal Analyst        |
| 5. Mr. John Ng'ang'a  | - | Audio Officer         |
| 6. Ms. Faith Makena   | - | Sergeant At- Arms     |
| 7. Ms. Deborah Mupusi | - | Media Officer         |
| 8. Mr. Moses Musembi  | - | Office Assistant      |

**IN ATTENDANCE**

1. Hon. Ochieng G. Mbeo - Nominee for Chairperson, Kenya Fish Marketing Authority

**MIN.NO. DC/A&L/100/2019: PRELIMINARIES**

The Chairperson called the sitting to order at ten minutes past Nine O'clock. Proceedings began with prayers followed by brief introductions. The Nominee, Hon. Ochieng G. Mbeo, was congratulated on his nomination and the Oath was administered.

**MIN.NO. DC/A&L/101/2019: VETTING OF THE NOMINEE, CHAIRPERSON, KENYA FISHERIES MARKETTING AUTHORITY**

The Chairperson invited the Nominee to present his credentials before the Committee and inform Members why he was best to take up the position of Chairman, Kenya Fisheries Marketting Authority. The Committee was informed that:-

- (a) The Nominee, a Kenyan, male of Identity Card Number 4859537 was born on 5<sup>th</sup> April, 1948 in Homa Bay.
- (b) In 1974, he graduated with a Masters degree in International Management from American Graduate School of International Management.
- (c) In 1973, he graduated with a Bachelor of Arts degree in political science and history from Guilford College, North Carolina, USA.
- (d) Between 1965 and 1968 he pursued his secondary school education at the Duke of Gloucester School in Nairobi. Prior to his secondary education between 1956 and 1964 he attended Kamagambo Mission School and Ranen Mission School in Migori School for his primary education.

**Work and professional experience**

**1) POLITICAL EXPERIENCE**

- (a) In 2017 and 2013 National Elections he was unsuccessful (ODM) Senatorial Nomination candidate for Migori County.
- (b) Between 2002 and 2005 he was a (NARC) Election Board Member and Deputy Director of Elections.
- (c) Between 2001 and 2006 he was a Member of East Africa legislative Assembly (EALA). In EALA he was the Chairman of Regional Affairs and Conflict Resolution Committee and a Member of Tourism, Agriculture and Natural Resources Committee.
- (d) Between 1995 and 1997 he was the President of Global Parliamentarians on Habitat Africa.
- (e) Between 1994 and 1997 he was the Member of Parliament for Mathare Constituency (currently Kasarani Constituency)

**2) BUSINESS EXPERIENCE**

- (a) From 2016 to date he is the Chairman of Aquaculture Round table, Kenya which brings together all the players and stakeholders in fish farming value chain
- (b) From 2013 to date he is the founder and Chairman of Lakeview fisheries limited.
- (c) From 2008 to date he is the founder and Chairman of Kinda Company Limited which engages in social and economic activities in the former Nyanza province through Nyanza Consultative and Development Forum
- (d) Between 1983 and 1998 he was the executive Chairman of Olago Pharmaceutical limited in Nairobi.
- (e) Between 1980 and 1983 he was the marketing manager, Johnsons Wax (EA)

(f) Between 1980 and 1983 he was the Sales and marketing manager, Colgate Palmolive (EA)

Members thereafter sought the following clarifications from the Nominee;

1. What his legacy would be as the first Chairperson of the Authority?
2. Whether he would relinquish the position held in Lakeview Fisheries Limited?
3. Whether he was aware of tax non compliance/outstanding tax issues?
4. What measures he would implement to partner with National and County Government

The Committee was informed that the Nominee had no outstanding tax issues and he tabled a certificate to that effect. In addition, the Nominee had vast experience in governance and would attract funding from development partners to grow the fishing industry to great heights while collaborating with all arms of government for the benefit of the fish farmer. Finally, the Members noted that the Nominee was a lifetime Orange Democratic Movement Party Member without holding any office in the political party and was ready to resign from Lakeview Fisheries Limited prior to taking up appointment as Chairman, Kenya Fisheries Marketing Authority.

### **COMMITTEE OBSERVATIONS**

The Members deliberated on their interaction with the Nominee and made the following observations taking into consideration the nominee's curriculum vitae, filled questionnaire and having conducted the approval hearing: -

1. THAT, in the nominee is a Kenyan citizen born in Homa Bay County and does not hold dual citizenship.
2. THAT, the nominee possesses a Bachelor of Arts degree in political science and history from the Guilford College, North Carolina, USA, and a Master's degree in international Management from American graduate school of international Management thunderbird Arizona USA.
3. THAT, the DCI, HELB and EACC had sent clearance letters with respect to the nominee. The nominee has not been charged in a Court of Law in the last three years.
4. THAT, The Kenya Revenue Authority Commissioner of Domestic Taxes, vide letter Ref KRA/CDT/HO/54 dated 1<sup>st</sup> August 2019 noted that the Nominee was not tax compliant. The Nominee had been alerted of outstanding issues and upon resolution of the same, the status would be reviewed as appropriate.
5. THAT, a Tax Compliance Certificate from 05/07/2018 valid to 04/07/2019 was issued by the Kenya Revenue Authority confirming that Gilbert Ochieng Mbeo, of Personal Identification Number A000122092C had filed the relevant tax returns and paid taxes due as provided by law.
6. THAT, as stipulated in Article 75(1) of the Constitution, the nominee would resign as Chairman of Lakeview Fisheries Limited prior to his appointment as Chairperson, Kenya Fish Marketing Authority.

7. THAT, the nominee does not hold office in any political party and hence satisfies the provisions of Article 77(2) of the Constitution.
8. THAT, the nominee had never been dismissed from office under Article 75 of the Constitution for contravention of the provisions of Articles 75(1) (conflict of interest), Article 76 (financial probity), Article 77(restriction on activities of State Officers) and Article 78(2) (dual citizenship) of the Constitution and is therefore fit to hold office as the Chairperson of the Board of Directors of the Kenya Fish Marketing Authority.
9. THAT, the nominee has exhibited knowledge of fisheries and fish marketing thus making him suitable to serve as the Chairperson of the Board of Directors of the Kenya Fish Marketing Authority.

### COMMITTEE RESOLUTION

Having conducted the approval hearings of the Nominee, pursuant to section 201(1)(a) and (2) of the Fisheries Management and Development Act (no. 35 of 2016) sections 3 and 5 of the Public Appointments Parliamentary Approval Act, and Standing Order 216(f) the Departmental Committee on Agriculture and Livestock Committee after deliberations resolved that: -

- i. The House Approves the Nomination of Hon. Ochieng G. Mbeo, for the position of Chairperson, Board of Directors of the Kenya Fisheries Marketing Authority.

### MIN.NO. DC/A&L/102/2019:      ADJOURNEMENT

The Chairperson adjourned the sitting at Ten O' Clock to Thursday 8<sup>th</sup> August at 11.30 am for a Meeting with the Cabinet Secretary, Ministry of Agriculture, Livestock, Fisheries and Irrigation.

Signed.....

**HON. EMMANUEL WANGWE**  
**(VICE – CHAIRPERSON)**

Date.....