

COUNTY GOVERNMENT OF BUNGOMA

COUNTY ASSEMBLY OF BUNGOMA

COUNTY ASSEMBLY DEBATES

THE DAILY HANSARD

WEDNESDAY 3RD MAY, 2023

Afternoon Sitting

3rd County Assembly

2nd Session

1

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COUNTY ASSEMBLY OF BUNGOMA

HANSARD OFFICIAL REPORT

WEDNESDAY 3RD MAY, 2023

The House met at 2:30 p.m.

(Mr. Speaker [Hon. Emmanuel Situma] in the Chair)

PRAYER

PAPERS

1. REPORT BY THE BUNGOMA COUNTY ASSEMBLY SERVICE BOARD ON THE QUARTERLY REPORTS AND FINANCIAL STATEMENTS FOR THE PERIOD ENDED 31ST MARCH, 2023
2. REPORT ON THE BUNGOMA COUNTY EXECUTIVE QUARTERLY REPORTS AND FINANCIAL STATEMENTS FOR THE FINANCIAL YEAR 2022/2023 FOR THE PERIOD ENDED MARCH 31ST, 2023
3. REPORT FROM THE COUNTY REVENUE FUND ON QUARTERLY REPORTS AND FINANCIAL STATEMENTS FOR THE FINANCIAL YEAR 2022/2023 FOR THE PERIOD ENDED 31ST, MARCH 2023

Hon. Joseph Nyongesa (*Leader of Majority*): Allow me table the following Papers:

1. Report by the Bungoma County Assembly Service Board on the Quarterly reports and financial statements for the period ended 31st March, 2023.
2. Report on the Bungoma County Executive Quarterly reports and financial statements for the financial year 2022/2023 for the period ended 31st March, 2023.
3. Report from the County Revenue Fund on Quarterly reports and financial statements for the financial year 2022/2023 for the period ended 31st, March 2023.

Mr. Speaker: Honorable Members, the papers laid on the floor of the House shall be tabled in the following order:

1. Report from the Bungoma County Assembly Service Board on the Quarterly reports and financial statements for the period ended 31st March, 2023 is committed to the Committee of Labour and Members' Services of the County Assembly for processing and reporting back to the House.
2. Report from Bungoma County Executive on quarterly reports and Financial statements for the financial year 2022/2023 for the period ended 31st March, 2023 is hereby committed to the

Sectorial Committees of the Assembly so that each extracts what belongs to its sector, interrogate and report back to the House.

3. Report from the County Revenue Fund on Quarterly reports and financial statements for the financial year 2022/2023 for the period ended 31st March, 2023 is hereby committed to the Committee on Finance and Economic Planning for preparation and reporting back to the House.

Every Chair of the Sector Committee to extract what belongs to it in the statement under 5(ii) process and report back to the House.

STATEMENTS

1. STATEMENT SOUGHT BY HON. JOHNSTON OKASIDA IPARA FROM THE CHAIRPERSON, SECTORAL COMMITTEE ON EDUCATION AND VOCATIONAL TRAINING IN RELATION TO THE STATUS OF TONGAREN AND MILIMANI VOCATIONAL TRAINING CENTRES

Hon. Johnston Ipara: Thank you. Pursuant to provisions of Standing Order 47(ii) (c) of the County Assembly of Bungoma Standing Orders, I hereby seek for a Statement from the Chairperson, Sector Committee on Education and Vocational Training. This is in relation to lack of clear information as far as the current status of Tongaren and Milimani Vocational Training Centres are concerned. In the response, let the Chairperson inquire into and report on the following;

1. How many instructors have so far been deployed on permanent and pensionable terms in Tongaren and Milimani Vocational Training Centres?
2. What is the current number of the Students and the capitation that the students are allocated in the aforementioned training Centres.
3. What are the courses that are offered in the mentioned Vocational Training Centres?
4. The development projects that have so far been done in the said Vocational Centres from the financial year 2018/2019 to date. Provide the names.

Mr. Speaker: Thank you. Before I invite the Chair of the Committee on Education and Vocational Training, you are seeking a statement, I now wonder if they bring you a counter statement, what is going to happen on the statement you are seeking here. Look at paragraph one of what you are seeking for. You are seeking a statement from the Chair. So what if they bring you a counter statement?

Hon. Johnston Ipara: Let me use the statement I have and keep away the statement given by the Clerk.

Mr. Speaker: Are you saying that they are different?

Hon. Johnston Ipara: Let me see if it also has a defect.

Mr. Speaker Sir, Pursuant to provisions of Standing Order 47(ii) (c) of the County Assembly of Bungoma Standing Orders, I hereby seek for a response. The word statement should be replaced with the word response.

Mr. Speaker: It is your statement and that is why I am bringing to your attention that they will bring you a counter statement.

I think you are seeking for a response from the Chair of the Committee on Education and Vocational Training... It is now in Order.

Hon. Johnston Ipara: The development projects that have been so far been done in the said Vocational Centres from the financial year 2018/2019 to date. Provide the names of the contractors, the cost and amount spent on those projects.

5. The principles that have so far been posted in the two mentioned Vocational Training Centres and the period the current ones have been in the institution.

Mr. Speaker: We will now go to the concerned Chair of the Committee. Honorable Members when you are preparing for a statement, kindly proof read, because they may end up bringing you a counter statement from what you are seeking.

Hon. Benjamin Otsiula (*Chairperson, Committee on Education and Vocational Training*): Thank you for those directions, otherwise the statement was appearing vague from our end. Now it is in the domain of this House that we shall be proceeding to the long recess after tomorrow's business, I humbly, on behalf of Committee on Education and Vocational Training request that you favor us with 30 days. Immediately we resume, we shall avail an appropriate response to the questions raised.

Mr. Speaker: You are given up to the 13th of June to avail your response. It will be on a Tuesday and at 2:30 p.m.

Members we want to have the CECMs appearing only on Tuesdays to issue responses to statements raised by Members.

2. STATEMENT SOUGHT BY HON. IPARA JOHNSTON FROM THE CHAIRPERSON SECTORAL COMMITTEE ON ROADS, TRANSPORT AND INFRASTRUCTURE AND PUBLIC WORKS IN RELATION TO THE ROAD NETWORK IN TONGAREN, KIMININI WARD

Hon. Johnston Ipara: Mr. Speaker Sir, under the provisions of Standing Order 47(ii) c, I hereby seek for a response from the Chairperson, Committee on Roads, Transport and Infrastructure and Public works. This is in relation to the scanty information on the roads done in the financial year

2019/2020, 2020/2021 and 2021/2022. In the response, let the Chairperson inquire into and report on the following;

1. How many roads have so far been done in the financial year 2019/2020, 2020/2021 and 2021/2022 under the following programmes in Tongaren Kiminin Wards;

a) Ward based projects.

b) Framework contracting

c) Roads Maintenance Levy Fund (RMLF)

2. Provide the names of the said roads, names of the contractors involved in the mentioned roads, the cost on each road and the current status of the roads.

Hon. Franklin Simotwo (*Chairperson, Committee on Roads, Transport and Infrastructure*): Thank you for the statement sought by Hon. Ipara. Given that we are going for the long recess, I seek that you give us 30 days so that we bring a more appropriate response.

Mr. Speaker: You are granted enough time to contact the relevant departments for the response. We will expect your feedback on 13th of June, 2023 at 2:30 p.m. It will be on a Tuesday.

MOTIONS

1. REPORT BY THE SECTORAL COMMITTEE ON TRADE, ENERGY AND INDUSTRIALIZATION ON THE VETTING OF THE NOMINEE FOR APPOINTMENT TO THE OFFICE OF THE CHIEF OFFICER TRADE, ENERGY AND INDUSTRIALIZATION

Hon. Johnston Ipara (*Chairperson, Committee on Trade, Energy and Industrialization*): Mr. Speaker Sir, I stand to move a Motion on a report by the Committee on Trade, Energy and Industrialization on the Vetting of a nominee for appointment to the Office of the Chief Officer, Trade, Energy and Industrialization in Bungoma County. I will move to page two.

EXECUTIVE SUMMARY

Mr. Speaker Sir,

Pursuant to Section 45 (2) of the County Governments' Act, 2012 and Section 4 of the Public Appointments (County Assemblies Approval) Act, No. 33 of 2017, His Excellency the Governor nominated Reuben Wambwa Wafula for appointment as the Chief Officer Trade, Energy and Industrialization.

The Speaker of the County Assembly conveyed the nomination of the Chief Officer through letter Ref. No. CG/BGM/GVN/CA/VOL.I/02 (14) dated 13th April, 2023.

Pursuant to Standing Order 45(1), on Thursday, 13th April, 2023, the Speaker of the County Assembly read the Message from His Excellency the Governor communicating the name of the nominee to the House. Pursuant to Section 4 of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 208(4), the name of the nominee was committed to the Committee on Trade, Energy and Industrialization for vetting and reporting to the House within twenty-one (21) sitting days.

Consequently, and in accordance with Section 7 (10) of the Public Appointments (County Assemblies Approval) Act, 2017, the Clerk of the County Assembly placed an advertisement in the print media on Saturday, 15th April, 2023 inviting the public to submit memoranda by way of written statements on oath (affidavits) on the suitability or otherwise of each of the nominees in accordance with the Public Appointments (County Assemblies Approval) Act, 2017. The advertisement indicated that the submissions were to be received by Thursday, 20th April, 2023 at 3:00 p.m. By close of the submission deadline, the Committee had not received any memoranda touching on the suitability of the nominee for appointment.

Further, in fulfillment of the provisions of Article 196 (1) of the Constitution, Section 7 (5) of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 56(3), the Clerk of the County Assembly on Saturday, 15th April, 2023, notified the public through the print media that the Committee on Trade, Energy and Industrialization would conduct the approval hearings on Tuesday 25th April, 2023 at 11:30 a.m.

The nominee appeared before the Committee as scheduled on Tuesday 25th April, 2023 for approval hearings in accordance with the provisions of the Constitution, the Public Appointments (County Assemblies Approval) Act, 2017 and the County Assembly Standing Orders.

CHAPTER ONE

Committee Membership

The Committee on Trade, Energy and Industrialization as currently constituted, comprises of the following Members: -

- | | | |
|----|------------------------|------------------|
| 1. | Hon. Johnston O. Ipara | Chairperson |
| 2. | Hon. John K. Wanyama | Vice chairperson |
| 3. | Hon. Tony Barasa | Member |
| 4. | Hon. Meshack Simiyu | Member |
| 5. | Hon. Wafula Waiti | Member |
| 6. | Hon. Kimeta Polycarp | Member |

- | | | |
|-----|------------------------|--------|
| 7. | Hon. Bernard Kikechi | Member |
| 8. | Hon. Timothy Chikati | Member |
| 9. | Hon. Alfred Mukhanya | Member |
| 10. | Hon. Metrine Nangalama | Member |
| 11. | Hon. Alice Kibaba | Member |
| 12. | Hon. Brigid Katasi | Member |
| 13. | Hon. Angeline Rugut | Member |
| 14. | Hon. Sheila Sifuma | Member |
| 15. | Hon. Linda Kharakha | Member |

Acknowledgement

The Committee wishes to thank the Offices of the Speaker, the Clerk and staff of the County Assembly for the logistical support accorded to it during the vetting exercise and execution of its mandate.

I also take this opportunity to acknowledge all the Members of the Committee for their input and valuable contributions and time during the approval hearings and deliberations during the writing of this report. I wish to confirm that the recommendations of the Committee in this report were unanimous.

On behalf of the Sectorial Committee on Trade, Energy and Industrialization; and pursuant to section 9(1) of the Public Appointments (County Assemblies Approval) Act, 2017 and the provisions of Standing Order 202 (7), it is now my duty and privilege to present to the House, the Report of the Sectorial Committee on Trade, Energy and Industrialization on the vetting of the nominee for appointment to the Office of County Chief Officer in the department of Trade, Energy and Industrialization in Bungoma County.

Signed by Hon. Johnston O. Ipara; Chairperson; Sectorial Committee on Trade, Energy and Industrialization

CHAPTER TWO

BACKGROUND INFORMATION

Establishment of the office of the Chief Officer

Section 45 (2) of the County Governments' Act, 2012 states that the office of a County Chief Officer shall be an office in the county public service.

Nomination of the Chief Officer Trade, Energy and Industrialization

Mr. Speaker,

Section 45 (1) (a)(b) of the County Governments' Act, 2012 states that the governor shall nominate qualified and experienced County Chief Officers from among persons competitively sourced and recommended by the County Public Service Board.

The County Government of Bungoma County Public Service Board made an advert in the Standard newspaper on 4th October, 2022 seeking to recruit a competent and qualified person to fill the vacant position of Chief Officer Trade, Energy and Industrialization.

From the documents submitted by the nominee, Mr. Wambwa applied for the position of County Chief Officer Trade, Energy and Industrialization and submitted the letter to the County Public Service Board Office.

2.3 Notification to the House and Committal to the Committee on Trade, Energy and Industrialization

Pursuant to Section 7(1) of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 56 (1), the names and curriculum vitae of the nominee was committed to the Committee on Thursday, 13th April, 2023.

Pursuant to the provisions of Standing Order 45(1), the Speaker, vide a communication dated Tuesday, 25th October, 2022, informed the House of the Governor's message to the House on nomination of Chief Officers, for approval by the County Assembly.

Pursuant to Section 7(1) of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 56 (1), the names and curriculum vitae of the nominees were committed to the Committee on Trade, Energy and Industrialization for approval hearings and reporting to the House.

2.3 Notification to the Public

Pursuant to Section 7(1) of the Public Appointments (County Assemblies Approval) Act, 2017 provides that the Clerk shall notify the public of the time and place for holding approval hearings at least seven days prior to the hearings. Further, Section 7(10) of the Public Appointments (County Assemblies Approval) Act, 2017 provides that;

“any person may, prior to the approval hearings 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 Article 196 of the Constitution as read with section 7 (4), and (10) of Public Appointments (County Assemblies Approval) Act, 2017, the Clerk of the County Assembly placed an advertisement in the print media on Saturday, 15th April, 2023 (annexure 2) inviting the public to submit memoranda by way of a written statement on oath (affidavit) on the suitability or otherwise of the nominees in conformity with section 7(10) of the Public Appointments (County Assemblies Approval) Act, 2017. The advertisement indicated that the submissions were to be received by Thursday 20th April, 2023 at 3.00 p.m.

Further, pursuant to Article 196 of the Constitution, Section 7 (5) of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 56(3), the Clerk of the County Assembly notified the general public on Saturday, 15th April, 2023 in the print media that the approval hearings of the nominee would be conducted on Tuesday, 25th April, 2023 at 11:30 a.m. (Annexure 2).

2.4 Notification to the Nominees

On Saturday, 15th April, 2023, the Clerk of the County Assembly invited the nominees, in writing and through print media, for the approval hearings in accordance with Section 7 (4) of the Public Appointments (County Assemblies Approval) Act, 2017.

2.5 Clearance and Compliance Requirements.

On the notice of appearance for approval hearings, the Clerk of the County Assembly informed the Nominee to provide Clearance and Compliance requirements from Ethics and Anti-Corruption Commission (EACC), Kenya Revenue Authority (KRA), Directorate of Criminal Investigations (DCI), the Higher Education Loans Board (HELB) and the Credit Reference Bureau (CRB).

On matters ethics and integrity, the nominee availed before the Committee certified clearance copies issued on diverse dates as follows;

NOMINEE	KRA	EACC	HELB	DCI	CRB
REUBEN WAMBWA	19/08/2022	15/08/2022	14/08/2022	Receipt issued on 24/08/2022	As at 14/08/2022

2.6 Report of the CPSB on the nomination of the Chief Officer

Following the advert for the Chief Officer for Trade, Energy and Industrialization dated Tuesday, 4th October, 2022 by the County Public Service Board, 17 applicants were shortlisted

and invited for interviews. From the candidates interviewed, the best three were recommended for nomination; with Mr. Reuben Wambwa emerging the best and his name was forwarded to the committee for vetting.

2.7 Issues for Consideration during the Approval Hearings

Section 7(8) and (9) of the Public Appointments (County Assemblies Approval) Act, 2017 provides that:

7(8) An approval hearing shall focus on a candidate's academic credentials, professional training and experience, person integrity and background.

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

Additionally, Section 8 of the Act provides that the issues for consideration by the relevant House in relation to any nomination shall be:

- (a) Any Constitutional or statutory requirements relating to the office in question, and
- (b) The suitability of the nominee for the appointment proposed having regard to whether the nominees' abilities, experience and qualifications meet the needs of the body to which nomination is being made.

While conducting the approval hearings, the committee was guided by the provisions of Section 7 (8) and (9) and Section 8 of the Public Appointments (County Assemblies Approval) Act, 2017.

a) Procedure for Nomination

Section 45 (1) (a) (b) of the County Governments' Act, 2012 confers upon the Governor the power to appoint County Chief Officer for the approval of the County Assembly.

Sections 4 and 6 (1) of the Public Appointments (County Assemblies Approval) Act, 2017 further requires the appointing authority, upon nominating a person for appointment, to notify the relevant County Assembly.

- b) Suitability of the nominees for the proposed appointment having regard to whether the nominees' abilities, experience and qualities meet the needs of the body to which the nomination is being made.

The suitability of the nominee was assessed after scrutiny of the academic credentials, professional training and experience, personal integrity, background and qualities as well as their performance during the approval hearings conducted on Tuesday, 25th April, 2023

2.8 Memoranda from Members of the Public in respect of the Nominees

Pursuant to Section 7(10) of the Public Appointments (County Assemblies Approval) Act, 2017

“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 office to which the candidates has been nominated”,

The Clerk of the County Assembly placed an advertisement in the print media on Saturday, 15th April, 2023 inviting the Public to submit memoranda by way of written statements on oath (affidavit) on the suitability or otherwise of the nominees in conformity with section 7(10) of the Public Appointments (County Assemblies Approval) Act, 2017. In this regard, by Tuesday, 25th April, 2023 at 11:30 a.m. the Committee had not received any memoranda.

2.9 Pre- Approval Hearing Meeting

The Committee held a pre-approval hearing meeting on Monday, 24th April, 2023 and noted the following; -

- i. THAT, the nominee had NOT notified the Clerk of the County Assembly of his withdrawal from the approval process as outlined under section 7(12) of the Public Appointments (County Assemblies Approvals) Act, 2017.
- ii. THAT, the Committee would examine the nominee against the criteria set out in section 8 of the Public Appointments (County Assemblies Approval) Act, 2017.

CHAPTER THREE

3.0 APPROVAL HEARINGS OF THE NOMINEE

The Committee proceeded with the approval hearings on Tuesday, 25th April, 2023 and was vetted under oath pursuant to the Public Appointments (County Assemblies Approval) Act, 2017 and the Standing Orders of the Bungoma County Assembly.

3.1 MR. REUBEN WAMBWA: - NOMINEE FOR THE POSITION OF CHIEF OFFICER FOR TRADE, ENERGY AND INDUSTRIALISATION

Mr. Reuben Wambwa appeared before the committee on Tuesday, 25th April a 2023 t 11:30 a.m. and orally responded to the questions from the Committee Members as follows:

Date and Place of Birth

The nominee is a male Kenyan born on 18th April, 1980, in Kakamega. He confirmed that he is a Kenyan citizen of Id No.22343854 and did not hold any other citizenship.

Academic and Professional Qualification

Mr. Reuben holds a Master's Degree in Business Administration (Strategic management) from University of Sunderland, United Kingdom. He also pursued a Bachelor of Science degree in Applied Business Computing in the same University. Further, he holds a higher diploma in Computer and Network Engineering, Advanced Certificate in Information Technology and Certificate in Computer Operations and Business Applications all from Mombasa Polytechnic.

Employment Record

The nominee has a cumulative 21 years working experience. He is currently an operations director- Online Safaris where he leads in promoting and marketing Tourism in the East Africa Region. Mr. Wambwa is also a Board Member, Chairman for Infrastructure Committee at St. Veronica Ranje High School. He was a technical Manager at Mickey Tronics between 2005 and 2006. Further, he worked at wananchi online as a system administrator between 2002 to 2005 and in 2001 he worked as a sales agent at Madison Insurance.

Income and net worth

The nominee's estimated net worth is 100 million shillings; with his sources of income being salary, rental income and farming activities.

Professional association and membership

Mr. Reuben Wambwa was not a member of any professional body at the time he appeared before the Committee for the approval vetting.

Published writings

The nominee had no publication at the time he appeared before the Committee for vetting.

Potential Conflict of Interest

The Nominee stated that there would be no conflict of interest. He further stated that he will strictly adhere to public Service code of conduct and maintain a high degree of integrity, ethics and professionalism. The nominee stated that he would raise awareness of the circumstances in which conflicts may arise with the relevant authorities and follow guidelines provided by the authorities on conflict-of-interest issues.

Pro-bono/Charity Work

The nominee is a Board Member of St Veronica Ranje High School. Further he has made a donation to the Kanduyi Children's home and paid 20,000 towards pews for Siritanyi church.

Integrity

The nominee has never been charged in a court of law nor mentioned in any investigatory report of Parliament or any Commission of Inquiry. He has also never been dismissed or otherwise removed from office for contravention of the provisions of Article 75 of the Constitution.

3.1.2 Committee's observations on the suitability of the nominee

The Committee having considered the nominee's filled questionnaire pursuant to Section 6(8) of the Public Appointments (County Assembly Approval) Act, 2017 his curriculum vitae and having heard his oral submission during the approval hearing, made the following observations on his suitability for appointment as County Chief officer-

(1) THAT, the nominee meets the requirements of Chapter Six of the Constitution on leadership and integrity. Further, he provided certificates of clearance from relevant authorities as a proof.

(2) THAT the procedure and the requirements for appointment to the position of Chief Officer stipulated in Section 8 of the Public Appointments (County Assemblies) Act, No. 5 of 2017 was followed in the appointment of Mr. Reuben Wambwa Wafula.

(3) THAT, no memorandum was received from the members of the public on the suitability of the nominee for the stated position.

(4) THAT, the nominee has not been charged in a court of law.

(5) THAT, the nominee has never been dismissed from office under Article 75 of the Constitution for Contravention of the Provisions of Article 75(1) (conflict of interest), Article 76 (financial probity).

(6) THAT, the nominee is the Managing director RUCA Investment a position he held since January 2010.

(7) **THAT**, from his submission during vetting he demonstrated knowledge, skills and experience in leadership and institutional management. He was also conversant with the role of the Chief Officer Trade, Energy and Industrialization as well as the mandate of the department.

(8) **THAT**, in accordance with Article 78(1) and (2) of the Constitution, the nominee is eligible for appointment to State Office since he is a Kenyan citizen born on 18th April, 1980 in Kakamega.

(9) He exhibited eloquence while responding to the vetting questions, confidence and demonstrated exemplary communication skills. Further, he displayed ability to solve professional matters diligently.

10. **THAT**, the nominee scored an average of 89% from the assessment made by the Committee on Trade, Energy and Industrialization.

CHAPTER FOUR

4.0 COMMITTEE GENERAL RECOMMENDATION

Mr. Speaker Sir, having conducted the approval hearing for the nominee pursuant to Article 179 (2) of the Constitution, Section 4, 7 and 8 of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 217 (5) (g), the Committee recommends that this House; **approves** the nomination of **Mr. Reuben Wambwa Wafula** for appointment as Chief Officer for Trade, Energy and Industrialization in the County Government of Bungoma by His Excellency, the Governor.

I ask Hon. Ken Wanyama to second.

Mr. Speaker: Thank you Hon. Ipara, Hon. Ken and Hon. James Barasa, I will ask you once again that you move a motion under Standing Order 109 so that I am able to control.

Hon. Kennedy Wanyama: Thank you Mr. Speaker Sir, I rise to second the motion on the report by the Committee on Trade, Energy and Industrialization on the vetting of the nominee for appointment to the office of Chief Officer in that department. This department is key in generating own revenue which acts as a buffer to exchequer allocations. The department has not had a substantive Chief Officer and this has affected service delivery.

The nominee Mr. Reuben Wafula Wambwa demonstrated knowledge, skills and experience in leadership and institutional management. He exhibited eloquence on vetting questions, was confident and demonstrated exemplary communication skills.

The candidate holds relevant academic credentials, professional training and experience. This gentleman has an MBA in Strategic Management; he also has a science degree in Applied Business computing among others. He has an overall work experience of 21 years. This nominee meets chapter six requirements on leadership and integrity having submitted all the documents that were asked for.

Pursuant to Section 7 (10) of the Public Appointments County Assemblies Approval Act, 2017, no memoranda were received from the public to disapprove the nominee's appointment. The nominee scored an average of 89% from the assessment by the Committee. In accordance with Article 78 (1)(2) of the Constitution and based on the aforementioned, it leaves no doubt that the nominee is eligible for appointment as a Chief Officer in the department of Trade, Energy and Industrialization. I second.

Mr. Speaker: Thank you, Hon. Barasa?

Hon. James Mukhongo: Thank you Hon. Speaker, I rise on Standing Order number 109 to seek that we limit the time on the contribution of the motion. At the same time, I wish to beseech members that we allow only five members because we have so many businesses that are running

so that we complete on time. Having said that; I would wish to request my brother Hon. Jack Kawa to second this motion.

Hon. Jack Kawa: Thank you Hon. Speaker, I wish to second the motion that has been raised by Hon. Barasa Mukhongo who is a senior in this House; that we limit the time of contribution.

Mr. Speaker: Thank you Hon. Kawa for seconding a motion within a motion. Honorable Members, allow me propose a motion for debate.

(A question to the motion under Standing Order 109 limiting Honourable Members' contribution on the motion to a maximum of three minutes proposed)

Honourable Members thank you for your contribution. A motion has been moved and seconded that the House to proceed under Standing Order 109 to limit Honourable Members contribution in the motion for a maximum of three minutes.

(Question put and agreed to)

Members as you contribute just know that you have three minutes; if you proceed beyond, I will disconnect you. So kindly let us respect one another. Now we proceed to the main motion.

Hon. Tim Chikati: Thank you Mr. Speaker Sir for giving me a chance. As a member of Trade Energy and Industrialization, I happened to vet one Reuben Wambwa and I would also like to thank His Excellence the Governor for nominating him as a Young Turk. He is my age mate, I happened to do my Masters at Sunderland and he also holds a masters from Sunderland University; so we have so many things in common. I think he is bringing in new ideas, he is intelligent the way I saw him, he is so good in decision making but the elephant in this department is trade loans of which he has to know how he is going to tackle; and especially the defaulters bit. We have over one hundred and something County Government staff, these are some of the things that he is going to deal with and when we posed that question to him, he responded that he has a mechanism of how he is going to deal with that just the way the report has stated.

Apart from that, his work experience, being the director at Online Safaris, being a board member at St. Veronica Ranje, I think he has wealth of experience that he is bringing to the Trade Energy and Industrialization Department.

Hon. Alfred Mukhanya: I also stand to support the motion by the Committee on Trade Energy and Industrialization that Mr. Wambwa proved beyond any reasonable doubt that he is the man who can do the job. With the experience he has ...

Mr. Speaker: Hon. Alfred he is Wambwa not Wambua

Hon. Alfred Mukhanya: Mr. Wambwa from the look of things as we did the interviews and when he appeared before the Committee of Trade, he is one person who can move us very far. As the Committee of Trade considering that we have so many other problems like the collection of revenue in our respective markets, lighting system in our markets, trade loans and many other concerns. Trade is one Committee that actually is out to make sure that we have a lot of collections to sustain our county. So, I support the motion.

Hon. Joseph Nyongesa (Leader of Majority): Thank you Speaker. Let me also appreciate the Chair, Hon. Johnston Okasida for moving that report. As I support, I was imagining you know Hon. Chikati has told this House that they have very many things in, common with the nominee so I am imagining the other part of Hon. Chikati and then I think that we should be having the right person.

(Laughter)

You know such people are so social; and that is why I am so happy and actually urge this House to support.

I may also be imagining somebody sitting under Hon. Okasida scrutinizing him; and as you are aware the background of Hon. Okasida, then coming up with 89 %; who am I to say no? I support.

Mr. Speaker: Thank you, Hon. Kawa you speak from the dispatch.

Hon. Jack Kawa: Thank you, Hon. Speaker, let me join my colleagues in supporting the motion or rather the nominee for the Chief Officer, Trade and Industrialization. I don't know the nominee, but I know the father of the nominee and if the nominee will follow the footsteps of his father, then definitely this county will move to another level.

I want to appreciate the Hon. Chair of the Committee Hon. Ipara as the Leader has said, we know Hon. Ipara and the report he has come up together with his team, I am very sure the nominee will have to work.

Looking at the age of the nominee, I want to thank His Excellence the Governor that he is cutting across the ages. When you look at Mr. Wambwa, he is a youth and so the youth will not cry.

Mr. Speaker: Honourable Members youth ends at 35. Somebody at 43 is not a youth!

Hon. Jack Kawa: Thank you Hon. Speaker, body language also says a lot. Let us assume that he is below that age.

Mr. Speaker: Hon. Kawa, what we have in the report is that he is born 1980 and in black and white, so he can't be a youth!

Hon. Jack Kawa: Hon. Speaker I am just on my feet to deliberate on the report on the nominee for Trade. I am just on my feet to support the nominee that he be given the position of the Chief Officer Trade and also coming soon is my statement; that why on the road from Sikata to Kimilili, the only market missing street lights it is Sawa market in my Ward. So, I am very sure as he assumes the office, he will look up on that and we will get the street lights. I support the nominee.

Hon. Everlyne Anyango: Thank you Mr. Speaker Sir for allowing me to also contribute on this motion. I support the appointment of Mr. Reuben Wambwa, having worked with him in St. Veronica Ranje for more than five years now. He is a performer, and he has been the Chair of the Infrastructure Committee. You go to St. Veronica Ranje, Mr. Rueben Wambwa has really done a lot of work and I know him. He is one person who never jokes with his work; he means work and performs well so that he can maintain his track record.

Him being from Kanduyi, I know very well that he knows the plight of the business people in this county, he is going to work and he has also been in the business world; and that means he knows what ails the Trade department.

I also thank the Committee on Trade for having awarded him that mark because he is really a performer and I was also happy that the Governor appointed Mr. Reuben Wambwa because now the department of Trade has somebody that will deliver.

Hon. Wafula Waiti: Thank you, Mr. Speaker. As a Member of the Committee; I participated in the vetting process of the nominee and so at this particular time I wish to support the motion which has been read by our able Chair.

Hon. James Barasa: Thank you Hon. Speaker, I also rise in support of the nominee. I have looked at his age and comparing with the work experience of 21 years, it means he started working when he was at the age of 22 years. I am also looking at his income and net worth; he is a millionaire; because somebody of that age having over 100 Million shillings is not a joke. He is a hardworking person; that is what I can say.

Looking at the department, he has been appointed to; I am convinced that we are going to have the right person. I being a Member of this House, I represent a ward and that we need to have so many things going on at Chwele market. This is the right person Hon. Speaker; I stand to support him in totality and looking forward for him to work for the betterment of this county.

Mr. Speaker: Thank you, Hon. Ipara?

Hon. Johnstone Ipara: Thank you Hon. Speaker. First of all let me salute the Honourable Members who have contributed; led by Hon. Chikati, Hon. Mukhanya, the Leader of Majority Hon. Nyongesa, Hon. Kawa my friend, Hon. Everlyne, my neighbor Hon. Wafula Waiti and lastly my son in law Hon. Mukhongo.

Hon. Speaker you have heard from the speakers and they have confirmed that the person that we have recommended to be appointed to be the Chief Officer for Trade is a good person and why I also want to join them is;

1. The nominee has strong organizational skills which have been missing in the department
2. The nominee has the ability to identify team strength and weaknesses
3. The nominee has confidence that will enable him lead his team
4. The nominee has the ability to...

Mr. Speaker: Hon. Okasida you are out of order! While giving a response you address the issues raised. But you are basically contributing...

Hon. Johnston Ipara: I had broken the issues into those pieces.

Within the short time I have said and it has been confirmed by Hon. Mukhongo that this is a person who is able to give feedback at the shortest time and he will always, according to the shortest time we had with him, established that he is a person who likes giving constructive feedback. With that, I wish to say if we approve the name of this young man from our own county who studied in the UK in a university called Sunderland, I think we shall be the beneficiaries. We will stop the wastages that have been seen across most of the counties.

Mr. Speaker: Thank you Hon. Okasida, Honourable Members, allow me now to proceed and put a question to this motion.

(Question that the House approves the nomination of Reuben Wambwa Wafula for appointment as a Chief Officer for Trade, Energy and Industrialization in the County Government of Bungoma by His Excellence the governor of Bungoma County was put and agreed to)

Honourable Members, in compliance with the Public Appointments (County Assemblies Approval) Act, No. 33 of 2017, Section 11- notification of a decision.

The clerk shall notify the appointing authority of the decision of the Assembly within 14 days of the decision and the appointing authority shall upon approval of the nominee for appointment by the County Assembly and subject to the applicable written law appoint the nominee within a period of 7 days from the date of the notification of the decision of the assembly under sub section 1.

Consequently, the Clerk will forward the name to the Executive for further action.

2. REPORT BY THE SECTORAL COMMITTEE ON HEALTH AND SANITATION ON THE VETTING OF THE NOMINEE FOR APPOINTMENT TO THE OFFICE OF THE CHIEF OFFICER HEALTH AND SANITATION

Mr. Speaker: Hon. Jerusa Aleu is having the honor to move the motion on behalf of the Committee on Health and Sanitation. Proceed Hon. Jerusa...

Hon. Jerusa Aleu (*Vice Chairperson, Committee on Health and Sanitation*): Thank you Mr. Speaker Sir for allowing me to move a motion by the sectoral Committee on Health and Sanitation. Report on the vetting of the nominee for appointment to the position of the County Chief Officer in the department of Health and Sanitation; in Bungoma County. The next page we have the table of contents, I go direct to the executive summary.

EXECUTIVE SUMMARY

Honorable Speaker, Pursuant to Section 45 (2) of the County Governments' Act, 2012 and Section 4 of the Public Appointments (County Assemblies Approval) Act, of 2017, His Excellency the Governor nominated **Dr. Magrina Kiluyi Mayama** for appointment as the Chief Officer, **Health and Sanitation.**

This nomination was conveyed to the Speaker of the County Assembly through the letter **Ref. No. CG/BGM/CS/GEN/VOL.VI (14) dated 10th April, 2023.** Pursuant to Standing Order 45 (1), the Speaker of the County Assembly on Thursday, 13th April, 2023 read the message from His Excellency the Governor communicating the name of the nominee to the House and pursuant to Section 4 of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 208(4), committed the name to the Committee on Health and Sanitation for vetting and reporting to the House within twenty-one (21) sitting days.

Consequently, and in accordance with Section 7 (10) of the Public Appointments (County Assemblies Approval) Act, 2017, the Clerk of the County Assembly placed an advertisement in the print media on Saturday, 15th April, 2023 inviting the public to submit memoranda by way of written statements on oath (affidavits) on the suitability or otherwise of the nominee.

The submissions were to be received by Thursday, 20th April, 2023 at 3:00 p.m. By close of the submission deadline, the Committee had not received any memoranda on the suitability of the nominee for appointment.

Further, in fulfillment of the provisions of Article 196 (1) of the Constitution, Section 7 (5) of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 56(3), the Clerk of the County Assembly on Saturday, 15th April, 2023, notified the public through the print media that the Committee on Health and Sanitation would conduct the approval hearing on Tuesday 25th April, 2023 at 2:00 p.m. The nominee appeared before the Committee as scheduled for approval hearing in accordance with the provisions of the Constitution of Kenya 2010, the Public Appointments (County Assemblies Approval) Act, 2017 and the County Assembly Standing Orders(2nd Edition) on the suitability or otherwise for appointment to the position of County Chief Officer, Health Sanitation.

CHAPTER ONE

1.0 Preface

Mr., Speaker Sir, on behalf of the Members of the Committee on Health and Sanitation, it is my pleasure and duty to present to this House the Report of the committee on the vetting of the nominee for County Chief Officer Health and Sanitation.

1.1 Committee's Mandate

Mr. Speaker, the sectoral Committee on Health and Sanitation is constituted pursuant to the provisions of Standing Order No. (217)(1) of the County Assembly of Bungoma Standing Orders. Its mandate pursuant to Standing Order 217(5) shall be to:

- a) Investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations, coordination, control and monitoring of budget;
- b) Consider quarterly reports of the assigned departments and report to the House within twenty-one (21) sitting days upon being laid;
- c) Study the programme and policy objectives of the effectiveness of the implementation;
- d) Study and review all county legislation referred to it;
- e) Study, access and analyze the relative success of the departments as measured by the results obtained as compared with their stated objectives;
- f) Investigate and inquire into all matters relating to the assigned departments as they may deem necessary, and as may be referred to them by the County Assembly;
- g) To vet and report on all appointments where the constitution or any requires the House to approve, except those under Standing Order 209(Committee on Appointments); and
- h) Make reports and recommendations to the House as often as possible, including recommendation of the proposed legislation.

1.2 Committee membership

Mr. Speaker Sir, the Committee on Health and Sanitation as currently constituted comprises the following Members:

1. Hon. George	Makari	Chairperson
2. Hon. Jerusa	Aleu	Vice – Chairperson
3. Hon. Anthony	Lusenaka	Member
4. Hon. Joan	Kirong'	Member
5. Hon. Meshack	Simiyu	Member
6. Hon. Milliah	Masungo	Member

7. Hon. Grace	Sundukwa	Member
8. Hon. Vitalis	Wangila	Member
9. Hon. Tony	Barasa	Member
10. Hon. Jack	Wambulwa	Member
11. Hon. Orize	Kundu	Member
12. Hon. Mourine	Wafula	Member
13. Hon. Dorcas Ndasaba		Member
14. Hon. Jacob	Psero	Member
15. Hon. Job	Mukoyandali	Member

1.3 Acknowledgement

The Committee takes this opportunity to thank the offices of the Speaker and the Clerk of the County Assembly for logistical support accorded to it during the vetting exercise. Further, I would like to thank the Members of the Committee for their dedication, commitment, integrity, and valuable contributions in carrying out the pre-vetting and the vetting exercise. The Committee also wishes to thank the secretariat for the support extended to it.

On behalf of the Committee on Health and Sanitation, I now have the honour and privilege to present this report on vetting of Dr. Magrina Kiluyi Mayama as the nominee to the position of Chief Officer Health and Sanitation for adoption by this Honorable House.

Signed by Hon. George Makari the chairperson of the Committee.

Chapter Two

2.0 Background Information

2.1 Establishment of the Office of County Chief Officer

Mr. Speaker Sir,

Section 45(1) of the County Governments Act, 2012 provides that;

1. *The Governor shall –*

a) *Nominate qualified and experience County Chief Officers from among persons competitively sourced and recommended by the County Public Service Board*

Mr. Speaker: Yes Honourable Violet

Hon. Violet Makhanu: *(On a Point of Information)* Thank you Hon. Speaker, I stand to be guided, but I wish to request that if possible, the Honourable member on the floor of the House goes the Hon. Ipara's way.

Mr. Speaker: She is going the same way; she is yet to reach where she is able to move quickly. Once she reaches there, I will advise her accordingly. You are ahead of us. But the day is very young... can't you see Hon. Achieng' say the day is young. Proceed

Hon. Jerusa Aleu: Mr. Speaker Sir I don't know why Hon. Namaemba is worried, but my report is very short.

Mr. Speaker: No! She is Hon. Violet Makhanu AKA Namaemba... so proceed.

Hon. Jerusa Aleu: We had reached on letter b

- b) With the approval of the County Assembly, appoint County Chief Officer*
- 2. The office County Chief Officer shall be an office in the county public service*
- 3. A County chief officer shall report to the respective County Executive Committee Member for the administration of a County department as provided under Section 46.*
- 4. The County Chief Officer shall be the authorized officer in respect of exercise of delegated power.*
- 5. The Governor may re-assign a County Chief Officer*
- 6. A County Chief Officer may resign from office by giving in writing to the Governor*

2.3 Nomination of the Chief Officer - Health and Sanitation

The County Government of Bungoma County Public Service Board made an advert in the Standard newspaper on 4th October, 2022 seeking to recruit competent and qualified person to fill the vacant position of Chief Officer Health and Sanitation among others.

From the documents submitted by the nominee, she applied for the position of County Chief Officer, Health and Sanitation and submitted the letter to the County Public Service Board.

Upon completion of short listing and interviewing of the nominees interested in the position of County Chief Officer for Health and Sanitation, the following three names were forwarded to H.E the Governor for nomination and onward forwarding to the County Assembly for vetting and approval.

The table is there for the three nominees who were vetted. I will go directly to the notification to the House

2.4 NOTIFICATION TO THE HOUSE

Pursuant to the Public Appointment Act No. 7 of 2017, on 13th April, 2023, in a communication made by the Speaker of the County Assembly, the Assembly was informed that H.E the Governor had submitted the name of the nominee for County Chief Officer Health and Sanitation for vetting and approval by the House.

Further, the Speaker committed the name of the nominee to the Committee on Health and Sanitation for vetting and reporting to the House within 21 sitting days.

2.5 Notification to the Public and the Nominee

Mr. Speaker Sir, in accordance with the provisions of the Public Appointment Act No.7(4) and (5), on 15th April, 2023 vide the Standard newspaper, the nominee was notified to appear before the County Assembly Committee on Health and Sanitation on 25th April, 2023 at 2:00 p.m. for approval hearing.

The nominee was required to collect the vetting questionnaire from the office of the Clerk to the County Assembly or download from the County Assembly Website www.bungomaassembly.go.ke and return the copies of the following on or before Thursday, 20th April, 2023 at 3.00 p.m.

1. Copy of National Identity card or passport
2. Curriculum Vitae and other personal credentials
3. Current clearance or compliance certificate from Higher Loans Board
4. Current Clearance certificate from Ethics and Anti-Corruption Commission (EACC)
5. Current certificate of good conduct from National Police Service (Directorate of criminal Investigations)
6. Current Clearance from respective professional bodies
7. Current Clearance certificate from Credit Reference Bureau (CRB)

The nominee was also required to provide originals of the above documents on the vetting day.

Members of the public were invited to attend the vetting sessions and prior to approval hearing, submit written statements or memorandum to the Clerk of the County Assembly with evidence contesting the suitability or otherwise of the nominee but as at the time of vetting, none had been received.

2.6 Clearance and Compliance Certificates

To ensure compliance with chapter six of the Constitution, the nominee was asked to submit clearance certificate from the Kenya Revenue Authority that indicated she fully complied with all her tax obligations, the Ethics and Anti-corruption commission (EACC) clearance to confirm that there was no outstanding issues or on-going investigations against the nominee, the Higher Education Loans Board, the National Police Clearance certificate (Directorate of criminal investigation). The nominee also had to submit clearance certificate from Credit Reference Bureau (CRB).

The clearance by the foregoing institutions was primarily to provide information about the nominee on:

- a) Matters touching on integrity;

- b) Tax compliance;
- c) Loan repayment; and
- d) Presence or absence of criminal records.

The public was expected to participate in the vetting process through submission of memorandum (affidavits) on the suitability or otherwise of the nominee. On 15th April, 2023 vide the Standard newspaper, the Clerk of the County Assembly placed a notice inviting the public to submit memoranda on the suitability of the nominee or otherwise. However, no memorandum was received from the public.

2.7 Suitability of the Nominee with Regard to the Nominee's Ability, Experience and Qualities

From the questionnaire and curriculum vitae, the nominee submitted that:

1. She has worked as a dentist for more than 25 years where she has served in different capacities and facilities as dental officer intern, senior dental officer, dental specialist, and senior dental specialist. The different facilities include; Kenyatta National Hospital, Uasin Gishu district hospital, Bungoma County Referral hospital and Webuye County hospital.
2. The nominee has knowledge and experience in the health sector having worked as a medic for over 25 years.
3. The nominee also submitted academic credentials and testimonials that proved she was qualified for the position.
4. The nominee demonstrated confidence, knowledge, skills and experience in leadership and management having previously served as a Medical Superintendent at Bungoma County Referral Hospital.

CHAPTER THREE

3.0 Vetting of the Nominee for the Position of the Chief Officer Health and Sanitation

3.1 Pre-Approval Hearing Meeting

The Committee had two preliminary meetings prior to the vetting exercise in order to familiarize themselves with the vetting procedure and to formulate questions in line with the Public Appointment Act of 2017.

The Committee held a pre-approval hearing meeting on Monday, 24th and Tuesday, 25th April, 2023 and noted the following:-

(i) THAT, none of the nominees had notified the Clerk of the County Assembly of their withdrawal from the approval process as outlined under section 7(12) of the Public Appointments (County Assemblies Approvals) Act, 2017.

(ii) THAT, the Committee would examine the nominees against the criteria set out in section 8 of the Public Appointments (County Assemblies Approval) Act, 2017.

3.2 Approval Hearing of the Nominee

The Committee proceeded with the approval hearings on Tuesday, 25th April, 2023 and the nominee was vetted under oath pursuant to the Public Appointments (County Assemblies Approval) Act, 2017 and the Standing Orders of the Bungoma County Assembly.

3.3 Appearance before the Committee by Dr. Magrina Kiluyi Mayama: Nominee for the Position of County Chief Officer, Health and Sanitation.

Dr. Magrina Kiluyi Mayama, the nominee for Chief Officer Health and Sanitation, appeared before the committee on Tuesday, 25th April, 2023 at 2:00 p.m. In her oral submission, she informed the Committee on the following;

Date and Place of Birth

The nominee is a female Kenyan born on 16th August, 1968 in Kakimanyi village, Webuye West Sub County, Bungoma County. The nominee confirmed that she is a Kenyan citizen and did not hold any other citizenship.

Academic and Professional Qualification

She submitted that;

She is currently a candidate of Masters Programme in dental Surgery, holds a Bachelors Degree in dental Surgery, and has a Management Certificate in Strategic Leadership from Kenya School of Government.

Employment Record

On employment record, she submitted that;

She has more than 25 years working experience as a civil servant, 21 years of which she served at the Bungoma County referral Hospital, rising to the position of Medical Superintendent. The nominee is currently serving as a senior clinician at the Webuye County Hospital, a position she has held since 2017.

Income and net worth

The nominee's estimated net worth is 12 million shillings; with his sources of income being salary, rental income and farming activities.

Professional association and membership

The nominee is a Member of Kenya Medical Practitioners and Dentist Council and Kenya Dental Association, North Rift Branch. She is also a Board Member of Michael Wamalwa Kijana, Kakimanyi Secondary School.

Potential Conflict of Interest

There were no areas that could create any potential conflict of interest according to the filled questionnaire and from her oral submission.

Pro-bono/Charity Work

The nominee is involved in charity work through contributions and donations to churches and schools; she is currently a Member of the school Board of Michael Kijana Wamalwa Secondary School in Webuye, she mentors students through giving talks and is paying fees for two vulnerable students.

Integrity

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

3.4 General and Sector Specific Questions

The Committee posed several questions to the nominee on her knowledge of the public Service, leadership and governance. The nominee responded as follows:-

1. On the functions of the County Chief Officer, the nominee stated that the County Chief Office is the Accounting Officer responsible for a County department. In addition, she submitted that her priority would be the welfare of officers through promotions and improvement of the Primary Healthcare.
2. With regard to the responsibilities of the County Chief Officers, she stated that they are responsible to their respective County Executive Committee Members for: efficient management and administration; efficient utilization of funds and giving effect to lawful directives by the County Executive Committee Members;

3. On the status of Hospital Boards, she submitted that she was quite aware of the status of the Hospital Management Board and committees of the different facilities across the County as having expired and that she will spearhead the appointment of new board members.
4. On how the County Assembly is involved in the nomination of members of the Hospital Management Boards, she stated that Members of the County Assembly in the case of the Sub County Hospitals appoint a representative member to the Board within the sub-county.
5. About the working relationships with the County Assembly, the nominee confirmed that she will create a synergized relationship with the County Assembly and shall appear before the Committee when invited.
6. On how she will ensure that statements of account on operations and expenditures are accounted for as per the PFM act 166, the nominee stated that she will apply the provisions of Section 6(3) of the Bungoma County Health Services Act, 2019 which provides that Boards of Hospitals and Committees of Health Centres or Dispensaries shall submit on quarterly basis management reports to the County Chief Officer which shall include among others the financial reports.
7. The nominee when asked about the approach she will consider in honoring the outstanding obligations while avoiding accumulation of more pending bills, said that her department will ensure timely remittance of exchequer releases as per the facility approved budget; and that on facilities, she would ensure they limit expenditures to activities approved by the hospital management boards and in proportion to the revenue collection.
8. On the issue of the department working with the unions whose members are County employees, she submitted that she will ensure there is a harmonious and peaceful working environment without prejudice, threats and intimidation with these Unions by involving the cadres in decision making at different levels.
9. The committee's average score on the nominee was recorded as 85%

CHAPTER FOUR

4.1 Committee Observations on the Suitability of the Nominee

The Committee having considered the nominee's filled questionnaire pursuant to Section 6(8) of the Public Appointments (County Assembly Approval) Act, 2017, her curriculum vitae and having heard her oral submission during the approval hearing made the following observations on her suitability for appointment as County Chief Officer-

- (1) THAT, the nominee is a Senior dental specialist at the Webuye County Hospital having served for more than 25 years in the medical field, five years in the position of the medical Superintendent at the County Referral Hospital.
- (2) THAT, the nominee meets the requirements of Chapter Six of the Constitution on leadership and integrity.
- (3) THAT, the nominee has not been charged in a court of law in the past three years.
- (4) THAT, the nominee has never been dismissed from office under Article 75 of the Constitution for Contravention of the Provisions of Article 75(1) on conflict of interest, Article 76 on financial probity.
- (5) The nominee submitted academic credentials to the Committee that proved she was qualified for the position.
- (6) THAT, from her submission during vetting she was conversant with the role of the County Chief Officer as well as laws and policies related to her position, has knowledge and experience in the field having worked as a Medical superintendent at the Bungoma Referral Hospital.
- (7) THAT, she was very articulate on the interview questions, confident and has good communication skills.
- (8) She understands the challenges in the department of Health and Sanitation for example inadequate personnel in the department, expired hospital boards term and hence can adequately address them.

4.2 Committee's Recommendations

Mr. Speaker Sir, Pursuant to Section 45 (1) of the County Government Act, Section 7(9) and 8 of the Public Appointment (County Assemblies Approval) Act, No 5 Of 2017, Standing Orders and other relevant Statutes, Committee recommends that;

- a. The County Assembly approves of the nomination of Dr. Magrina Kiluyi Mayama for appointment by H.E. Governor as Chief Officer for Health and Sanitation.
- b. The County Assembly adopts the Report of the Health and Sanitation Committee on the vetting of Dr. Magrina Kiluyi Mayama to be appointed as the Chief Officer for Health and Sanitation Department in Bungoma County.

Having reached there, I urge this House to approve the nominee Magrina Kilui Mayama. With all due respect, I would like to call upon my able Chairperson to second this report.

(Applause)

Hon. George Makari: Thank you Hon. Speaker. I would wish to applaud my Vice Chairperson for reading the report well. I can see the Iteso are dominating in this House. I saw Hon. Okasida...

Mr. Speaker: That comment is out of order and is not made in good faith! Just withdraw...

Hon. George Makari: Obligated Mr. Speaker. I wish to second the report by pointing out a few issues. This nominee called Dr. Magrina Mayama comes from Sitikho Ward. This lady has worked in the medical field for about 25 years. She has been a Medical Superintendent at the Bungoma County Referral Hospital for three years. She was moved to Webuye as a Dental Surgeon and wherever she has worked, her record has been clean. When we vetted her, she almost got all the questions right except only one; obviously any student can fail one or two questions. She was good at responding to our questions.

If I may take you back, in the last regime we had a CECM who was a Medical Doctor and along the way there was an appointment of a Chief Officer who was a teacher. We looked at the combination and thought that it was not going to work but at the end of the day, even the teacher worked better than the CECM. Here now, this department of Health been so lucky that all those people that are in that department are Medical Doctors; from the CECM, the one we are about to approve and the Director. As we approve this nominee, this department should not have any excuse as to why they cannot deliver for Bungoma County. As we support and approve here today, a message should be send to them that now that the department is headed by themselves as Medical Doctors, we don't expect anything less. We expect them to work diligently for Bungoma County and we will support them. I second the report.

(Question for the approval of the nominee for appointment as Chief Officer for Health Department- Dr. Magrima Mayama proposed)

Hon. James Mukhongo: Thank you Hon. Speaker. Before I put forth the motion, allow me first give my submissions. I stand to support the report. I am impressed by the general and sector specific question number four on how the County Assembly is involved in the nomination of members of the Hospital Management Boards; she stated that Members of the County Assembly in the case of the Sub-County Hospitals appoint a representative member to the Board within the Sub-County. Hon. Speaker, we have had formation of Management Boards in hospitals but we have never been involved. I will go by her words because it is her response and she has made a commitment. Dr. Magrina Mayama, if indeed she will stand with the way she has responded, this will be a wonderful Chief Officer.

Hon. Speaker, I now rise on a point of order with regard to Standing Order No. 109 that we limit the contribution on the said motion before the House. That we limit the contribution to two minutes per speaker because looking at the clock, we still have much on the Order Paper. Allow me request my brother and neighbor Hon. Otsula to second the motion.

Hon. Benjamin Otsula: Thank you Mr. Speaker. In the interest of time and the business before this House, I beg to second.

(Question in respect to limitation of debate to two minutes per speaker on the motion was proposed)

(Question to the motion was put and agreed to)

Hon. Violet Makhanu: Thank you Mr. Speaker for giving me time to say something within two minutes. I listened carefully to the report as read by my good friend Hon. Jerusa and I applaud her for good work done. I know Dr. Mayama well during the time she was at the Referral Hospital as the Medical Superintendent. She left the hospital during transition and works currently at Webuye Referral Hospital where she is doing a good job as a dentist. Looking at everybody who has been attended to by Dr. Mayama, there is always good feedback for the good services from the Doctor. This is a sign of somebody who is caring and a person who loves her job and any person who loves his or her job can be a good leader.

I am on my feet to confirm to this House that I know this lady and she is a hands-on person. I like women leadership and looking at the way I do my things, I believe Dr. Mayama once in office she will be able to do so many things in the department of Health. Health is one of the departments that have many issues right from the last regime and even currently things are not well. I know with her presence, she will be a good position and I know she is capable of streamlining operations in this department and to ensure that things are moving; especially on staffing. I want to request that in case she gets this position, that she should ensure that our dispensaries are up and running, equipped and the issue of staffing is balanced in all the dispensaries and health centers within the county. I support Dr. Mayama to be the Chief Officer for the Health Department.

Hon. Joseph Nyongesa: Thank you Mr. Speaker. Let me appreciate the Committee and even the Governor for doing proper research to come up with Dr. Magrina Mayama. When she was being vetted and we were almost completing the exercise, I happened to be in the Committee and members were happy. It was when the Chairperson was seconding the report that I realized that Dr. Mayama almost answered all the questions correctly. I looked at her; she was humble, steady and ready to work for this county. The only challenge which I urge the Chairperson and the Committee to look into is collecting and spending at source. It is a critical issue that should be looked into. Otherwise, I support and urge the House to approve this nominee.

Hon. Alfred Mukhanya: Thank you Mr. Speaker. I also rise to support this report and say that Dr. Mayama is one lady who is qualified. As observed and recommended by the Committee, this lady can do good for this County. I liked where they have indicated that we will be having quarterly reports which I believe will make sure that there are no leakages in terms of stealing of drugs among other issues.

If you went to our institutions like mortuaries, they are places that you would not want to visit in our facilities like Webuye and Bungoma Hospitals. I hope Dr. Mayama will do her best to bring back sanitation in our hospitals so that we have faith in our institutions. I support.

Hon. Hentry Nyongesa: Thank you Mr. Speaker. As the report was being read, I realized that everybody was almost saying that the nominee can even be approved without debate. Looking at the faces in the House, I don't know the nominee and my contribution is based on the report by the Committee. This nominee attained a percentage of 85 and since we trust the Committee, I think they have given us the best. When you look at the records that the nominee has worked at Bungoma Referral Hospital and currently working at Webuye Referral Hospital, we appreciate that this is a nominee who will now look into the health facilities across the county. I want to make reference that if this nominee will be approved; one of the serious issues in this county is the dental department under the department of Health. You find that Naliakas of this county who stay in Khelela travels from Khelela to Bungoma using almost Kshs. 700 to look for a dentist. You will realize that there are hospitals in Bumula which require such services. I am requesting that now that we are likely to have a Chief Officer who is from the medical field, we should put emphasis on this section so that people don't travel long distances looking for such services. I support this report and the approval of the nominee.

Hon. Franklin Simotwo: Mr. Speaker in the interest of time I would like to say something about the nominee. I was looking at the report and realized that the nominee is competent. I want to believe that the nominee if approved will be able to handle corruption cases in our health centres properly because this is what is eating our county. When drugs are brought and patients visit after a few days, you will find that drugs are out of stock. I think if we approve the nominee, this is an area that she has to seriously look into. Otherwise I support and urge that we approve this nominee.

Hon. Jerusa Aleu: Thank you Mr. Speaker Sir. First of all I would like to thank all Honorable Members who have made their contributions. What you have seen or heard me read in that report was not anywhere but from the Health Committee. Looking at the mood of the House I thank the members and urge them to approve Dr. Magrina as our incoming Chief Officer in the Department of Health and Sanitation.

Mr. Speaker: Honourable Members allow me proceed and put a question to the motion before the House for the House to make its decision over .Honorable Members a motion has been moved and seconded that this House adopts the report by the Sectoral Committee on Health and Sanitation on the vetting of the nominee for appointment to the office of the Chief Officer for Health and Sanitation, specifically that this County Assembly approves the nomination of Dr. Magrina Kiluyi Mayama for appointment by His excellency the Governor as the Chief Officer for Health And Sanitation.

(Question put and agreed to)

(Applause)

The ayes have it.

The nominee Dr. Magrina Kiluyi Mayama is hereby approved by this House accordingly and Honourable Members as per the Public Appointments (County Assemblies) Approval Act, No.5 of 2017. The clerk shall notify the appointing authority of the decision of the County Assembly within 14 days and importantly the appointing authority shall, upon the approval of the nominee for appointment by the County Assembly and subject to the applicable written law appoint the nominee within a period of seven days from the day of notification of the decision of the Assembly under subsection 1

3. REPORT BY THE SECTORAL COMMITTEE ON AGRICULTURE, LIVESTOCK, FISHERIES, IRRIGATION AND COOPERATIVE DEVELOPMENT ON THE VETTING OF NOMINEES FOR APPOINTMENT TO THE OFFICES OF THE CHIEF OFFICER FOR AGRICULTURE AND COOPERATIVE DEVELOPMENT

Mr. Speaker: The Chair for the Committee, Hon. Iddi, you have the honour of the Committee on Agriculture, Livestock and Fisheries to proceed and move the motion.

Hon. Iddi Chamawi (*Vice Chairperson, Committee on Agriculture, Livestock, Fisheries Irrigation and Cooperative Development*): Thank you Mr. Speaker Sir. A report on the vetting of nominees for appointment to the offices of County Chief Officer for Agriculture and Chief Officer for Cooperative Development in Bungoma County. Mr. Speaker Sir, I will need your guidance because I have two officers to represent here and I have got so many paragraphs. So I don't know the procedure that I will use... I don't know if I go through one by one or I just do the summary

Mr. Speaker: You will give us the introduction part of it then because the way I have seen the third report has two officers with each nominee having their separate observations and recommendations. So you give the introduction on committals then you will go ahead on the interview and give us observations and recommendations accordingly. Senior Member of the House will assist you as I take a sip of water.

Hon. Iddi Chamawa: Thank you Senior Member of this House for guiding me.

BACKGROUND INFORMATION

The Committee on Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development is one of the Sectoral committees established under Standing Order No. 217(1) and deals with all County matters relating to Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development that require the County Assembly's approval.

Establishment of the Office of the Chief Officer

Section 45 (1) of the County Governments Act provides that the Governor shall-

- a) nominate qualified and experienced County Chief Officers from among persons competitively sourced and recommended by the County Public Service Board; and;
- b) With the approval of the County Assembly, appoint County Chief Officers.

Nomination of the Chief Officer

Advertisement of the positions of Chief Officers

The County Public Service Board ran an advertisement in the Daily Newspapers of vacant positions of County Chief Officers dated 4th October, 2022.

Shortlisting

Names of the shortlisted candidates for the positions of chief officers were published in the Standard and Daily Nation Newspapers dated the 6th of February, 2023.

Interviewing of the shortlisted candidates

The shortlisted candidates were interviewed at Mabanga ATC-Bungoma County from 20th February, 2023 to 27th February, 2023.

Notification of Appointment

Pursuant to Sections 6 of the Public Appointments (County Assemblies Approval) Act, 2017, His Excellency the Governor, through the County Secretary and Head of Public Service forwarded to the Clerk of the County Assembly the following letter;

Letter dated 13th April, 2023 forwarding the names of the persons nominated for appointment as Chief Officers. (Annexed)

Notification to the House and Committal to the Committee

Pursuant to the provisions of Standing Order 45(1), the Speaker, vide a communication dated 13th April, 2023 informed the House of the Governor's message to the House on nomination of Chief Officers for vetting and approval by the County Assembly.

Pursuant to Section 7(1) of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 56 (1), the names and curriculum vitae of the nominees were committed to the respective sector committees for vetting and subsequent reporting to the House on the suitability of the nominees.

Among the nominees were; Mr. Robert Juma Simiyu for the position of Chief Officer Agriculture and Mrs. Beatrice Wafula Nakhumicha for the position of Chief Officer Cooperative Development who were committed to the Committee on Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development.

Notification to the Public

Article 196 of the Constitution provides that the County Assembly shall facilitate public participation and involvement in the legislative business and other business of County Assembly and its Committees.

Section 7 (5) of Public Appointments (County Assemblies Approval) Act, 2017, further provides that the Committee shall notify the public of the time and place for holding approval hearings at least seven days prior to the hearings.

Further, Section 7(10) of the Public Appointments (County Assemblies Approval) Act, 2017 provides that;

“any person may, prior to the approval hearings 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 Article 196 of the Constitution as read with section 7 (4), and (10) of Public Appointments (County Assemblies Approval) Act, No. 5 of 2017, the Clerk of the County Assembly placed an advertisement in the print media on Saturday, April 15 ,2023 inviting the public to submit memoranda by way of a written statement on oath (affidavit) on the suitability or otherwise of the nominees in conformity with section 7(10) of the Public Appointments (County Assemblies Approval) Act, 2017. The advertisement indicated that the submissions were to be received by Thursday, 20th April, 2023 at 3:00 p.m.

Further, pursuant to Article 196 of the Constitution, Section 7 (5) of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 56(3), the Clerk of the County Assembly notified the general public on Saturday, April 15, 2023 in the print media that the approval hearings of the nominees would be conducted on Wednesday, 26th April, 2023.

Notification to the Nominees

On Saturday, April 15, 2023, the Clerk of the County Assembly invited the nominees, in writing and through print media, for the approval hearings in accordance with Section 7 (4) of the Public Appointments (County Assemblies Approval) Act, 2017. (Annexed)

Clearance and Compliance Requirements

On the notice of appearance for approval hearings, the Clerk of the County Assembly informed the Nominees to provide Clearance and Compliance requirements from Ethics and Anti-Corruption Commission (EACC), Kenya Revenue Authority (KRA), Directorate of Criminal Investigations (DCI), the Higher Education Loans Board (HELB) and the Credit Reference Bureau (CRB).

Report of the CPSB on the nomination of the Chief Officers

Following the advertisement by the County Government Service Board on Tuesday 4th October, 2022, the Position for Chief Officer Agriculture attracted 79 applicants. The nominee emerged the best candidate having scored 92%; while the position of the Chief Officer Cooperative Development attracted 112 applicants where the nominee emerged the best candidate having scored 80%.

Issues for Consideration during the Approval Hearings

Section 7(8) and (9) of the Public Appointments (County Assemblies Approval) Act, 2017 provides that:

7(8) An approval hearing shall focus on a candidate's academic credentials, professional training and experience, person integrity and background.

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

Additionally, Section 8 of the Act 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 including the criteria for short listing of the nominees;*
- (b) Any Constitutional or statutory requirements relating to the office in question, and*
- (c) The suitability of the nominee for the appointment proposed having regard to whether the nominees' abilities, experience and qualifications meet the needs of the body to which nomination is being made.*

While conducting the approval hearings, the committee was guided by the provisions of Section 7 (8) and (9) and Section 8 of the Public Appointments (County Assemblies Approval) Act, 2017.

Procedure for Nomination

Section 45(1) (a) of the County Governments Act, 2012 confers upon the Governor the power to nominate qualified and experienced county chief officers from among persons competitively sourced and recommended by the County Public Service Board and with the approval of the County Assembly, appoint County Chief Officers.

Sections 6 (1) of the Public Appointments (County Assemblies Approval) Act, 2017 further requires the appointing authority, upon nominating a person for appointment, to notify the relevant County Assembly.

In this regard, pursuant to section 6(1) of the Public Appointments (County Assemblies Approval) Act, 2017, the Governor notified the County Assembly of the nomination of nine (9) persons for appointment to the offices of the Chief Officer.

Constitutional and Statutory Requirements

The Constitution and the County Governments Act, 2012 gives guidelines on how to appoint persons to public office which include:-

(i) Leadership Integrity

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

- (a) Selection on the basis of personal integrity, competence and suitability, or election in free and fair elections;*
- (b) Objectivity and impartiality in decision making, and in ensuring that decisions are not influenced by nepotism, favouritism, other improper motives or corrupt practices;*
- (c) Selfless service based solely on the public interest, demonstrated by
 - (i) Honesty in the execution of public duties; and*
 - (ii) The declaration of any person 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.*

In addition the committee considered Article 78 of the Constitution disqualifies persons who are not Kenyan Citizens from appointment as State Officers.

Further, the Committee considered Section 10 of the Leadership and Integrity Act, 2012 in particular which provides that

A State Officer shall to the best of their ability

- (a) Carry out the duties of the Office efficiently and honestly.*
- b) carry out the duties in a transparent and accountable manner*
- c) keep accurate records and documents relating to the functions of the office; and*

report truthfully on all matters of the organization which they represent

Suitability of the nominees with regard to the nominees' abilities, experience and qualities

The suitability of the nominees was assessed after scrutiny of the academic credentials, professional training and experience, personal integrity, background and qualities as well as their performance during the approval hearings conducted on Wednesday, 26th April, 2023.

2.9 Memoranda from Members of the Public in respect to the Nominees

Pursuant to Section 7(10) of the Public Appointments (County Assemblies Approval) Act, 2017

“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 office to which the candidates has been nominated”,

The Clerk of the County Assembly placed an advertisement in the print media on Saturday, 15th April, 2023 inviting the Public to submit memoranda by way of written statements on oath (affidavit) on the suitability or otherwise of the nominees in conformity with section 7(10) of the Public Appointments (County Assemblies Approval) Act, 2017. In this regard, by 26th April, 2023 at 10:00 a.m. the Committee had not received any memoranda.

Pre- Approval Hearing Meeting

The Committee held a pre-approval hearing meeting on Monday, 24th April, 2023 and noted the following:-

- (i) **THAT**, none of the nominees had notified the Clerk of the County Assembly of their withdrawal from the approval process as outlined under section 7(12) of the Public Appointments (County Assemblies Approvals) Act, 2017.
- (ii) **THAT**, the Committee would examine the nominees against the criteria set out in section 8 of the Public Appointments (County Assemblies Approval) Act, 2017.

APPROVAL HEARINGS OF THE NOMINEES

The Committee proceeded with the approval hearings on Wednesday 26th April, 2023 and all the nominees were vetted under oath in accordance with the provisions of the constitution, legal requirements and the established procedures for vetting in the Public Appointments (County Assemblies Approval) Act, 2017 the County Governments Act, 2012, and the Standing Orders of the Bungoma County Assembly.

The Committee ensured that there was public participation and openness in carrying out the vetting exercise.

MR. ROBERT JUMA SIMIYU: - NOMINEE FOR THE POSITION OF CHIEF OFFICER FOR AGRICULTURE.

Mr. Robert Juma Simiyu appeared before the Committee on Wednesday 26th April, 2023 at 10:30 a.m. and was orally interviewed under Oath. He was informed by the Chairperson that, pursuant to Section 7(10) of the Public Appointments (County Assemblies Approval) Act, No. 5 of 2017, that the Committee invited submissions from the public on his suitability or otherwise for appointment to the position of Chief Officer. However, by the time of vetting, the Committee had not received any submission or memorandum from the public.

The Committee allocated the nominee a maximum of one hour for vetting. In conducting the vetting process, the Committee examined the nominee based on the criteria as set out in the Public Appointments (County Assemblies Approval) Act No. 5 of 2017:

The nominee in regard to his suitability for appointment as the Chief Officer for Agriculture presented to the Committee as follows;

Date and Place of Birth

The nominee is a male Kenyan was born on 1970 in Marakaru, Kanduyi Sub County, Bungoma County. The nominee confirmed that he is a Kenyan citizen of **ID NO. 10718573** and did not hold any other citizenship.

Academic and Professional Qualification

The nominee holds a Masters of Arts in planning and Bachelor of Science both from the University of Nairobi. Further, he holds a post graduate Diploma in Education from Kenyatta University.

He attended Chesamisi High School for his A level, Bungoma High School for his O level and also Kimukung'i Primary School for his CPE.

Employment Record

The nominee has a working experience most of which he served as a District Land Officer and a Land Officer in the Ministry of Lands. He worked for Bungoma County as a Chief Officer in

the Lands department as from 2014-2018. He is currently the Deputy Director Land Administration in the Ministry of Lands headquarters Nairobi, a position he has held since 2018.

Income and net worth

The nominee's estimated net worth is 80 million shillings; with his sources of income being salary, rental houses, Business/ Transport and farming.

Professional association and membership

He is a Member of the Kenya Institute of Planners (KIP). The nominee is also a member of the Architectural Association of Kenya (AAK) and the Institute of Surveyors of Kenya (ISK).

Potential Conflict of Interest

The questionnaire filled by the nominee indicated that there were no areas that would create potential conflict of interest. During the approval hearing he stated that as a public officer if such cases arise then he would declare his interest and also will be bound by the National Values and Principles of Governance.

Pro-bono/Charity Work

The nominee is involved in charity work through contributions and donations to churches and other institutions including sourcing funds (Kshs 800,000) while at Miluki for the construction of a girls' dormitory. Further, he has been a BOM member at Miluki girls .The nominee is also a Chair of the development committee of the church and he has been identifying well-wishers who assisted in putting up the church

Integrity

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

The nominee, Mr. Robert Juma Simiyu explained to the committee that;

He had no integrity issues and provided a police clearance certificate to support this.

He submitted a self-declaration form submitted to the EACC on 21st October 2022.

In the declaration form he stated that:

a) He has never been dismissed from employment on lack of integrity.

b) He has never abused a public office

c) He has never misrepresented information to the public

d) He has never been engaged in wrongful conduct whilst in the furtherance of personal benefit.

Overall Suitability for the Position

He had vast knowledge, exposure and experience on matters relating to preparation of regulations as he assisted in the preparations of PLUPA (Physical and Land Use Planning Act) in 2019 working as a planner/land administration officer.

- i. He had excellent communication, organizational and interpersonal skills.
- ii. He demonstrated the ability to work in a multi-ethnic environment with sensitivity and respect for diversity.
- iii. He has exposure in Agriculture sector as he helped to develop the Bungoma County Spatial Plan while working as chief officer in the lands department.
- iv. He had all the requisite academic credentials and had met all stipulated Constitutional and statutory requirements for nomination and approval.

Knowledge of the Relevant Field

From his submission during vetting, he demonstrated knowledge and experience in management. He was also conversant with the roles of the Chief Officer as well as laws and policies related to his position.

The Committee posed several questions to the nominee on his past work experience and knowledge of the Agriculture sector and he responded effectively.

He committed to ensure prudent use of public resources under his docket. The nominee had general knowledge on the budgetary cycle, documents used in fiscal planning and budget allocation. He was also conversant with laws and policies related to Agriculture.

GENERAL AND SECTOR SPECIFIC QUESTIONS

The Committee posed several questions to the nominee on his knowledge of the public Service. The nominee responded as follows:-

1. On the role of a Chief Officer, the nominee stated that he was aware of the functions of a Chief Officer as outlined in the County Governments Act, 2012 and proceeded to list them.
2. With regard to his suitability for the position and the experience he has to bring to the sector, the nominee mentioned that he prepared the spatial plan indicating different areas in Bungoma and the types of crops to be grown.

3. On Legal frameworks to operationalize programs in the department, he confirmed to the Committee that he will use his experience to come up with legal frameworks in every program that is to be implemented in the department.
4. About the working relationships with the County Assembly, the nominee stated that he will spearhead a good working relationship between the two arms of the County Government to ensure openness in implementation of budget.
5. On his view on the Farm Input Support program and its sustainability the nominee submitted that it is a good program but there is need for a policy, monitoring and evaluation program. He further stated that there is need for introduction of a subsidy program to sustain the same.
6. On the strategies he will put in place to foster Agricultural value addition and agro processing, the nominee stated that he will use public barazas and farmer field days to educate them on the importance of value addition.

COMMITTEE OBSERVATIONS ON THE SUITABILITY OF THE NOMINEE

The Committee having considered the nominee's filled questionnaire pursuant to Section 6(8) of the Public Appointments (County Assembly Approval) Act, 2017 his curriculum vitae and having heard his oral submission during the approval hearing, made the following observations on his suitability for appointment as Chief Officer Agriculture

- (1) **THAT**, the nominee is conversant with his role as a chief officer, having served as a chief officer in the Departments of Lands and Health from 2014-2018.
- (2) **THAT**, the nominee meets the requirements of Chapter Six of the Constitution on leadership and integrity.
- (3) **THAT**, the nominee has not been charged in a court of law in the past three years.
- (4) **THAT**, the nominee has never been dismissed from office for contravention of Articles 75 and 76 of the Constitution of Kenya 2010.
- (5) **THAT**, from his submission during vetting, he demonstrated knowledge, skills and experience in leadership and management. He was also conversant with laws and policies related to his position.
- (6) **THAT** the nominee articulated topical issues on the department and proved that he was suitable for the appointment.
- (7) **THAT** the nominee has requisite qualifications and experience for the position of county chief officer.

(8) **THAT** The committee's average score on the nominee was recorded as 84%

COMMITTEE GENERAL RECOMMENDATIONS

Having considered suitability, capacity and integrity of the nominee and the approval hearing for the nominee pursuant to section 45(1) (b) of the County Government Act, Section 4, and 8 of the Public Appointments (County Assemblies Approval) Act, 2017, and Standing Order 217(5) (g) of the County Assembly of Bungoma Standing Orders.

The Committee recommends that this House; **approves** the nomination of **Mr. Robert Juma Simiyu** for appointment as Chief Officer for Agriculture in the County Government of Bungoma.

MS.BEATRICE NAKHUMICHA WAFULA: - NOMINEE FOR THE POSITION OF CHIEF OFFICER - COOPERATIVE DEVELOPMENT.

Ms. Beatrice Nakhumicha Wafula, the nominee for Chief Officer cooperative development appeared before the Committee on Wednesday 26th April, 2023 at 11:30 a.m. and was vetted under oath. In regard to her suitability for appointment as the Chief Officer for Cooperative Development, the nominee stated as follows;

Date and place of birth

The nominee is a female Kenyan born on 15th February, 1966 in Sirare village, West Nalondo Ward, Kabuchai Constituency in Bungoma County. The nominee confirmed that she was a Kenyan citizen of **ID NO.7908215** and did not hold any other citizenship.

Academic Qualifications

She holds a degree of Bachelor of Arts with Education, a diploma in Education Primary both from Kyambogo University in Uganda. She also has a Diploma in Education Management from Kenya Education Management Institute (KEMI).The nominee also holds a postgraduate Diploma in Public Administration and Management from the Uganda Management Institute (UMI) and also has a P1 certificate from Asumbi Teachers College

Employment Record

The nominee has a working experience as a head teacher having worked at St. Jude Nabuyeywe Primary from 2022 to date, Kalenda Primary School from 2019 to 2021, Sikata Primary School from 2011 to 2018 and Ngalasia Primary School.

Potential Conflict of Interest

The questionnaire filled by the nominee indicated that, currently she does not have any persons or matter that would present a potential conflict of interest and should a conflict of interest arise; the nominee stated that she would excuse herself.

Income and Net worth

The nominee informed the committee that she has earned her money through salaries, Transport, Rent and farming. The nominee estimated her net worth to be approximately Kshs 11 Million.

On Pro-Bono/ charity work

The nominee informed the Committee that she has rendered mentorship services to street children while being a Head teacher at Sikata Primary School.

She has also rendered advisory services to various women groups; empowering them with knowledge to improve their economic status. Further, she has been giving nourishment services to the church and the community at large.

Professional association and membership

The nominee is associated with:

- i. Kenya primary school Association(KEPSHA)-Treasurer from 2010-2019
- ii. Ng'arisha Teachers Sacco as a Delegate from 2006-2010
- iii. BOM chair at St. Anthony Sirisia Boys secondary school from 2018-2019.

Integrity

At the time of the approval hearing, the nominee was required to provide the Committee with the clearance documents with regards to Chapter six of the Constitution.

The nominee provided a Tax Compliance Certificate from the Kenya Revenue Authority

The nominee provided the committee with a Compliance Certificate from the Higher Education Loans Board (HELB), confirming that she is not a beneficiary of the University Loans scheme.

The nominee attached an application for clearance from the Ethics and Anti-corruption.

Knowledge of the relevant field

From her submissions, the nominee exhibited knowledge and understanding especially on the position on which she had been nominated to.

She demonstrated passion for the position as she has associations with Ng'arisha Teachers SACCO as a delegate.

She also holds a certificate of Basic Cooperative Management course at the Kenya union of savings and credit cooperatives limited which offers cooperative education and training programs.

Overall Suitability for the Position

In her presentation, she appeared knowledgeable, exposed and with experience in the sector of Cooperative Development.

The nominee submitted academic credentials to the Committee to prove suitability for the position.

She met the stipulated Constitutional and statutory requirements for nomination and approval.

GENERAL AND SECTOR SPECIFIC QUESTIONS

The Committee posed several questions to the nominee on her knowledge of the sector. The nominee responded as follows: -

1. The nominee stated that if approved for appointment, she will work with stakeholders to develop relevant policies.
2. On what she will do to make sure that the issue of Kitinda and other Cooperatives that have collapsed and farmers have not been compensated does not repeat itself, the nominee stated that if appointed, she will start by finding out what led to the collapse of the society and look for possible solutions.
3. on how she will ensure that there is realization of value for money in respect to the milk coolers. The nominee stated that if appointed she will make them to be of value to the residents of Bungoma County.
4. On the challenges facing cooperatives in Bungoma County, the nominee stated that she will use trainings and workshops to revive cooperatives.

COMMITTEE OBSERVATIONS ON THE SUITABILITY OF THE NOMINEE

The Committee having considered the nominee's filled questionnaire pursuant to section 7(8) of the Public Appointments (County Assemblies Approval) Act, her curriculum vitae and having heard her oral submission during the approval hearing, made the following observations on her suitability for appointment as Chief officer for Cooperative Development sector;

- (1) THAT, in accordance with Article 78(1) and (2) of the Constitution, the nominee is eligible for appointment to State Office since she is a Kenyan citizen born in Bungoma County and does not hold dual citizenship.

(2) THAT, the nominee meets the requirements of Chapter Six of the Constitution on leadership and integrity having obtained clearance from the Ethics and Anti-corruption Commission (EACC), the Kenya Revenue Authority (KRA), the Directorate of Criminal Investigation (DCI) and the higher Education Loan Board (HELB)

(3) THAT, the nominee exhibited understanding and experience in leadership and management as she had worked as a Head teacher for several years.

(4) THAT, the nominee has not been charged in a court of law in the past three years.

(5) THAT, the nominee has never been dismissed from office under Article 75 of the Constitution for Contravention of the Provisions of Article 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.

(6) THAT, the nominee demonstrated knowledge of topical, administrative and technical issues touching on the Cooperative Development sector.

(7) THAT, the committee's average score on the nominee was recorded as 66%

COMMITTEE GENERAL RECOMMENDATIONS

Having considered suitability, capacity and integrity of the nominee and the approval hearing for the nominee pursuant to section 45(1) (b) of the County Government Act 2012, Section 4, and 8 of the Public Appointments (County Assemblies Approval) Act, 2017, and Standing Order 217(5)(g) of the County Assembly of Bungoma Standing Orders.

The Committee recommends that this House; approves the nomination of Ms. Beatrice Wafula Nakhumicha for appointment as Chief Officer for Cooperative Development in the County Assembly of Bungoma.

Mr. Speaker: Not in the County Assembly of Bungoma please.

Hon. Idd Chamawi: In the County Government of Bungoma. I am sorry. Thank you for that correction.

Mr. Speaker: You do it again...the committee's recommendations.

Hon. Idd Chamawi: The Committee recommends that this House approves the nomination of Ms. Beatrice Wafula Nakhumicha for appointment as Chief Officer for Co-operative Development in the County Government of Bungoma.

Mr. Speaker: Thank you. You invite your seconder! Sorry, you are looking at your Chair,

Hon. Idd Chamawi: Thank you Mr. Speaker Sir, let me call upon Hon. Mukhanya to second it.

(Applause)

Mr. Speaker: Thank you Hon. Idd. Hon. Mukhanya, I see so many people are energetic like Hon. Vitalis my classmate. Proceed Hon. Alfred!

Hon. Alfred Mukhanya: Mr. Speaker, I stand to second the motion read by Hon. Idd. This is the report that we sat and decided. This is one of the best reports and from the look of things, this House should approve without any contradictions.

As you look at it, the two nominees; Robert and Beatrice were our favorable candidates and our nominees went through and we vetted and came up with a positive report and one resolution that we approve these nominees and they are suitable. If you look at Bungoma and Kenya as a whole, this is one department that we need to support because Agriculture as you know is one area that has food security and everything. Looking at Kenya also for example, the Co-operative movement is also a problem. The societies have fallen and we need to revive them. I second and ask all the members of this House to support the report and we pass it without any contradiction.

(Applause)

Mr. Speaker: Thank you Hon. Idd and Hon. Alfred for moving the motion and having the same seconded accordingly. Honourable Members, allow me be able to proceed and propose a motion for the House to debate the same.

(Motion proposed)

Hon. Wafula Waiti: Thank you Mr. Speaker for allowing me to support my Vice Chair to move a very wonderful motion. I also take this chance to thank our Hon. Governor for having thought among other departments to nominate the two Chief Officers in Agriculture. Allow me notify this Honourable House that as we speak today there is no single Chief Officer even in acting capacity in the Agriculture sector and as you are aware it cuts across six departments; ranging from Agriculture, Fisheries, Livestock, Veterinary and Cooperative development, yet there is no Chief Officer even if it means in acting capacity. The one who was acting Dr. Caro Masete resigned recently leaving the department without any.

As you are aware, the CEC Member of Agriculture is at the same time acting as the County Secretary and so we are giving her the heavy work to perform single handedly in the department of Agriculture. May I take this opportunity to support the Vice chair for Agriculture and to plead with these Honourable Members...

Mr. Speaker: What you are doing is already pleading so proceed!

Hon. Wafula Waiti: That we support and pass the nominees without hesitation so that the department can run smoothly and for the well-being of our good people in this County. Thank you I support.

Hon. Polycarp Wandabusi: Thank you Mr. Speaker Sir. I also wish to thank the Committee for coming up with clear recommendations on the same; especially Madam Beatrice Nakhumicha who hails from my Ward in West Nalondo. She is a lady who has proven that you can move academically from one level to another, rising from a P1 attaining a post graduate degree on management and likely she is going to be a Chief Officer for Co-operatives. I wish to request that we pass the motion fully. This is a lady who is determined. From the report she said that she is going to work alongside the stakeholders to ensure that the Co-operative sector is enhanced and put in order. I would also like to support the other Chief Officer Kituyi who is also an experienced...

Mr. Speaker: Which Chief Officer?

Hon. Polycarp Wandabusi: Chief Officer for Agriculture who is a very experienced person looking at what the Vice Chair has tabled. She is up to task and we support that.

Mr. Speaker: Thank you. Hon. Ipara! The beauty about this time, there is no time limitation because we are on the last lap. Even if it is up to 1:00 a.m. there is no problem. Proceed!

Hon. Johnston Ipara: Thank you Hon. Speaker. First of all I rise to support the adoption of this report. The reason why I do this is Agriculture is one of the key departments within the County and the Country. When we talk about food security we must have competent officers who will assist the people. The ordinary people understand the Government policies when it comes to food security.

Secondly, when we talk about co-operatives, it is where we put the scarce resources together so that as a group we can realize our dream. With that seriousness of the two departments, I support the approval of the two officers.

Mr. Speaker: Thank you. Hon. Hentry!

Hon. Hentry Nyongesa: Thank you Mr. Speaker. Again with this report that is covering the two Chief Officers that is Robert Simiyu and Beatrice Nakhumicha done by the Committee of Agriculture; as the Chair Hon. Waiti has indicated, we depend on these departments seriously and looking at the first nominee Robert who has been nominated as a Chief Officer, the report we have here shows that this is a serious person who has worked in this County.

You remember at the inception of devolution, we had a lot of challenges, but one of the officers who was very serious with his job was Robert Simiyu. With his vast knowledge in Portlands and now he is moving to Agriculture, we are going to have serious implementation in Agriculture

now that the things that were done in Agriculture in previous years even the common people in this County had even started losing trust in the department. But now that we are having serious Chief Officers, Agriculture will improve.

Madam Nakhumicha as other members have said has vast knowledge, we are expecting that because she comes from serious areas of the co-operative movement; because we have co-operative societies along the places where she comes from and we are wishing that as she comes in, there are others which have been ailing. I come from Bumula, there is a co-operative society called Kholele which was actually looking at the robust coffee.

It died naturally but we are hoping that with the coming in of a Chief Officer like Beatrice, she is going to assist us to bring this co-operative society up so that the common Mwananchi can benefit out of it. I support the report that two Chief Officers are approved by this House so that we start moving.

Mr. Speaker: Thank you Hon. Henry. Hon. Sudi!

Hon. Isaiah Sudi: Hon. Speaker, I also wish to add my voice to the approval of the two nominees in Agriculture and Co-operatives. As a Member of the Agriculture Committee, we did our job, the two nominees are capable and I wish to request my colleagues to approve them so that they assist the CECM in Agriculture to run the department. The department is big. CEC has a very huge responsibility. I am very sure with these two officers, they are going to make her work easier and we shall deliver also as Members of this County Assembly because Agriculture is the backbone of Bungoma County.

It is a serious source of employment. In other areas you will see people putting sufurias on their heads while in Bungoma we are busy putting our energy in our farms to cultivate and nurture our crops and harvest. I want to say that; the two Chief Officers like the one in Agriculture will make sure that we get the fertilizer on time and even the subsidy fertilizer, the quantity will be increased because we will request the department and the CEO of the County to see the need to increase the quantity, so that as you walk outside there, you will actually see that the farmers are doing a lot to support them.

With the knowledge of the Chief Officer in Agriculture, Simiyu has knowledge in Lands and that is where Agriculture is done. I am very sure he is going to do very well. The Chief Officer for Co-operatives said while being interviewed that during her childhood as a family, they had a cooperative and based on that, she would want to replicate that to other parts of this County. That we start small cooperative societies within our families which will generate some incomes for our people; that Co-operatives are very important as a source of employment and she has taught in so many schools. If you look at her results, in most of the schools she has been the head, she produced very good results. I hope the technocrats in the department will support these two Chief Officer nominees to perform their duties so that we move forward as a County.

Mr. Speaker: Thank you Hon. Sudi. Honourable George Kwemoi!

Hon. George Kwemoi: Thank you Mr. Speaker Sir. I belong also to the same committee and we did our good job led by Hon. Waiti and his Vice. We are doing a good job in that committee. I want to start with the first nominee, when we were vetting him, I sat near him, and the man was composed, knowledgeable and honest. I could get that from the movement of his eyes together with the body language. I don't know him personally but from what he was saying, I want to say that if this house approves him, I know he is going to do a good job.

I am an old man, having seen many things, I can know...

Mr. Speaker: Hon. Kwemoi, are you trying to scare us

(Laughter)

Hon. George Kwemoi: I am not scaring...

Mr. Speaker: That language you of saying you have seen so many things, you are trying to scare us.

Hon. George Kwemoi: I am sorry. Well guided. I was just saying that the man is good let us approve him.

On the second nominee, that is Nakhumicha, having trained as a P1 teacher, she rose up to the level of job group M. Moving from P1 to job group M is not easy. I have been a teacher, I also trained as P1 and I moved from P1 to job group L meaning she worked harder than me because she was above me by one job group. The way she was answering those questions, I saw her as somebody who was going to work hard. I plead with this Honourable House that we support and adopt this report.

Hon. James Mukhongo: Thank you Hon. Speaker. I also stand to support the motion before this Honourable House for the two nominees. I wish to confirm that in the first regime, we worked with one nominee by the name Robert. He was the Chief Officer for Lands. He tried his level best because we were on trial basis. He would work if he was given another chance but it would not happen but today it has happened again.

He has been nominated to department of Agriculture as a Chief Officer where they worked with current CECM. By then, they were both Chief Officers in the Government. I was in the opposition but we worked with them so well and I am assuring, particularly my brothers and sisters who are in the opposition side, if indeed we approve this name of Robert, he knows how to work and how to relate with people.

He is a hard working person. When you look at his age, he was born in 1970; he still has energy to work. When you look at the second nominee that is Madam Beatrice, she was born in 1966,

she is a little bit older than Robert and when you compare with the CECM; when you look at her she is older than the two. I think the Governor thought it wise and she balanced because you can see the CECM is from Tongaren, the Chief Officer Co-operatives is from Kabuchai and the Chief Officer Agriculture is from Kanduyi and I am a neighbour of Kanduyi. I am also a neighbour of West Nalondo Ward and this morning you also approved the name of the CECM for Gender; she was born in Sirisia but she stays in Kabuchai. I am a very lucky person and I know the competence of these guys. I think they will work.

With the support of this Honourable House, I think we will give the Governor the best and when you look at the family background because I was also born on that side. It is a challenge to all of us. She is from a humble background but she has grown up to where she has reached.

Mr. Speaker: Are you saying bottom up approach?

Hon. James Mukhongo: Yes that is it.

Mr. Speaker: It is okay proceed!

Hon. James Mukhongo: Bottom up... that is it.

Mr. Speaker: Hon. Jeremiah, you are not allowed, proceed!

Hon. James Mukhongo: That is what I mean. I have a coffee mill in my Ward that is Musese and I think some of the funds that the father of Madam Beatrice received to educate her were from Khachonge Coffee Society. When I look at her and I look back I can see and confirm to this Honourable House that she will work for this County Government of Bungoma where I am a strong supporter of the Governor. Having reached there, I do not want to belabor much; I beseech this Honourable House to approve the two nominees. I rest my case.

Mr. Speaker: Thank you. I will have Hon. Meshack and close the debate with Hon. Joseph Nyongesa and the Vice Chair of the committee you equally prepare for your response to the motion at hand.

Hon. Meshack Simiyu: Asante Mheshimiwa Spika kunipa nafasi pia nichangie. Kwanza nataka nishukuru Mheshimiwa Idd amesema vizuri na langu nitaanzia kwa Robert Simyu.

Robert Simiyu namjua, wakati alikuwa *Chief Officer* (afisa mkuu) katika idara ya mashamba na akaja akashikilia upande wa *Chief Officer- Health* (afya). Robert ni mtu mwenye ukienda kwa ofisi hajui *opposition* (upinzani) na serikali. Anahudumia kazi ambayo alimchaguliwa. Naomba Waheshimiwa ya kwamba Robert Simiyu twamjua na sio kusema bure. Noamba tumpitishhe.

Nikija kwa Madam Beatrice Nakhumicha, Mheshimiwa Barasa Mukhongo amesema ukiangalia Nakhumicha ni mtu amepitia kwa taabu, ni kama mimi tu. Wajua mimi ni mtu nimepitia kwa taabu lakini mahali penye nimefika nashukuru Mungu. Pia Nakhumicha wakati mtu akiwa

Headmaster (mkuu) wa Shule alafu apande akuje mahali penye amefikia, tunaomba ya kwamba tumpe Nakhumicha nafasi atufanyie kwa sababu mmeona alama yenye ...

Mr. Speaker: Honourable Just proceed! Don't compare, just proceed!

Hon. Meshack Simiyu: Ukiangalia Mheshimiwa Spika mahali penye Nakhumicha amefanya kazi ninaomba tumpitishie.

Mr. Speaker: Thank you Hon. Meshack. Hon.Hentry, I will allow you to speak next week on Tuesday if possible. Proceed!

Hon. Joseph Nyongesa: Thank you Mr. Speaker. First, let me appreciate the Committee and the Vice Chair of the Committee Hon. Iddi for eloquently taking us through the report. Again, as I also support the two Chief Officers because for the case of Robert, he has what we call the institutional memory because he is serving this County and he knows the challenges that we faced and I think as he comes back again there is a lot that we should improve on.

Under the leadership of Hon. Waiti as a Chair Agriculture and these two Chief Officers, at least we can revive the issue of greenhouses because green houses were there in the first regime but got lost in the second regime; but through these two Chief Officers, at least we can do so again. There is this issue whereby Hon. Mukhanya was crying on the issue of dams.

Actually, if at all we can put more emphasis on this issue of dams at least our County could improve because if we have dams, we are sure that at least we shall never lack water.

As we appreciate His Excellency the Governor on nominating these Chief Officers especially Madam Christine, the issue of bottom up you can see that actually he is a man who can grow people. As an Assembly we also appreciate and at least give support where possible. These two people are very approachable and in fact I am urging this Honourable House that let us utilize them so that we move to the next level.

Finally, allow me appreciate each member who has been sitting here since morning. It is not an easy job. They have done a lot and especially those who are here up to now. If our whips who are present today could take note of those members who sat up to now so that at least even the appointing authority could know those members who are serious and participating in the approval of these Chief Officers, tomorrow...

(Applause)

For two weeks, ensure that the remaining people who are sitting up to this moment also celebrate for their good job. Otherwise, I appreciate you members for being patient and as you know, we are capable. As we run the Government, we cannot just leave it. We should also appreciate them in a specific way so that at least they know that the Government was there.

(Applause)

Mr. Speaker: Thank you Hon. Joseph Nyongesa. Allow me invite the mover of the motion to respond accordingly. Hon. Idd!

Hon. Iddi Chamawi: Thank you Mr. Speaker for giving me time so that I issue my statement.

Mr. Speaker: No, you respond...

Hon. Iddi Chamawi: I issue my response. Mr. Speaker Sir, having sat in this House since morning and we have been moving together with these members, I have been supporting them. Now that we are heading towards the finishing, I also want to urge them that they do us a favor... the Committee on Agriculture...

(Applause)

They look into the fate of the two Chief Officers and they support them, we give them a chance and I want to assure them of what those two Chief Officers promised the Committee. They told us that we tell Honourable Members that this time round come 2027, whether you like or not, the face of Bungoma and the Committee of Agriculture will change because we have so many things. On the issue of co-operatives, most of them have collapsed, they are not working, and the Chief Officer nominee promised us that he will do something. The Chief Officer nominee for Agriculture also promised that he will do something in Agriculture so that we have enough food in Bungoma County.

I urge you members kindly with the good hearts you have, I know you have been doing it since morning, let us finish well. I wish you all the best.

(Applause)

Mr. Speaker: Thank you Honourable members. Allow me first and foremost appreciate each one of you who has say here since 9:30 a.m. up to this time at a quarter to six just to make sure that all the motions that were on the Order Paper as scheduled by the HBC are approved.

Secondly, allow me also appreciate myself for sitting here since morning up to this hour to preside over this session. *(Applause)*

Finally allow me to put questions. Members in such situations where we have names in the report, every name is put to an approval on individual basis the way it is in the report.

Honourable Members, a motion was moved ably and seconded by the Honourable Members and debate having ensued that this House adopts the report by the sector committee on Agriculture, Livestock, Fisheries and Co-operatives Development on the vetting of the nominees for appointment to the office of the Chief Officer for Agriculture and Co-operative Development;

specifically that this House approves the nomination of Robert Juma Simiyu for appointment as a Chief Officer for Agriculture in the county Government of Bungoma.

(Question put and agreed to)

The ayes have it.

(Applause)

This House has approved the nomination of Robert Juma Simiyu for formal appointment as our Chief Officer for Agriculture in the County Government of Bungoma.

Secondly, Honourable Members, that this House approves the nomination of Ms Beatrice Wafula Nakhumicha for appointment as a Chief Officer for Co-operative Development in the County Government of Bungoma

(Question put and agreed to)

The ayes have it

(Applause)

Honourable Members this House has now formally approved the nomination of Ms. Beatrice Wafula Nakhumicha for appointment as the Chief Officer for Co-operative Development in the County Government of Bungoma.

Finally on the notification under Public Appointments (County Assemblies Approval) Act, number 5 of 2017, Section 11 on notifications; the Clerk shall notify the appointing authority of the decision of the County Assembly within 14 days of the decision of this House.

Part (ii) of the same section; the appointing authority shall upon the approval of the nominees for appointment by the County Assembly and subject to the applicable written law appoint the nominees within a period of seven days from the date of notification for the decision of the Assembly under subsection 1.

Honourable Members, I am informed that that was the last motion under item number eight. We adjourn formally and resume our sitting tomorrow at 2:30 p.m. It will be our last day of sitting as we proceed to the long recess. I wish you a good evening.

(House adjourns)