



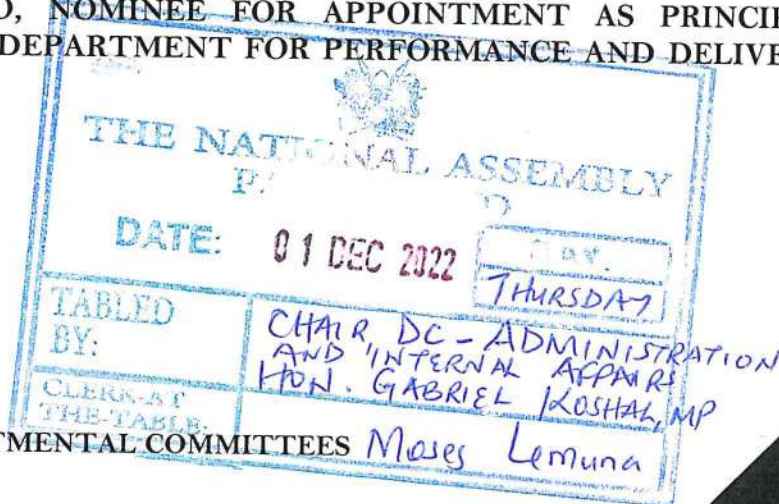
REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY

THIRTEENTH PARLIAMENT – FIRST SESSION – 2022

DEPARTMENTAL COMMITTEE ON ADMINISTRATION AND INTERNAL
AFFAIRS

REPORT ON THE APPROVAL HEARINGS OF:

1. MR. JULIUS KORIR, NOMINEE FOR APPOINTMENT AS PRINCIPAL SECRETARY, STATE DEPARTMENT FOR CABINET AFFAIRS;
2. DR. RAYMOND OMOLLO, NOMINEE FOR APPOINTMENT AS PRINCIPAL SECRETARY, STATE DEPARTMENT FOR INTERIOR AND NATIONAL ADMINISTRATION;
3. AMB. (PROF.) JULIUS BITOK, NOMINEE FOR APPOINTMENT AS PRINCIPAL SECRETARY, STATE DEPARTMENT FOR CITIZEN SERVICES;
4. MS. AURELIA RONO, NOMINEE FOR APPOINTMENT AS PRINCIPAL SECRETARY, STATE DEPARTMENT FOR PARLIAMENTARY AFFAIRS; AND
5. MS. ESTHER NGERO, NOMINEE FOR APPOINTMENT AS PRINCIPAL SECRETARY, STATE DEPARTMENT FOR PERFORMANCE AND DELIVERY MANAGEMENT;



CLERK'S CHAMBERS
DIRECTORATE OF DEPARTMENTAL COMMITTEES
PARLIAMENT BUILDINGS
NAIROBI

NOVEMBER, 2022

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LIST OF ABBREVIATIONS AND ACROYNMS

CBS	Chief of the Order of the Burning Spear
CT	Computerised Tomography
DCI	Directorate of Criminal Investigations
EBS	Elder of Burning Spear
EACC	Ethics and Anti-Corruption Commission
H.E.	His Excellency
HELB	Higher Education Loans Board
KRA	Kenya Revenue Authority
NACADA	National Authority for the Campaign Against Alcohol and Drug Abuse
NIIMS	National Integrated Identity Management System
NPR	National Police Reservists
MDA	Ministry, Departments & Agencies
MBS	Order of the Moran of the Burning Spear
ORPP	Office of the Registrar of Political Parties
OSBP	One-Stop Border Post
PAC	Public Accounts Committee
PS	Principal Secretary

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CHAIRPERSON'S FOREWORD

Pursuant to Articles 132(2)(d) and 155(3) of the Constitution and section 5 of the Public Appointments (Parliamentary Approval) Act, No. 33 of 2011, His Excellency the President nominated fifty-one persons for appointment as Principal Secretaries among them being: **Mr. Julius Korir** the nominee for State Department for Cabinet Affairs, **Mr. Raymond Omollo** the nominee for State Department for Interior and National Administration, **Amb. (Prof.) Julius Bitok** nominee for State Department for Citizen Services, **Ms. Aurelia Rono** nominee, for State Department for Parliamentary Affairs; and **Ms. Esther Ngero** nominee for State Department for Performance and Delivery Management.

The nomination of the fifty-one persons was conveyed to the Speaker of the National Assembly through letters Ref. OP/CAB/.26/4A VOL.I/49 dated 2nd November, 2022. The nominees' curricula vitae and testimonials were enclosed in the letter.

On Thursday 3rd November, 2022 and pursuant to Standing Order 42(1), the Speaker of the National Assembly read the Message from His Excellency the President communicating the names of the nominees to the House for the position of Principal Secretaries.

Pursuant to section 4 of the Public Appointments (Parliamentary Approval) Act, 2011 and Standing Order 216(5)(f), the names of the nominees were referred to the Departmental Committee on Administration and Internal Affairs for vetting and reporting to the House by Tuesday, 22nd November, 2022.

Consequently, in fulfilment of the provisions of Article 118 of the Constitution, section 6(4) of the Public Appointments (Parliamentary Approval) Act, 2011 and Standing Order 45(3), the Clerk of the National Assembly on Friday, 4th November, 2022 notified the public through the print media that the Departmental Committee on Administration and Internal Affairs would conduct the approval hearings for:

1. **Mr. Julius Korir**, the nominee, State Department for Cabinet Affairs on Monday, 14th November, 2022 at 9.00am to 11.00 am;
2. **Dr. Raymond Omollo**, the nominee, State Department for Interior and National Administration on Monday, 14th November, 2022 at 11.30am to 1.30 pm;
3. **Amb. (Prof.) Julius Bitok**, the nominee, State Department for Citizen Services on Monday, 14th November, 2022 at 2.30pm to 4.30 pm;
4. **Ms. Aurelia Rono**, the nominee, State Department for Parliamentary Affairs on Monday, 14th November, 2022 at 5.00pm to 6.30 pm; and
5. **Ms. Esther Ngero**, the nominee, State Department for Performance and Delivery Management on Tuesday, 15th November, 2022 at 9.00 am to 11.00 am.

Further and in accordance with section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011, the Clerk of the National Assembly placed an advertisement in the print media on Friday, 4th November, 2022, inviting the public to submit memoranda by way of written statements on oath (*affidavit*) on the suitability or otherwise of each of the nominees in accordance with the

Public Appointments (Parliamentary Approval) Act, 2011. The advertisement indicated that the submissions were to be received by Friday, 11th November, 2022 at 5.00 pm. By close of the submission deadline, the Committee had not received any memoranda contesting the suitability of the nominees for appointment.

The nominees appeared before the Committee as scheduled on Monday, 14th November, 2022 and Tuesday 15th November, 2022 for approval hearing in accordance with the provisions of the Constitution, the Public Appointments (Parliamentary Approval) Act, 2011 and the National Assembly Standing Orders on their suitability or otherwise for appointment to the position of Principal Secretaries.

Pursuant to section 6(7) and (8) and section 7 of the Public Appointments (Parliamentary Approval) Act, 2011, the Committee observed that the following nominees met the integrity threshold; demonstrated knowledge of topical, administrative and technical issues touching on the portfolios to which they had been nominated; and had the requisite abilities, academic qualifications and professional experience to be approved for appointment as Principal Secretaries in accordance with Article 155(3) of the Constitution:

1. Mr. Julius Korir, the nominee, State Department for Cabinet Affairs;
2. Dr. Raymond Omollo, the nominee, State Department for Interior and National Administration;
3. Amb. (Prof.) Julius Bitok, the nominee, State Department for Citizen Services;
4. Ms. Aurelia Rono, the nominee, State Department for Parliamentary Affairs; and
5. Ms. Esther Ngero, the nominee, State Department for Performance and Delivery Management.

Having conducted the approval hearing for the nominees pursuant to Article 155(3) of the Constitution, sections 3 and 8 of the Public Appointments (Parliamentary Approval) Act, 2011 and Standing Order 216(5)(f), the Committee recommends that this House –

1. approves the nomination of Mr. Julius Korir for appointment as Principal Secretary, State Department for Cabinet Affairs;
2. approves the nomination of Dr. Raymond Omollo for appointment as Principal Secretary, State Department for Interior and National Administration;
3. approves the nomination of Amb. (Prof.) Julius Bitok for appointment as Principal Secretary, State Department for Citizen Services;
4. approves the nomination of Ms. Aurelia Rono for appointment as Principal Secretary, State Department for Parliamentary Affairs; and
5. approves the nomination of Ms. Esther Ngero, for appointment as Principal Secretary, State Department for Performance and Delivery Management.

May I take this opportunity to thank all the Members of the Committee for their input and valuable contributions and time during the approval hearing, deliberations and writing of the report. The

Committee also takes this opportunity to thank the Offices of the Speaker and of the Clerk of the National Assembly for the technical support accorded to it during the exercise.

On behalf of the Departmental Committee on Administration and Internal Affairs and pursuant to Articles 124(4)(b) and 155(3)(b) of the Constitution, section 8(1) of the Public Appointments (Parliamentary Approval) Act, 2011 and the provisions of Standing Order 216(5)(f), it is now my duty and privilege to present to the House, the Report of the Departmental Committee on Administration and Internal Affairs on the approval hearing of the nominees for appointment to the positions of Principal Secretaries.

Hon. Gabriel Koshal Tongoyo, MP.

Chairperson, Departmental Committee on Administration and Internal Affairs

CHAPTER ONE

1. PREFACE

1.1 Establishment of the Committee

1. The Departmental Committee on Administration and Internal Affairs of the National Assembly is established under Standing Order 216 whose functions pursuant to the Standing Order 216 (5) are as follows:-
 - (a) investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned Ministries and departments;
 - (b) study the programme and policy objectives of Ministries and departments and the effectiveness of the implementation;
 - (c) on a quarterly basis, monitor and report on the implementation of the national budget in respect of its mandate
 - (d) study and review all legislation referred to it;
 - (e) study, assess and analyze the relative success of the Ministries and departments as measured by the results obtained as compared with their stated objectives;
 - (f) investigate and inquire into all matters relating to the assigned Ministries and departments as they may deem necessary, and as may be referred to them by the House;
 - (g) vet and report on all appointments where the Constitution or any law requires the National Assembly to approve, except those under Standing Order 204 (Committee on Appointments);
 - (h) examine treaties, agreements and conventions;
 - (i) make reports and recommendations to the House as often as possible, including recommendation of proposed legislation;
 - (j) consider reports of Commissions and Independent Offices submitted to the House pursuant to the provisions of Article 254 of the Constitution; and
 - (k) examine any questions raised by Members on a matter within its mandate.

1.2 Mandate of the Committee

2. In accordance with the Second Schedule of the Standing Orders, the Committee is mandated to consider Home affairs, internal security – including police services and coast guard services, public administration, immigration and citizenship.
3. In executing its mandate, the Committee oversees the Ministry of Interior and National Administration.

1.3 Committee Membership

4. The Departmental Committee on Administration and Internal Affairs was constituted by the House on Thursday 28th October, 2022 and comprises of the following Members: -

Hon. Gabriel Koshal Tongoyo, MP - **Chairperson**
MP Narok West Constituency
United Democratic Alliance Party

Hon. Col(Rtd) Dido Rasso, MBS, MP - **Vice Chairperson**
MP for Saku Constituency
United Democratic Alliance Party

Hon. Kaluma George Peter, MP
MP for Homa Bay Town Constituency
Orange Democratic Movement Party

Hon. Protus Ewesit Akujah, MP
MP for Loima Constituency
United Democratic Alliance Party

Hon. Aduma Owuor, MP
MP for Nyakach Constituency
Orange Democratic Movement Party

Hon. Rozaah Akinyi Buyu, MP
MP for Kisumu West Constituency
Orange Democratic Movement Party

Hon. Fred C. Kapondi, MP
MP for Mt. Elgon Constituency
United Democratic Alliance Party

Hon. Caroline Jeptoo Ng'elechei, MP
MP Elgeyo-Marakwet County
Independent Member

Hon. Liza Chepkorir Chelule, M
MP for Nakuru County
United Democratic Alliance Party

Hon. Fatuma Abdi Jehow, MP
MP for Wajir County
Orange Democratic Movement Party

Hon. Sarah Paulata Korere, MP
MP for Laikipia North Constituency
Jubilee Party

Hon. Francis Kipyegon Sigei, EBS, MP
MP for Sotik Constituency
United Democratic Alliance Party

Hon. Oku Kaunya, MP
MP for Teso North Constituency
Orange Democratic Movement Party

Hon. Hussein Weytan Mohammed, MP
MP for Mandera East Constituency
Orange Democratic Movement Party

Hon. Mburu Kahangara
MP for Lari Constituency
United Democratic Alliance Party

1.4 Committee Secretariat

5. The Committee secretariat consist of the following :-

Mr. Philip Lekarkar
Lead Clerk

Mr. Gideon Kipkogei
Clerk Assistant III

Mr. Edison Odhiambo
Fiscal Analyst I

Mr. Bernard Njeru
Clerk Assistant III

Ms. Delvin Onyancha
Research Officer III

Ms. Jemimah Waigwa
Senior Legal Counsel

Dr. Mburu Maina
Research Officer III

Catherine Mukunyi
Sergeant At Arms

Rodgers Kilungya
Audio Officer

CHAPTER TWO

2. BACKGROUND

2.1 Notification of Nominations

6. Pursuant to Articles 132(2)(d) and 155(3) of the Constitution as read with sections 3 and 5 of the Public Appointments (Parliamentary Approval) Act, No. 33 of 2011, His Excellency the President, through the Head of Public Service forwarded to the Clerk of the National Assembly a letter dated 2nd November, 2022, referenced OP/CAB.26/4A VOL.I/(49), (*Annexure 3*) forwarded the names of fifty-one persons nominated for appointment as Principal Secretaries for consideration by the National Assembly.
7. Among them being Mr. Julius Korir, the nominee, State Department for Cabinet Affairs; Dr. Raymond Omollo, the nominee, State Department for Interior and National Administration; Amb. (Prof.) Julius Bitok, the nominee, State Department for Citizen Services; Ms. Aurelia Rono, the nominee, State Department for Parliamentary Affairs; and Ms. Esther Ngero, the nominee, State Department for Performance and Delivery Management.

2.2 Notification to the House and Referral to the Committee

8. Pursuant to the provisions of Standing Order 42(1), the Speaker, vide a Communication dated 3rd November, 2022 (*Annexure 4*) informed the House of the President's message to the House on nomination of the Principal Secretaries for approval by the National Assembly.
9. Pursuant to section 8(1) of the Public Appointments (Parliamentary Approval) Act, 2011 and Standing Order 216(5)(f) the names and curriculum vitae of the five nominees were referred to the Departmental Committee on Administration and Internal Affairs for approval hearings and reporting to the House on or before 22nd November, 2022.

2.3 Notification to the Public

10. Article 118 of the Constitution provides that Parliament shall facilitate public participation and involvement in the legislative business and other business of Parliament and its Committees.
11. Section 6(4) of the Act further provides that the Clerk shall notify the public of the time and place for holding an approval hearing at least seven days prior to the hearing.
12. Further, section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011 provides that *"any person may, prior to the approval hearing and by written statement on oath, provide the Clerk with evidence contesting the suitability of a candidate to hold the office to which the candidate has been nominated"*.
13. Pursuant to Article 118 of the Constitution, section 6(4) of the Public Appointments (Parliamentary Approval) Act, 2011 and Standing Order 45(3), the Clerk of the National Assembly notified the general public on Friday, 4th November, 2022 in the print media that the approval hearings of the nominees would be conducted as follows:
 - (i) Mr. Julius Korir, the nominee, State Department for Cabinet Affairs on Monday, 14th November, 2022 at 9.00 am to 11.00 am;

- (ii) Dr. Raymond Omollo, the nominee, State Department for Interior and National Administration on Monday, 14th November, 2022 at 11.30 am to 1.30 pm;
 - (iii) Amb. (Prof.) Julius Bitok, the nominee, State Department for Citizen Services on Monday, 14th November, 2022 at 2.30 pm to 4.30 pm;
 - (iv) Ms. Aurelia Rono, the nominee, State Department for Parliamentary Affairs on Monday, 14th November, 2022 at 5.00pm to 6.30 pm; and
 - (v) Ms. Esther Ngero, the nominee, State Department for Performance and Delivery Management on Tuesday, 15th November, 2022 at 9.00 am to 11.00 am.
14. Further, pursuant to Article 118 of the Constitution as read with section 6(9) of Public Appointments (Parliamentary Approval) Act, 2011, the Clerk of the National Assembly placed an advertisement in the print media on Friday, 4th November, 2022 (*Annexure 5*) 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 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011. The advertisement indicated that the submissions were to be received by Friday, 11th November, 2022 at 5.00 pm.

2.4 Notification to the Nominees

15. On Friday, 7th November, 2022, the Clerk of the National Assembly invited the nominees, through print media, for the approval hearings in accordance with section 6(3) of the Public Appointments (Parliamentary Approval) Act, 2011. (*Annexure 6*).

2.5 Clearance and Compliance Requirements

16. On Friday, 7th November, 2022, the Clerk of the National Assembly wrote to the Ethics and Anti-Corruption Commission (EACC), Kenya Revenue Authority (KRA), Directorate of Criminal Investigations (DCI), the Higher Education Loans Board (HELB) and the Office of the Registrar of Political Parties (ORPP) (*Annexure V*) requesting for reports with respect to the nominees on the following matters:
- (a) Ethics and integrity;
 - (b) Tax compliance;
 - (c) Criminal records;
 - (d) Higher education loan repayments; and
 - (e) Political party affiliations.
17. On matters of ethics and integrity, the Ethics and Anti-Corruption Commission (EACC) vide a letter Ref. No. EACC.7/10/5 VOL XXI (70) dated 11th November, 2022 (*Annexure 7*) stated that it had not undertaken any investigations or recommended prosecution pursuant to its mandate against the nominees.
18. With regard to tax compliance, the Kenya Revenue Authority (KRA) confirmed vide a letter Ref. No. KRA/1002/5(8179), dated 14th November, 2022, (*Annexure 8*) that all the nominees were tax compliant.

19. The Directorate of Criminal Investigations (DCI) through a letter Ref. No. DCI/CRO/SEC/6/7/2/A/VOL.XI/208, dated 10th November, 2022, (*Annexure 9*) stated that the Police Clearance Certificates for the nominees were genuinely issued and had negative results in both the nominal and criminal data base of the DCI.
 20. The Higher Education Loans Board (HELB) vide a letter Ref. No. HELB/RR/112009/190 dated 10th November, 2022 (*Annexure 10*), stated that the nominees had cleared their higher education loans on various dates.
 21. On the issue of party affiliation, pursuant to Article 77(2) of the Constitution, the Office of the Registrar of Political Parties (ORPP), vide Ref. No. RPP/ORP/34 VOL VI (41) dated 10th November, 2022 (*Annexure 10*) indicated that the nominees were not officials of any registered political party.
- 2.6 Issues for Consideration during the Approval Hearing**
22. Section 6(7) and (8) of the Public Appointments (Parliamentary Approval) Act, 2011 provides that:
 - (7) *An approval hearing shall focus on a candidate's academic credentials, professional training and experience, personal integrity and background.*
 - (8) *The criteria specified in the Schedule shall be used by a Committee during an approval hearing for the purposes of vetting a candidate.*
 23. Additionally, section 7 of the Act provides that the issues for consideration by the relevant House of Parliament in relation to any nomination shall be—
 - (a) *the procedure used to arrive at the nominee;*
 - (b) *any constitutional or statutory requirements relating to the office in question; and*
 - (c) *the suitability of the nominee for the appointment proposed having regard to whether the nominee's abilities, experience and qualities meet the needs of the body to which nomination is being made.*
 24. While conducting the approval hearings, the Committee was guided by the provisions of section 6(7) and (8) and section 7 of the Public Appointments (Parliamentary Approval) Act, 2011.
 - (a) **Procedure for Nomination**
 25. Articles 132(2)(d) and 155(3) of the Constitution confers upon the President the power to appoint Principal Secretaries, with the approval of the National Assembly.
 26. Section 5(1) of the Public Appointments (Parliamentary Approval) Act, 2011 further requires the appointing authority, upon nominating a person for appointment, to notify the relevant House of Parliament.
 27. In this regard, pursuant to Articles 132(2)(d) and 155(3) of the Constitution and section 5(1) of the Public Appointments (Parliamentary Approval) Act, 2011, H.E the President notified the National Assembly of the nomination of fifty-one persons for appointment to the offices of Principal Secretaries among them included: Mr. Julius Korir, the nominee, State Department

for Cabinet Affairs; Dr. Raymond Omollo, the nominee, State Department for Interior and National Administration; Amb. (Prof.) Julius Bitok, the nominee, State Department for Citizen Services; Ms. Aurelia Rono, the nominee, State Department for Parliamentary Affairs; and Ms. Esther Ngero, the nominee, State Department for Performance and Delivery Management.

28. Further, section 46(1) of the Public Service Commission Act No. 10 of 2017 provides that where the Commission is required by the Constitution or any legislation to nominate or recommend a person for appointment, the Commission shall—

(a) abide by the Constitutional requirement of fair competition and merit as a basis of appointment; and

(b) ensure that the appointment facilitates achievement of a representative public service.

29. Additionally, section 47(3) of the Public Service Commission Act, 2017 further provides that the Commission shall, in making the recommendations under the section, submit to the President a list of nominees for appointment, paying attention to inclusiveness in terms of gender, Kenya's diverse communities, persons with disabilities and the youth.

2.7 Report of the Selection Panel on Recruitment for the Position of Principal Secretary

30. In view of the provisions of Article 155(3) of the Constitution as read with sections 46(1) and 47(3) of the Public Service Commission Act, 2017, the Committee referred to the Report of the Public Service Commission on the Recruitment of Persons recommended for appointment to the Position of Principal Secretaries in the Public Service.

31. In the letter, forwarding the names of Principal Secretaries to H.E the President, the Chairperson of the Public Service Commission stated that the recruitment of the Principal Secretaries involved the following process:

(1) The advertisement for applications by the public for the positions of Principal Secretaries was placed in the print media, Kenya Gazette No. 10536 and the Commission's website on 7th September, 2022 with closing date of 20th October, 2022.

(2) On 20th September, 2022, the Commission extended the advertisement period by seven days to 27th September, 2022 out of which nine thousand, one hundred and fifty-four (9154) persons had submitted applications for consideration by the Commission.

(3) On 3rd to 6th October, 2022, the Commission undertook the shortlisting exercise out of which four hundred and seventy-seven (477) candidates were shortlisted.

(4) On 7th October, 2022, a further review was undertaken and the shortlist increased to five hundred and eighty-five (585) candidates to cater for gender, minority groups and persons with disabilities as envisaged under Article 232(1)(h) of the Constitution.

(5) Interviews for the shortlisted candidates were later conducted on 12th to 22nd October, 2022 and the Commission further observed that the process of shortlisting and interviews adhered to the provisions of the Constitution on among other things gender, merit and ethnic and regional diversity.

32. From the foregoing, it is notable that the nominees applied, were shortlisted and interviewed by the Public Service Commission and were nominated for the positions of Principal Secretaries by the H.E The President in accordance with Article 155(3)(a) of the Constitution.

(b) Constitutional and Statutory Requirements

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

(i) Two-Third Gender Rule

34. Article 27(8) of the Constitution provides that the State shall take legislative and other measures to implement the principle that not more than two-thirds of the members of elective or appointive bodies shall be of the same gender.

(ii) Representation of Regional and Ethnic Diversity

35. Article 232 of the Constitution provides that the values of public service include representation of Kenya's diverse communities.

(iii) Leadership and Integrity

36. 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 personal interest that may conflict with public duties;
- (d) accountability to the public for decisions and actions; and
- (e) discipline and commitment in service to the people.

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

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

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

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

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

- (a) carry out the duties of the office efficiently and honestly;
 - (b) carry out the duties in a transparent and accountable manner;
 - (c) keep accurate records and documents relating to the functions of the office; and
 - (d) report truthfully on all matters of the organization which they represent.
- c) Suitability of the 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
41. The suitability of the nominees was assessed after scrutiny of the nominees' academic credentials, professional training and experience, personal integrity, background and qualities as well as their performance during the approval hearings held on Monday 14th November, 2022 and Tuesday 15th November, 2022

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

42. Pursuant to section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011 which provides that *"any person may, prior to the approval hearing, and by written statement on oath, provide the Clerk with evidence contesting the suitability of a candidate to hold office to which the candidate has been nominated"*, the Clerk of the National Assembly placed an advertisement in the print media on Friday, 4th November, 2022 (*Annexure 5*) 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 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011.
43. In this regard, by close of business on Friday 11th November, 2022 at 5.00 pm, the Committee had not received any memoranda contesting the suitability of any of the nominees.

2.9 Committee Proceedings

44. The Committee having received the names of the nominees was obligated to conduct approval hearings and make determination of the nominees' suitability or otherwise within twenty-eight (28) days as provided for in section 8 (1) of the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011).
45. The Committee held five (5) sittings during which it examined and reviewed the nominees' certificates, testimonials as well as conducted approval hearings.
46. The Committee set out to prepare its report after the approval hearing, but the same was temporarily stopped via a communication from the Speaker dated 6th November 2022 following a constitutional petition No. E186 OF 2022 (Dr. Magare Gikenyi Versus the President of the Republic of Kenya and 55 others) and in constitutional petition No. E 192 of 2022 (Law Society of Kenya verses the National Assembly and 4 others where conservatory orders temporarily staying the vetting process pending *inter-parte* hearings were granted.
47. The court on 29th November, 2022 dismissed the consolidated petitions for being prematurely before the Court. The court upheld the argument by the respondent in their preliminary objection that there was need for the petitioners to exhaust all statutory mechanisms and that the doctrine of separation of powers should have been considered.

48. The Speaker in a communication directed the Committees to revert to the vetting process from Wednesday 30th November 2022, and conclude the process as soon as possible

CHAPTER THREE

3. APPROVAL HEARING OF THE NOMINEES

3.1 MR. JULIUS KORIR – NOMINEE FOR THE POSITION OF PRINCIPAL SECRETARY, STATE DEPARTMENT FOR CABINET AFFAIRS

49. The nominee appeared before the Committee on Monday 14th November, 2022 at 9:00 am and was vetted under oath pursuant to Article 152(2) of the Constitution, the Public Appointments (Parliamentary approvals) Act, 2011 and the Standing Orders of the National Assembly. The Committee noted the following:

Date and Place of Birth

50. He is a male Kenyan Citizen born in Bomet in County on 18th October 1967.

Academic and Professional Qualifications

51. The nominee holds a Masters' degree in Business Administration (International Administration) from the University of Nairobi awarded in 2009 and a Bachelors' degree in Agricultural Economics from Egerton University awarded in 1991.
52. He did his Kenya Advanced Certificate in Education at St. Patrick's High School in 1987 and Kenya Certificate of Education at Cherangani Secondary School in 1985.
53. The nominee is currently pursuing Doctorate Degree.

Employment Record

54. The nominee has served as Principal Secretary in four different State Departments for a cumulative period of 7 years from 2015 to date. He served as the Principal Secretary in the State Department of Health from 2017 to 2018; State Department of Infrastructure from 2018 to 2019; State Department of Youth from 2019 to 2021 and State Department of Devolution from 2021 to date.
55. He served as Industrialization Secretary in the Ministry of Industry, Investment and Trade from 2014 to 2015. He worked in the Export Promotion Council in various capacities which include Assistant Manager for Products and Markets Development, Manager for Export Supply Chain, Manager for Export Market Development, General Manager for Trade Information and Business Counselling and General Manager for Trade and Business Counselling Services between 1995 and 2014.
56. The nominee also worked as an Assistant Complex Manager in Agricultural Development Corporation from 1994 to 1995 and as a Field Manager in Western Seed and Grain Company Limited, Kitale from 1992 to 1994.

Honours and Awards

57. The nominee indicated that he was awarded Chief of the Order of the Burning Spear (CBS) award and Doctor of Public Administration (DPA) Honoris Causa from Commonwealth University.

Professional Association

58. The nominee informed the Committee that he is a member of Certified Public Trust and Nairobi Club.

Memberships

59. The nominee is a life member of the Kenya Red Cross Society.

Published Writings

60. The nominee has a publication titled *Internalization Strategies adopted by Small and Medium Enterprises in Kenya*.

Statement of Net worth

61. The nominee estimated his net worth to be Kshs. 206 million which comprise land, houses, livestock and farm machinery. He further indicated that his source of income was his salary, fresh farm produce, beef and dairy and exports from herbs and spices.

Potential Conflict of Interest

62. The nominee declared that he currently does not have any persons or matter that would present conflict of interest should he assume the office of Principal Secretary. He committed to serve all Kenyans equally if approved and appointed to the position and abide with the values and principles of public service (Article 232 of the Constitution); and national values and principles of governance (Article 10 of the Constitution).

Pro Bono/Charity Work/Donation to Charity

63. The nominee noted that he had Church activities, mentorship and advisory work to schools and university students. Hospital and educational support.
64. He is a Lay Secretary to Anglican Church of Kenya Diocese of Eldoret.

Integrity

65. The nominee submitted that he has not been convicted in a court of law. He has also never been dismissed or otherwise removed from office for contravention of the provisions of Article 75 of the Constitution.

3.1.1 GENERAL AND SECTOR SPECIFIC QUESTIONS TO MR. JULIUS KORIR

66. To assess the nominee's overall suitability on the position, the Committee examined the nominee on general and specific thematic areas which the nominee responded to as follows—

On his vision for the newly created State Department

67. The nominee informed the Committee that his vision for the newly created State Department for Cabinet Affairs is to establish a Department that facilitates the efficient coordination of government affairs, and further ensure that government decisions, policies and directives are implemented in the shortest time possible and also responsive to the needs of citizens.

Mandate of the new State Department

68. The nominee stated that Cabinet is an organ of the Executive that formulates policies for implementation. He further informed the Committee that the new State Department for Cabinet Affairs will be charged with organization and coordination of Government business, initiating policy, organising activities of the Cabinet. In his opinion, the New State Department will also provide a mechanism for reporting back to the Cabinet on implementation of Government programs, policies and projects.
69. He noted the office has been a small department which had no authority over other state departments. However, with the elevation of the office, principal secretaries will be providing feedback on implementation of Government decisions, policies programs and projects to the new State Department.

On his Frequent Transfers to Various State Departments

70. The nominee acknowledged that he had served in four different State Departments in a span of seven years. In his view the frequent transfers were aimed to improved service delivery and performance in the State Departments he moved to. He further added that he served at the discretion of the Appointing Authority and if his performance was an issue he would have been retired from service by the Appointing Authority.

On his Key Achievements in the Various State Departments

71. The nominee highlighted some of his key achievements in the public service as follows: -
- (a) As Secretary in the Ministry of Industry, Investment and Trade he championed for business reforms in the country and Kenya improved in terms of business environment from position 137 to position 80 in the world. He also championed the Kenya Industrial Program, which is the blue print of industrialization in Kenya.
 - (b) As Principal Secretary in the State Department for Health he improved governance and financial accountability in the State Department which restored donors' confidence and subsequently resumption of donor funds to the State Department from donors who had previously pulled out their support due to allegations of financial impropriety.
 - (c) As Principal Secretary in the State Department for Infrastructure he enhanced delivery of tarmac roads from 600 kilometres to 2,400 kilometres per year.
 - (d) As Principal Secretary in the State Department for Youth he increased accessibility of affirmative funds namely Uwezo Fund, Youth Enterprise Fund, Women Enterprise Fund by the youth.
 - (e) As Principal Secretary in the State Department for Devolution, the nominee indicated that he spearheaded successful hosting of the 9th edition of the Africities Summit by Kenya, a flagship event of United Cities and Local Governments of Africa that took place in May 2022 in Kisumu.

On Establishing Structures of the New State Department

72. The nominee informed the Committee that the Department was created from an existing Unit in the Presidency known as Cabinet Office which already has some personnel. He noted that if approved and appointed as Principal Secretary for Cabinet Affairs he will assess the available

personnel and their effectiveness and if need be, he will work with the Public Service Commission to develop a structure that will benefit the State Department.

73. He noted that the State Department will require a number of units to manage Cabinet Affairs, Cabinet Memos, Cabinet Minutes and documentation of all decisions and policies of Cabinet. He will also require a unit managing public reforms that will identify inefficiencies and remedial measures in the Ministries.

Delivery of Development Projects and Services

74. The nominee cited that absorption capacity of donor funded projects has been a challenge across many government departments. This has occasioned delay on delivery of government projects and services. He pledged to ensure that the government projects and services get delivered to Kenyans in a timely manner. He however underscored the challenge of inadequate funding to projects that needed to be mitigated through donor funding.

On Corruption Allegations and Investigations against the Nominee

75. The nominee acknowledged that he was mentioned in a Report of the National Assembly's Public Accounts Committee (PAC) of the year 2021 on allegations of questionable procurement of Computerised Tomography (CT) scanners for Level Five and Level Six Hospitals. The report recommended that he be investigated by DCI on his role as the PS for Health. He added that no further investigations were undertaken over the matter and that all the 47 Level 5 and 2 Level 6 hospitals that had been earmarked received the CT Scans, and in his view, Kenyans got value for money.
76. On the allegation of irregular procurement of Medical Equipment Scheme (MES) by the Ministry of Health in 2014, the nominee submitted that the procurement of the equipment was done in 2014 way before he was transferred to the State Department for Health in 2017. He added that the Directorate of Criminal Investigations cleared him of any culpability.
77. On allegation regarding misappropriation of Kshs. 1.2 billion meant for relief food during his tenure at the State Department for Devolution in the year 2021, the nominee submitted that the money was budgeted for, however the function was immediately transferred to a different State Department even before disbursement of the money was done. He further explained that the allegation was investigated by DCI and did not materialize to anything.

On Clash of Roles between the State Department for Cabinet Affairs and Secretary to the Cabinet and State Department for Performance and Delivery Management

78. The nominee stated that there is a Secretary to the Cabinet who is responsible for arranging the business and keeping minutes of the Cabinet. He added that if required, he will attend Cabinet meetings, but he is not a member of the Cabinet. He noted that there would be more clarity on his role in later stages as this is a new Department.
79. The nominee informed the Committee that the focus of the State Department for Cabinet Affairs will ensure that directives and policies from Cabinet are implemented. As such there would be no conflict of roles with the State Department for Performance and Delivery Management that would be charged with delivery of government services and projects.

On Public Sector Reforms for Efficient Service Delivery.

80. The nominee suggested that one strategy to improve service delivery by the government is through automation of government services. He noted that if approved and confirmed to the office he will advocate for automation of and provision of services through a portal and ensure that citizens access services from wherever they are.

On Equitable Distribution of Resources

81. On inclusivity, the nominee noted that he will ensure equitable distribution of resources to bring the whole country to same level of development, he pledged to do his level best.
82. The nominee explained that during his tenure as the Principal Secretary for Health he ensured that there was equity in allocation of resources. He indicated that conditional grants were disbursed between 2013 to 2015 to all counties to improve the hospitals from District hospitals (Level 4) status to Level 5. He however indicated that some counties did not upgrade their hospitals to level 5 due to reasons attributed to the county administration.

His view on Devolution of Health Services

83. Regarding devolution of health services to the counties after the promulgation of the 2010 Constitution, the nominee noted that the decision was in order and timely. It ensured that healthcare services were taken closer to communities. He added that devolution of health services in Kenya is characterized with many challenges as many counties do not accord health the importance it requires.

On Curbing Corruption

84. The nominee submitted that corruption can be significantly be reduced by automating provision of public services through automation. This minimizes human interactions and ensures credible, auditable and transparent processes of service delivery.

3.1.2 COMMITTEE OBSERVATIONS ON THE SUITABILITY OF THE NOMINEE

85. The Committee having considered the nominees filled questionnaire pursuant to section 6(8) of the Public Appointments (Parliamentary Approval) Act, his curriculum vitae and having heard his oral submission during the approval hearing, made the following observations on his suitability for appointment as Principal Secretary the State Department for Cabinet Affairs:
1. **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 in 1967 in Cherangany, Transnzoia County and does not hold dual citizenship.
 2. **THAT**, nominee holds a Masters' degree in Business Administration from the University of Nairobi and a Bachelors' degree in Agricultural Economics from Egerton University
 3. **THAT**, the nominee has over 30 years' experience in public service including 7 years serving as Principal Secretary in the State Department for Health, State Department of Infrastructure, State Department of Youth and State Department of Devolution. He served as Industrialization Secretary in the Ministry of Industry, Investment and Trade. He also worked in Export Promotion Council, Agricultural Development Corporation

and Western Seed and Grain Company Limited. His academic credentials, professional training and experience thus comply with section 6(7) of the Public Appointments (Parliamentary Approval) Act, No. 33 of 2011.

4. **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, the Kenya Revenue Authority, the Directorate of Criminal Investigations, Office of the Registrar of Political Parties and the Higher Education Loans Board.
5. **THAT**, the nominee has not been convicted in a court of law.
6. **THAT**, the nominee is not a member or official of any registered political party.
7. **THAT**, the nominee has never been dismissed from office under Article 75 of the Constitution for contravention of the provisions of Articles 75(1) (*conflict of interest*), Article 76 (*financial probity*), Article 77 (*restriction on activities of State Officers*) and Article 78(2) (*dual citizenship*) of the Constitution.
8. **THAT**, the nominee demonstrated knowledge of topical, administrative and technical issues touching on government and has the requisite abilities, qualifications and experience to serve as a Principal Secretary for State Department for Cabinet Affairs.

3.2 DR. RAYMOND OMOLLO – NOMINEE FOR THE POSITION OF PRINCIPAL SECRETARY, STATE DEPARTMENT FOR INTERIOR AND NATIONAL ADMINISTRATION

86. Dr. Raymond Omollo, the nominee to the position of the Principal Secretary, State Department for Interior and National Administration; appeared before the Committee on Monday 14th November, 2022 at 11.00 a.m and was vetted under oath pursuant to Article 155(3) of the Constitution, the Public Appointments (Parliamentary approvals) Act, 2011 and the Standing Orders of the National Assembly. The Committee noted the following:

Date and place of Birth

87. The nominee is a male Kenyan citizen born on 27th December 1979 in Homa Bay County. The nominee confirmed that he is a Kenyan Citizen and does not hold any other citizenship.

Academic and Professional Qualifications

88. The nominee holds Doctorate degree (PhD) from Maseno University awarded in 2015, Masters' degree in Applied Statistics from University of Nairobi awarded in 2006 and Bachelors' of Science degree in Statistics from the University of Nairobi awarded in 2003.
89. He did his Kenya Certificate of Secondary Education in 1997 and Kenya Certificate of Primary Education in 1993 in Mbita High School and Rang'i Primary School respectively.

Work and Professional Experience

90. The nominee is currently the Managing Director of Lake Basin Development Authority since 2019. He is also a Research Fellow and Adjunct Lecturer at Strathmore University having

served from 2016 to 2022. Previously, he served as Adjunct Lecturer in the University of Nairobi and Head of Data Centre & Statistician Drugs for Neglected Diseases Initiative Organization from 2007 to 2019. In addition, he served as Member of the Board of Directors of Consolidated Bank of Kenya, Technical Advisor of World Health Organisation, Data Manager and Statistician at the University of Washington/University of Nairobi.

Honors and awards

91. The nominee was awarded Young African Statistician (YAS) in 2008, 2010 and 2012; African Mathematics Millenium Science Initiative in 2005 and International Aids Research and Training Program award in 2005.

Published writings

92. The nominee submitted that he has thirty-one (31) publications and has done several presentations in conferences.

Statement of Net Worth

93. The nominee estimated his net worth to be about Kshs. 450 million comprising assorted real estate investments, land, stocks and shares in assorted companies and investments in money markets, agriculture, fish farming, poultry farming and mining.

Potential Conflicts of Interest

94. The nominee declared that he currently does not have any persons or matter that would present conflict of interest should he assume the position of Principal Secretary and if any conflict was to arise he will declare his interest.

Integrity

95. The nominee submitted that he 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.

Pro-bono/Charity Work

96. The nominee is involved in charity work through building various churches as a theological commitment, sponsoring orphans and needy children at all levels of education, support to widows, organizing medical camps and sporting activities.

3.2.1 GENERAL AND SECTOR SPECIFIC QUESTIONS TO DR. RAYMOND OMOLLO

97. In order to assess the nominee's overall suitability for the position, the Committee examined the nominee on general and specific thematic areas which the nominee responded as follows:

On the Mandate of the State Department

98. The nominee submitted that the mandate of the State Department of Interior and National Administration is to render security to all Kenyans; implement government policies and

promote nationhood and statehood through national government administrative and security officers at various levels.

On Whether his Training and Experience as a Statistician is Appropriate for the Position

99. The nominee indicated that his training and experience in applied statistics will be useful in collection and analysis of statistical information and generation of analytical reports on criminal activities. The data will be helpful in fighting crime.
100. He further noted that knowledge in statistical analysis equipped him with problem solving skills and it helped him improve the ranking of Lake Basin Development Authority from number 200 of the number 27 in the list of parastatals performance rankings.

On the Vision for the State Department

101. The nominee submitted that his vision if appointed to the position is to realize a State Department that guarantees security and safety of all people and properties of Kenyans and efficiency in delivery of service.
102. He further added he would endeavour to build public trust in the office amongst members of the public by being transparent and accountable.

On Adherence to the Public Finance Management Act No. 18 of 2020

103. The nominee indicated that if appointed to the position he will ensure prudent use of public resources under his charge. He also indicated that he would manage public funds within the framework provided in the Public Finance Management Act. He pledged to comply with all public finance management requirements as espoused in the Act.

On Promoting Efficiency of the State Department and Welfare of National Government Administrative Officers

104. The nominee indicated if appointed to the position, he will advocate for capacity building of officers in the State Department through training and equipping them with requisite skills for efficient service delivery. Additionally, he will champion the promotion of welfare of officers through developing clear career progression guidelines and better remuneration.
105. The nominee suggested that the National Government Administrative Officers and police officers should be facilitated with offices, equipment and vehicles to avoid instances where the officers travel or work under unconventional conditions.
106. He added that having service charters and improving the existing ones to spell out expectations from member of public will enhance service delivery, openness, accountability and integrity in the State Department.
107. He submitted that there is an urgent need to provide adequate resources to the National officers to facilitate performance.

On Operationalization of the Newly Created Administrative Units

108. The nominee noted that the operationalization of new administrative units is stifled by inadequate budgetary provisions to the State Department. He noted that there is need for

consultation with Parliament to allocate funds to operationalise the newly created administrative units before creating new ones.

On Training of National Government Administrative Officers

109. The nominee indicated that there is need for review of policies on training where officers ought to be frequently trained to ensure efficiency in service delivery by the officers.

On Stagnation of staff in the National Police Service

110. The nominee submitted that he will ensure that human resource guidelines on promotion are followed to overcome stagnation of police officers and allow career progression. He added that if appointed to the position, he will engage the National Assembly on addressing issues of human resource deficiencies currently experienced in the National Police Service.

On Welfare of the National Police Reservists (NPR's)

111. The nominee noted that NPR's play an important role in supplementing the role of police in providing security in areas where there are no enough police officers especially in remote areas. He added that there is need to compensate the NPRs for the services they offer.

On Government Vehicle Leasing Programme

112. The nominee noted that if appointed to the position, he will first familiarize himself with vehicle leasing programme and will seek to undertake cost benefit analysis of the programme and make a decision. He added that moving forward there is need for stakeholder consultation to find feasible alternatives if the current programme is not viable.

On Modernisation Government Press

113. The nominee noted that there is need to modernize the Government Printer to provide modern and quality printing services. He suggested that modernisation can be undertaken through additional exchequer allocation or through Public Private Partnership arrangement due the amount of funds required.

On National Authority for the Campaign Against Alcohol and Drug Abuse (NACADA)

114. The nominee submitted that if appointed to the position, he will have a consultative engagement with the National Government and County Governments on adequate budgetary allocation to NACADA to deliver on its mandate. The nominee further noted that there is loss of revenue due to transfer of function of liquor licensing from NACADA making it difficult for the authority to deliver on its mandate.

On Proliferation of Small Arms into the Country

115. The nominee indicated that if appointed to the position, he will work with the National Crime Research Centre to identify criminal networks and curb infiltration of small arms and weapons into the country through the porous borders. He added that there is need to relook into the procedures of issuing arms to private citizens to ensure weapons do not fall into the hands of criminals.

On Rising Insecurity especially in Major Urban Towns in the Country

116. The nominee attributed the current surge of crimes in major towns to economic challenges, unemployment, high poverty levels, drought and famine facing the country.
117. The nominee expressed the need for the country to come up with means of curbing unemployment a way of fighting crimes. He however added that no one has any justification to engage in criminal activities.
118. That if approved he would adopt a multi-agency approach in fight against crime

On Combating Cattle Rustling

119. The nominee stated that cattle rustling is a criminal enterprise. He submitted that if appointed to the position, he will make use of intelligence gathering and technology to combat the menace. He added that equipping of police officers and engaging the communities involved will contribute towards ending the vice.

On Contingent Liability

120. The nominee submitted that if appointed he will ensure that all awards issued against the government are paid as long as there is adequate budgetary allocation. To avoid contingent liability, he suggested that he will follow all procurement laws and ensure timely payment for goods and services supplied.

On Pending Bills

121. The nominee espoused that he would adhere to the provisions of Public Finance Management and also ensure that procurement of goods and services is undertaken when there is budgetary allocation.

On Kazi Mtaani

122. The nominee indicated that *Kazi Mtaani* was a good initiative to cushion vulnerable persons and combat unemployment especially amongst youth. He added that if appointed to the position, he will seek to solve the challenge affecting the programme.

On his View regarding Betting and Gaming in Kenya

123. The nominee noted there is need to have a consultative arrangement to manage the practice which he termed as dangerous if not checked. He raised a concern that there is no current law on betting and gaming quoting the current law made in 1966 (CAP. 131)

On Whether he has Resigned from his Current Position

124. The nominee indicated that if approved and appointed, he will tender his resignation as Managing Director of Lake Basin Development Authority and that he will fully dedicate his time to serve Kenyans.

3.2.2 COMMITTEE OBSERVATIONS ON THE SUITABILITY OF THE NOMINEE

125. The Committee having considered the nominees filled questionnaire pursuant to section 6(8) of the Public Appointments (Parliamentary Approval) Act, 2011, his curriculum vitae and having heard his oral submissions during the approval hearing, made the following

observations on his suitability for appointment as Principal Secretary for the State Department for Interior and National Administration:

- (1) **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 in Homa Bay County and does not hold dual citizenship.
- (2) **THAT**, the nominee holds Doctorate Degree (PhD) in Biometry from Maseno University, Masters' degree in Biometry (Applied Statistics) from University of Nairobi and Bachelors' of Science degree in Statistics from the University of Nairobi. He did his Kenya Certificate of Secondary Education in Mbita High School and Kenya Certificate of Primary Education in Rang'i Primary School respectively.
- (3) **THAT**, has a working experience of 18 years and is currently serving as the Managing Director of Lake Basin Development Authority a position he has held since 2019. He has previously served as Research Fellow and Adjunct Lecturer and Head of Data Centre & Statistician Drugs for Neglected Diseases Initiative Organization. His academic credentials, professional training and experience thus comply with section 6(7) of the Public Appointments (Parliamentary Approval) Act, No. 33 of 2011.
- (4) **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, the Kenya Revenue Authority, the Directorate of Criminal Investigations, Office of the Registrar of Political Parties and the Higher Education Loans Board.
- (5) **THAT**, the nominee has not been charged with a criminal case in a court of law in the past three years.
- (6) **THAT**, the nominee is not a member or official of any registered political party.
- (7) **THAT**, the nominee has never been dismissed from office under Article 75 of the Constitution for contravention of the provisions of Articles 75(1) (*conflict of interest*), Article 76 (*financial probity*), Article 77 (*restriction on activities of State Officers*) and Article 78(2) (*dual citizenship*) of the Constitution.
- (8) **THAT**, the nominee demonstrated knowledge of topical, administrative and technical issues touching on government and has the requisite abilities, qualifications and experience to serve as a Principal Secretary for State Department for Interior and National Administration.

3.3 AMB. (PROF.) JULIUS BITOK – NOMINEE FOR THE POSITION OF PRINCIPAL SECRETARY, STATE DEPARTMENT FOR CITIZEN SERVICES

120. Amb. (Prof) Julius Bitok, the nominee to the position of the Principal Secretary, State Department for Citizen Services appeared before the Committee on Monday 14th November, 2022 at 2.30 pm and was vetted under oath pursuant to Article 155(3) of the Constitution,

the Public Appointments (Parliamentary approvals) Act, 2011 and the Standing Orders of the National Assembly. The Committee noted the following:

Date and place of Birth

121. The nominee is a male Kenyan citizen born on 22nd May 1974 in Uasin Gishu County. The nominee confirmed that he is a Kenyan Citizen and does not hold any other citizenship.

Academic and Professional Qualifications

122. The nominee holds a Doctorate Degree (PhD) in Business Management from Moi University/Oklahoma State University awarded in 2005, Degree of Masters of Business Administration from the University of Nairobi awarded in 2005, Degree of Bachelor of Education (Science) from Moi University awarded in 2000. He also holds Diploma in Science Education from Kenya Science Teachers College (1997) He sat for his Kenya Certificate of Secondary Education in 1992 in Chebisaas Secondary School.

Work and Professional Experience

123. The nominee served as Kenya High Commissioner to the Islamic Republic of Pakistan for eight years between 2014 to 2022 and also accredited to three other countries namely Kyrgyzstan, Tajikistan and Afghanistan. He was served as Dean of Africa Group of Ambassadors in the Islamic Republic of Pakistan.
124. He served in the university in various capacities as follows:-
- (a) Dean, Faculty of Commerce, Co-operative University of Kenya between 2013 and 2014;
 - (b) Chief Coordinator, Business Management Division, Moi University between 2010 and 2012;
 - (c) Coordinator, Master of Banking and Finance Program Moi University between 2007 and 2010;
 - (d) Associate Professor of Finance, Cooperative University.
125. He has research and teaching experience in the university having served as:-
- (a) Associate Professor of Finance, Cooperative University of Kenya from 2013 to 2014
 - (b) Senior Lecturer of Finance, School of Business and Economics, Moi University from 2009 to 2012;
 - (c) Lecturer of Finance, School of Business and Economics, Moi University from 2007 to 2009;
 - (d) Tutorial Fellow, School of Business and Economics, Moi University between 2005 to 2007;
126. The nominee indicated that he has provided consultancy services to various organisation including Central Bank of Kenya (2010), Kenya Ports Authority (2011), Kenya Civil Aviation Authority (2010), United States Agency for International Development funded projects (2010) and Management University of Africa (2009).
127. He taught in Chebisaas High School in 1999 and 2000 as teacher under the Teachers Service Commission.

Honors and awards

128. The nominee was awarded the Presidential Award of the Order of the Moran of the Burning Spear (MBS) in 2017.
129. He was also awarded the best paper award in the USA conference, 2011 and award for the best student in Mathematics and Education subjects from Kenya Science Teachers College in the finalists' class of 1996.

Income and net worth

130. The nominee estimated his net worth to be Kshs. 480 million comprising of rental apartments, rental houses, homes and plots in towns with sources of income being rental income, dairy and agricultural farming.

Professional Association and Memberships

131. He indicated that he is a Full Member of the Kenya National Chamber of Commerce and Industry (KNCCI), Full Member of Kenya Institute of Management (KIM) and Full Member of Eastern Finance Association, USA.

Published writings

132. The nominee submitted that he has published 13 publications in internationally refereed journals as follows :-
 - (a) Published two journal article in the International Journal of Finance and Management;
 - (b) Published five journal articles in the African Journal of Business and Economics;
 - (c) Published two journal articles in the International Journal of Business and Economic Research, USA;
 - (d) Published two articles in the Review in Accounting, Finance and Economics Journal, USA; and
 - (e) Published two journal articles in the International Academic Forum.

Potential Conflicts of Interest

133. The nominee declared that he does not have any persons or matter that would present conflict of interest should he assume the position of Principal Secretary. He does foresee his past political ambition as a possible source of conflict and he committed to serve all Kenyans equally if approved and appointed to the position.

Pro-bono/Charity Work

134. The nominee indicated that he is the founder of Amb. (Prof) Julius Bitok Foundation that is sponsoring more than 100 orphaned and disabled secondary school students through secondary school scholarships, mentorship, athletic sponsorship and university scholarship program.
135. He is the Lay Secretary to Anglican Church of Kenya Diocese of Eldoret.

Integrity

136. The nominee submitted that he 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.

3.3.1 GENERAL AND SECTOR SPECIFIC QUESTIONS TO AMB. (PROF.) JULIUS BITOK

137. In order to assess the nominee's overall suitability for the position, the Committee examined the nominee on general and specific thematic areas which the nominee responded as follows:

On his Suitability for the Position of Principal Secretary

138. The nominee submitted that he possesses outstanding managerial capabilities, experience and knowledge to run the State Department for Citizen Services given his past achievements as Kenya's High Commissioner to Pakistan. He underscored that his experience in the public sector has grounded him well in the public service. He added that if approved for the position, he will bring in strong competencies in terms of skills, knowledge and teamwork to serve the people of Kenya which he termed as the highest calling.

His Vision for the State Department

139. He stated that his vision for the state department is to transform the department into a service that is efficient and effective. If approved, he will transform the Department of Immigration into a modern service, focused to deliver services to Kenyans.
140. He further stated that he would ensure that the Civil Registration and National Registration Bureau are fully digitized and integrated to create one-stop shop for faster service delivery. Further, he would ensure that Huduma number is successfully rolled out and harmonize a database for the data of all Kenyan citizens in a centralized system

Mandate of the State Department of Citizen Services

141. The nominee informed the Committee that the State Department provides services through five sub-departments namely Immigration, Civil Registration, National Registration Bureau, Integrated Population Services and National Integrated Identity Management System.

On Application of Articles 10 and 232 of the Constitution

142. On application of Article 10 of the Constitution in execution of his duties, the nominee submitted that if approved and appointed to the position, he will ensure that public participation is undertaken in policy making and decision-making. He will also promote sustainable development for economic transformation of the country.
143. The nominee indicated that he will observe the values and principles of public service in execution of duties by promoting fairness, meritocracy, justice for all, high standards of professionalism, transparency in the conduct of the affairs of the State Department and provide accurate and timely information when required. He further indicated that he will accord all Kenyans equal opportunities regardless of their background, gender, ethnicity and status; and that he will guarantee prudence in management of resources to ensure Kenyans get value for money.

On Application of Article 201 of the Constitution and the Public Finance Management Act No. 18 of 2012

144. The nominee submitted that in execution of his duties, he would strictly adhere to the procedures of the Act to ensure accountability and prudent use of resources and that he would follow all procedures in executing projects and in delivery of services.

On Contribution of the State Department to security and development of the Country

145. The nominee reiterated that the State Department is a major contributor to the security of the country and is responsible for order management including the control and regulation of entry and exit of all persons at points of entry including borders.
146. He further stated that the State Department is in-charge of citizenship, issuance of work permits, vetting of expatriates desiring to work in Kenya who contribute to foreign direct investment.

On Citizenship

147. The nominee submitted that citizenship means belonging to a country and is a constitutional right of every person. Citizenship can be acquired through birth and registration. Further, a person who has been married to a citizen for a period of at least seven years is entitled to be registered as a citizen.

Nominees Motivation for his educational advancement

148. The nominee stated that in advancing his education he was motivated by the realization that education is an equalizer. While growing up in the village he realized that only the educated had opportunities for better life. Working in the University further afforded him opportunity to further his education to the level of Doctor of Philosophy.

On Vetting of Minors in border regions

149. The nominee reiterated that every citizen is entitled to the rights, privileges and benefits of citizenship subject to the limits permitted by the law. That subjecting minors from border regions of the country to vetting is discriminatory and unlawful. He proposed that the solution to the challenge is capturing details at birth and digitalization of records. He also submitted that if approved and appointed to office he will endeavour to find a solution in collaboration with elected leaders from the regions.

Delays in Processing of Birth Certificates and Passports

150. The nominee admitted that there are delays in processing of birth certificates and passports for applicants lasting 3 to 4 months which he attributed to delays in procurement of printing materials, limited printing capacity and human resource capacity. He submitted that if approved and appointed to office he will streamline the procurement of printing materials, expand printing capacity and build personnel capacity. He further stated that currently there are only seven stations processing passports in the country. There is need to further decentralise the service to other regions of the country.

Addressing Corruption in the Department of Immigration

151. The nominee acknowledged that one way of addressing corruption in the Department of Immigration is through digitization of services to reduce the human interface between the public and the officers who offer services.

One Stop Border Post (OSBP)

152. The nominee submitted that One Stop Border Post is a new concept of immigration control and border management in the East Africa Community region. This promotes a coordinated and integrated approach to facilitate trade, the movement of people, improving security and shortens the clearance time at the border crossing points. The delays experienced at times at the borders can be solved by using scanners to expedite clearance of goods by Kenya Revenue Authority.

Porous Borders

153. The nominee submitted that if appointed to the position, he will recommend for a multi-sectoral approach in implementation of strict border policing and training of border security personnel in intelligence to curb movement of people and goods through non-designated border points.

National Integrated Identity Management System (NIIMS) (Huduma Number)

154. The nominee submitted that the objective of National Integrated Identity Management System (NIIMS) was to establish a master database to be the single source of persons' identity in Kenya. NIIMS if rolled out successfully will be the sole source of information on a person's identity. He added that full roll out failed because it was not properly conceptualized.
155. He further stated that if approved and appointed to the position he will seek policy direction from Parliament on the matter and roll it out as third generation identity cards.

3.3.2 COMMITTEE OBSERVATIONS ON THE SUITABILITY OF THE NOMINEE

156. The Committee having considered the nominees filled questionnaire pursuant to section 6(8) of the Public Appointments (Parliamentary Approval) Act, 2011, his curriculum vitae and having heard his oral submissions during the approval hearing, made the following observations on his suitability for appointment as Principal Secretary for the State Department for Citizen Services:-

- (1) **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 in Uasin Gishu County and does not hold dual citizenship.
- (2) **THAT**, the nominee holds a Doctorate degree in Business Management, from Moi University, Masters degree in Business Administration from University of Nairobi, Bachelor's degree in Education from Moi University and Diploma in Education from Kenya Science Teachers College.
- (3) **THAT**, the nominee has working experience of over 25 years. He served as the Kenya High Commissioner to the Islamic Republic of Pakistan for 8 years, Associate Professor and Faculty Dean in Co-operative University of Kenya, Senior Lecturer at Moi

University and as high school teacher. His academic credentials, professional training and experience thus comply with section 6(7) of the Public Appointments (Parliamentary Approval) Act, No. 33 of 2011.

- (4) **THAT**, the nominee meets the requirements of Chapter 6 of the Constitution on leadership and integrity having obtained clearance from the following statutory bodies; the Ethics and Anti-Corruption Commission, the Kenya Revenue Authority, the Directorate of Criminal Investigations, Office of the Registrar of Political Parties (ORPP) and the Higher Educations Loan Board.
- (5) **THAT**, the nominee has not been charged in a court of law in the past three years.
- (6) **THAT**, the nominee is not a member or official of any registered political party.
- (7) **THAT**, the nominee has never been dismissed from office under Article 75 of the Constitution for contravention of the provisions of Articles 75(1) (*conflict of interest*), Article 76 (*financial probity*), Article 77 (*restriction on activities of State Officers*) and Article 78(2) (*dual citizenship*) of the Constitution.
- (8) **THAT**, the nominee demonstrated knowledge of topical, administrative and technical issues touching on government and has the requisite abilities, qualifications and experience to serve as a Principal Secretary for State Department for Citizen Services.

3.4 MS. AURELIA RONO – NOMINEE FOR THE POSITION OF PRINCIPAL SECRETARY, STATE DEPARTMENT FOR PARLIAMENTARY AFFAIRS

157. Ms. Aurelia Rono, the nominee to the position of the Principal Secretary, State Department for Parliamentary Affairs appeared before the Committee on 14th November, 2022 at 5:00 pm, and was vetted under oath pursuant to Article 155(3) of the Constitution, the Public Appointments (Parliamentary approvals) Act, 2011 and the Standing Orders of the National Assembly. The Committee noted the following:-

Date and place of Birth

158. The nominee is a female Kenyan citizen born on 7th January 1983 in Bomet County. The nominee confirmed that she is a Kenyan citizen and does not hold dual citizenship.

Academic and Professional Qualifications

159. The nominee holds a Master's degree in Business Administration, from Jomo Kenyatta University of Agriculture and Technology awarded in 2011 and Bachelors' degree in Education Science from Egerton University awarded in 2007. She is a Certified Public Accountant.
160. The nominee sat his Kenya Certificate of Primary Education (KCPE) in Chemaner Primary School 1996 and Kenya Certificate of Secondary Education in Kongotik Girls in 2000.
161. The nominee is currently pursuing a Doctorate degree in Business Administration
162. In addition, she attended the following trainings;

- (i) Practical accounting skills and Quick Books usage by corporate staffing services;
- (ii) Transformational Leadership Training by Dr Alex Granger Care of ICPAK;
- (iii) Kenya Red Cross Society Enterprise Risk Management Training;
- (iv) Kenya Red Cross Society Governance Training;
- (v) Governance, Leadership and Integrity (Institute of Certified Public Secretaries of Kenya;
- (vi) Budget Making Process by Westminster Foundation for Democracy;
- (vii) Legislative Procedures and Practices; and
- (viii) Management Development Skills (Nairobi Institute of Business Studies)

Employment Record and Working Experience

- 163. The nominee is currently a part-time lecturer at Maasai Mara University since 2019 to 2022.
- 164. She also served as a Lecturer in Bomet University College 2019 to 2020; lecturer Jomo Kenyatta University of Agricultural and Technology from 2013 to 2014, and lecturer at the Nairobi Institute of Business Studies from 2008 to 2013.
- 165. The nominee also served as a teacher at Chemaner Secondary school in 2008 and in Muthiga Model High school in 2007.
- 166. She served as a nominated Member of County Assembly of Bomet from 2013 to 2017 and Chairperson of Budget and Appropriation Committee from 2013 to 2014 of Bomet County Assembly.

Honours and Awards

- 167. The nominee was awarded a certificate by Kenya Red Cross in recognition for selfless service rendered to Red Cross.

Income and net worth

- 168. The nominee estimated her net worth to be Kshs. 62 million comprising of land, livestock, houses and agricultural investment. She stated that the properties are jointly owned with family members.

Professional Association and Memberships

- 169. The nominee is a member of Institute of Certified Public Accountancy Kenya (ICPAK)

Published writings

- 170. The nominee submitted that she has the following three publications:-
 - (i) Rono, A. C (2019) Effects of Dividend Payout Ratio on market share prices of companies listed in Nairobi Securities Exchange .IJBM' Journal Volume 7,Issue 10,October,2019; ISSN2321-8916;

- (ii) Rono, A. C (2019) Influence of earnings on market share prices of firms listed at the Nairobi Securities Exchange .IJBM' Journal Volume 7, Issue 11,November ,2019; ISSN2321-8916;
- (iii) Rono, A. C (2020) Influence of dividend per share on market share prices of firms listed at the Nairobi Securities Exchange, Kenya, International Journal of Economic and Financial Research.

Potential Conflicts of Interest

- 171. The nominee declared that she was a member of United Democratic Alliance party and a Member of the party's National Election Board. She further submitted that she resigned both as a member of the party and a member of the party's National Elections Board prior to her nomination.
- 172. The nominee declared that she currently does not have any persons or matter that would present conflict of interest should she assume the office of Principal Secretary. She committed to serve all Kenyans equally if approved and appointed to the position and abide with the values and principles of public service and national values and principles of governance.

Pro-bono/Charity Work

- 173. The nominee submitted that she is involved in charity work through: -
 - (i) Organizing and performing annual motivation talks to youth and women; and
 - (ii) Motivational talks to pupils and students in various Primary and Secondary schools.

Integrity and Leadership

- 174. The nominee submitted that she 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.

3.4.1 GENERAL AND SECTOR SPECIFIC QUESTIONS TO MS. AURELIA RONO

- 175. The Committee posed several questions to the nominee on her knowledge on matters relating to State Department for Parliamentary Affairs. The nominee responded as follows:

Mandate of the State Department for Parliamentary Affairs

- 176. Regarding the mandate of the newly created State Department, the nominee stated that the creation of the State Department was necessary to serve as a link between Parliament and Executive. The Department will be charged with planning, coordinating and monitoring Government's business in Parliament and responding on behalf of the Government in respect to directions and resolutions made to the Government by the Houses of Parliament.

On her Suitability for the Position

177. The nominee informed the Committee that she is qualified for the position and she will use her interpersonal skills and expertise to ensure that the State Department achieves its mandate. Further, she will ensure government working procedures are followed for effective service delivery.
178. The nominee added that countries like USA, India and Ghana have the Department of Parliamentary Affairs as fully-fledged Ministry.

On Strategies to achieve the Mandate of the State Department

179. The nominee submitted that she will ensure that there is a motivated, competent and well-coordinated staff that understands the mandate of the State Department.

On Apparent Conflict of Mandate between the State Department for Parliamentary Affairs and Office of the Attorney-General

180. The nominee stated that the roles of the two offices are distinct. The role of Attorney-General is to draft legislation and represent state in legal proceedings whereas the mandate of the State Department for Parliamentary Affairs will be to coordinate National Government legislative agenda across all ministries and State Departments for transmission to Parliament.
181. The nominee added that the State Department will ensure responses are supplied to Parliament in timely manner and recommendations of Parliamentary Committees are implemented.
182. The nominee clarified that the State Department will be based at the Office of the Prime Cabinet Secretary and her responsibilities will not require her to appear before Parliamentary Committees on behalf of Cabinet Secretaries, however she will appear before Committees when required to explain matters touching on the mandate of the State Department she has been nominated to.
183. The nominee further submitted that her working relationship with the State Law Office will be cordial and consultative.

On Adherence to the Provisions of Articles 10 and 232 of the Constitution

184. The nominee submitted that that if appointed to the position, she will adhere to the values and principles of good governance as espoused in Article 10 of the Constitution that bind all state and public officers. She indicated that if appointed to the office she will conduct herself in a manner that promotes national unity, rule of law, equity, human dignity and sustainable development.
185. The nominee stated that she will strive to uphold high standards of professional ethics, be efficient and economical in use of resources, afford equal opportunities to all Kenyans and ensure that information is given to public in a timely and accurate manner as required by Article 232 of the Constitution.

On Adherence to Principles of Public Finance and the Framework of the Public Finance Management Act No. 18 of 2012

186. The nominee submitted that if appointed to the position she will adhere to Article 201 of the Constitution on Public Finance and ensure there shall be openness and accountability, public participation in all financial matters to promote equitable society and equitable development of the country.
187. The nominee further stated that she will manage public finances in accordance to the provisions of the Public Finance Management Act, 2012 to ensure that public money shall be used in prudent and responsible manner. Further she will promote effective, efficient, economical use of public resources in transparent, open and accountable manner.

On the Principle of Separation of Powers

188. The nominee stated that the principle of separation of powers entails distribution of power to different arms of government to ensure that power is not concentrated on one arm so that it cannot be misused. The three arms of Government namely the Executive, Legislature and Judiciary each have distinct and independent powers and responsibilities, and each of the arms checks on the other.

On Working with Parliamentary Committees

189. The nominee informed the Committee that she will work with the Committee on Delegated Legislation to ensure that legislation formulated by Government Ministries, Departments and Agencies are approved by Parliament before they can be implemented. Further, she will work closely with the Parliamentary Committee on Implementation to ensure legislation, resolutions and recommendations passed by Parliament are implemented by the Executive.

On Political Affiliation

190. The nominee declared that she was a member of United Democratic Alliance Party and a Member of National Election Board of the same party from February 2022 to 3rd November 2022. She informed the Committee that she resigned from party membership and as a member of the party Election Board and subsequently cleared by the Office of Registrar of Political Parties.

On Conflict of Interest

191. The nominee submitted to the committee that she resigned as a member of United Democratic Alliance Party as National Election Board member and she is no longer a member. Further, she submitted that if approved, she will be a public servant governed by the Constitution especially Article 232 on principles of public service.

On Pending Bills

192. The nominee informed the Committee that she will deal with corruption and if approved, she will ensure that pending bills will be budgeted in the subsequent financial years. Further, she stated that she will strictly follow PFM Act Regulations and prioritize procurement laws.

3.4.2 COMMITTEE OBSERVATIONS ON THE SUITABILITY OF THE NOMINEE

193. The Committee having considered the nominees filled questionnaire pursuant to section 6(8) of the Public Appointments (Parliamentary Approval) Act, 2011, her curriculum vitae and

having heard her oral submissions during the approval hearing, made the following observations on her suitability for appointment as Principal Secretary for the State Department for Parliamentary Affairs:-

- (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 Bomet County and does not hold dual citizenship.
- (2) **THAT**, the nominee holds a Master's degree in Business Administration from Jomo Kenyatta University of Agriculture and Technology and Bachelor degree in Education Science from Egerton University. She is currently pursuing Doctorate degree in Business Administration.
- (3) **THAT**, the nominee possesses 10 years of teaching experience at the University and college level having lectured in Maasai Mara University, Bomet University College, Jomo Kenyatta University of Agricultural and Technology and Nairobi Institute of Business Studies. Her academic credentials, professional training and experience thus comply with section 6(7) of the Public Appointments (Parliamentary Approval) Act, No. 33 of 2011.
- (4) **THAT**, the nominee meets the requirements of Chapter 6 of the Constitution on leadership and integrity having obtained clearance from the following statutory bodies; the Ethics and Anti-Corruption Commission, the Kenya Revenue Authority, the Directorate of Criminal Investigations, Office of the Registrar of Political Parties, and the Higher Education Loans Board.
- (5) **THAT**, the nominee has not been charged in a court of law in the past three years.
- (6) **THAT**, the nominee is not a member or an official of any registered political party.
- (7) **THAT**, the nominee has never been dismissed from office under Article 75 of the Constitution for contravention of the provisions of Articles 75(1) (*conflict of interest*), Article 76 (*financial probity*), Article 77 (*restriction on activities of State Officers*) and Article 78(2) (*dual citizenship*) of the Constitution.
- (8) **THAT**, the nominee demonstrated knowledge of topical, administrative and technical issues touching on government and has the requisite abilities, qualifications and experience to serve as a Principal Secretary for the State Department for Parliamentary Affairs.

3.5 MS. ESTHER NGERO, – NOMINEE FOR THE POSITION OF PRINCIPAL SECRETARY, STATE DEPARTMENT FOR PERFORMANCE AND DELIVERY MANAGEMENT

194. Ms. Esther Ngero, the nominee to the position of the Principal Secretary, State Department for Performance and Delivery Management appeared before the Committee on Tuesday 15th November at 9.00 a.m and was vetted under oath pursuant to Article 155(3) of the

Constitution, the Public Appointments (Parliamentary approvals) Act, 2011 and the Standing Orders of the National Assembly. The Committee noted the following: -

Date and place of Birth

195. The nominee is a female Kenyan citizen born on 15th December 1977 in Nyeri County. The nominee confirmed that she is a Kenyan citizen and does not hold dual citizenship.

Academic and Professional Qualifications

196. The nominee holds a Bachelors' degree in of Education degree with a major in Business Studies and Mathematics from Kenyatta University awarded in 2002. She holds Certificate in Supply and Refining; and Certificate in Petroleum Stocks Control & Management from Kenya School of Petroleum Studies. She also holds a Certificate in Performance Management Skills and Performance Management.
197. The nominee did her Kenya Certificate of Secondary Education in Njonjo Girls High School in 1996 and Kenya Certificate of Primary Education in Thingithu Primary School in 1992.

Employment Record

198. The nominee has a working experience of 18 years in Oil and Gas sector with over 10 years' experience in senior management positions and various levels in petroleum trading and distribution within Eastern African and Regional Markets.
199. She served as the Chief Executive Officer for Dalbit International Limited, Dubai, a petroleum products supply and distribution Company for 3 years from 2020 to date. She also served as the Chief Executive Officer for Dalbit International Limited, Kenya for 5 years from 2014 to 2020 after serving as General Manager and Regional Head of Supply, Operations Manager and Accountant for a period of 10 years.

Income and net worth

200. The nominee disclosed her net worth as Kshs. 260.4 million mainly denominated in Real estate, Mutual funds, Infrastructural bonds, Farm machinery, Private lending, IT accessories, assorted household items and cash at bank. The Nominee's private lending amounted to Ksh. 30 million and she anticipated the repayment within one year. On repayment, she would recognise the interest on her end year returns.
201. The nominee informed the Committee she had an income of Kshs. 40 million between the period January to October 2022 translating to a monthly income of Kshs. 4.5 million. She further explained that her income comprises of salaries and bonuses of which bonuses alone constitutes 40 percent of that income.

Potential Conflicts of Interest

202. The nominee declared that she does not have any persons or matter that would present conflict of interest should she assume of the position of Principal Secretary.

Pro-bono/Charity Work

203. The nominee submitted that she is involved in charity work through paying for secondary and university fees up to an average Kshs. 75, 000 per month from 2018 to date.

204. She is also involved in mentorship and coaching young women professionals and managing career growth and parenting.

Integrity

205. 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.

3.5.1 GENERAL AND SECTOR SPECIFIC QUESTIONS TO MS. ESTHER NGERO

206. The Committee posed several questions to the nominee on her knowledge on matters relating to Performance and Delivery Management. The nominee responded as follows: -

Relevant Experience and her Suitability for the Position

201. The nominee informed the Committee that despite having served in the private sector for most of her working career, she was suitable for the position given that she has worked with people of diverse background. Her work has involved working on broad spectrum of issues involving coordination of activities which is a vital experience required for the position of Principal Secretary.
202. The nominee submitted she had accumulated experience and competencies which are useful in government. She has been passionate about performance management and if approved, she would focus on a structure that emphasizes on clear performance management programme. Her expertise in formulating measurable targets would come in handy to deliver on performance management. She further informed the Committee that her acquired competencies in managing teams would be beneficial to the State Department.

Vision for the State Department

203. The nominee informed the Committee that her vision for the State Department would focus on performance and delivery management, timely delivery of projects and programmes and performance excellence. Performance management would be key in achieving the deliverables.

Application of Articles 10 and 232 of the Constitution

204. The nominee intends to apply the principles of Articles 10 and 232 of the Constitution by engaging all the stakeholders in her duties. She would further apply fairness across all levels and ensure total inclusion of all ethnic communities on all appointments and promotions. She would further ensure peoples inclusion in processes and policy making and uphold high standards of professionalism.

Application of Article 201 of the Constitution

205. On the Principles of Public Finance as espoused under Article 201 of the Constitution, the nominee pledged to ensure efficient utilization of public resources as appropriated by the National Assembly. She would ensure that resources are used lawfully, efficiently and apply economy in public spending. Further, she will submit to the accountability mechanism of

Parliament on such public resources and respond to any audit query in time. She will also ensure contracts entered by the State Department are lawful and ensure timeliness in financial reporting.

Her Achievements in the Oil Industry

206. The nominee highlighted her achievements as being instrumental in managing government contracts and managing negotiations and has also built broad network in the oil sector which is useful for continuous collaboration. She also built teams which delivered on the goals of the organisation.

Conflict of Mandate of the Office of the Prime Cabinet Secretary and Office of the Deputy President

207. The Nominee submitted that she will always be guided by Executive Order No. 1 of 2022 which has clearly spelt the roles of the two offices. She however indicated that government institutions do not work in isolation and there is always room for collaboration.

On whether the office and that of the Deputy President share a similar role of monitoring government projects and programs

208. The Nominee indicated that the Office of the Deputy President has been assigned the role of coordinating and supervising government programmes and donor funded projects while that of the Prime Cabinet Secretary would coordinate government institutions.

On Public Sector Reforms

209. The Nominee committed to ensuring performance contracting is brought back to the public service and if appointed to the office she will focus on operational efficiency. She would further adopt efficient Monitoring and Evaluation with a feedback mechanism.

On Pending Bills

210. The nominee committed to ensure that of pending bills are paid.

On Balancing between Limited Resources against Resource Requirements

211. The nominee submitted that if appointed to the position, she will focus on operational excellence and optimise outputs by seeking alternative ways of delivering services. She would further apply new technologies and adopt business re-engineering to deliver results. She would also avoid duplication where necessary, align resources in a better way and adopt a clear way of measuring productivity.

On Women Empowerment to Bridge Gender Parity in Public Service

212. The nominee committed to apply fairness in public service appointments including promotions. She further submitted that she would continue mentoring young women professionals to prepare them for jobs.

On the Mandate of the State Department

213. The nominee enumerated the mandate of the docket to include performance and delivery management; performance of government departments on performance contracting management; support to public institutions to ensure accountability; monitoring and delivery

of government projects and programme to ensure they are achieved within the stipulated timelines. She was however optimistic that she would understand the mandate more as soon as she is the office, should the House approve her nomination.

On Bureaucracy in Government

214. The nominee submitted that being able to work with people is one of her strengths. She would therefore work despite the government bureaucracy to ensure results are delivered.

3.5.2 COMMITTEE OBSERVATIONS ON THE SUITABILITY OF THE NOMINEE

207. The Committee having considered the nominees filled questionnaire pursuant to section 6(8) of the Public Appointments (Parliamentary Approval) Act, 2011, her curriculum vitae and having heard her oral submissions during the approval hearing, made the following observations on her suitability for appointment as Principal Secretary for the State Department for Performance and Delivery Management:

- (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 Nyeri and does not hold dual citizenship.
- (2) **THAT**, The nominee holds Bachelors' degree in Education from Kenyatta University. She also holds Certificate in Performance Management Skills and Performance Management.
- (3) **THAT**, she has a working experience of 18 years in Oil and Gas sector with over 10 years-experience in senior management positions and various levels in petroleum trading and distribution within Eastern African and Regional Markets. Her academic credentials, professional training and experience thus comply with section 6(7) of the Public Appointments (Parliamentary Approval) Act, No. 33 of 2011.
- (4) **THAT**, the nominee meets the requirements of Chapter 6 of the Constitution on leadership and integrity having obtained clearance from the following statutory bodies; the Ethics and Anti-Corruption Commission, the Kenya Revenue Authority, the Directorate of Criminal Investigations, Office of the Registrar of Political Parties and the Higher Educations Loan Board.
- (5) **THAT**, the nominee has not been charged in a court of law in the past three years.
- (6) **THAT**, the nominee is not a member or an official of any registered political party.
- (7) **THAT**, the nominee has never been dismissed from office under Article 75 of the Constitution for contravention of the provisions of Articles 75(1) (*conflict of interest*), Article 76 (*financial probity*), Article 77 (*restriction on activities of State Officers*) and Article 78(2) (*dual citizenship*) of the Constitution.

- (8) **THAT**, the nominee demonstrated knowledge of topical, administrative and technical issues touching on government and has the requisite abilities, qualifications and experience to serve as a Principal Secretary for State Department for Delivery and Performance Management.

4.0 COMMITTEE OBSERVATIONS

208. Pursuant to section 6(7) and (8) and section 7 of the Public Appointments (Parliamentary Approval) Act, 2011, the Committee observed that the following nominees met the integrity threshold; demonstrated knowledge of topical, administrative and technical issues touching on the portfolios to which they had been nominated; and had the requisite abilities, academic qualifications and professional experience to be approved for appointment as Principal Secretaries in accordance with Article 155(3)(b) of the Constitution:-

- (1) Mr. Julius Korir, the nominee, State Department for Cabinet Affairs;
- (2) Dr. Raymond Omollo, the nominee, State Department for Interior and National Administration;
- (3) Amb. (Prof.) Julius Bitok, the nominee, State Department for Citizen Services;
- (4) Ms. Aurelia Rono, the nominee, State Department for Parliamentary Affairs; and
- (5) Ms. Esther Ngero, the nominee, State Department for Performance and Delivery Management.

5.0 COMMITTEE RECOMMENDATIONS

209. Having conducted the approval hearing for the nominees pursuant to Article 155(3)(b) of the Constitution, sections 3 and 8 of the Public Appointments (Parliamentary Approval) Act, 2011 and Standing Order 216(5)(f), the Committee recommends that this House –

- (1) approves the nomination of Mr. Julius Korir for appointment as Principal Secretary, State Department for Cabinet Affairs.
- (2) approves the nomination of Dr. Raymond Omollo for appointment as Principal Secretary, State Department for Interior and National Administration.
- (3) approves the nomination of Amb. (Prof.) Julius Bitok for appointment as Principal Secretary, State Department for Citizen Services.
- (4) approves the nomination of Ms. Aurelia Rono for appointment as Principal Secretary, State Department for Parliamentary Affairs.
- (5) approves the nomination of Ms. Esther Ngero, for appointment as Principal Secretary, State Department for Performance and Delivery Management.

SIGNED _____

DATE _____

HON. HON. GABRIEL KOSHAL TONGOYO, MP,
CHAIRPERSON, DEPARTMENTAL COMMITTEE ON ADMINISTRATION AND
INTERNAL AFFAIRS



Report of the Departmental Committee on Administration and Internal Affairs on the approval hearing of persons nominated for appointment to the Offices of Principal Secretaries.

THE NATIONAL ASSEMBLY
13TH PARLIAMENT – FIRST SESSION (2022)

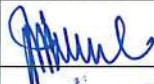
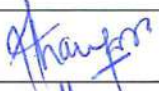
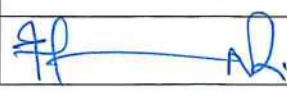
COMMITTEE ON ADMINISTRATION AND INTERNAL AFFAIRS

REPORT ADOPTION LIST

Report of the Departmental Committee on Administration and Internal Affairs on the Approval Hearing of Mr. Julius Korir nominee for Appointment as Principal Secretary for State Department for Cabinet Affairs; Mr. Raymond Omollo nominee for Appointment as Principal Secretary for the State Department for Interior and National Administration; Amb. (Prof.) Julius Bitok nominee for Appointment as Principal Secretary for the State Department for Citizen Services; Ms. Aurelia Rono nominee for Appointment as Principal Secretary for the State Department for Parliamentary Affairs; and Ms. Esther Ngero nominee for Appointment as Principal Secretary for the State Department for Performance and Delivery Management.

We, the undersigned Members of the Departmental Committee on Administration and Internal Affairs do hereby append our signatures to adopt this Report

Date: 30.11.2022

No.	MEMBER	SIGNATURE
1.	Hon. Gabriel Koshal Tongoyo, MP - Chairperson	
2.	Hon. Col (Rtd) Dido Rasso, MBS, MP - Vice Chairperson	
3.	Hon. Kaluma George Peter, MP	
4.	Hon. Fred C. Kapondi, MP	
5.	Hon. Aduma Owuor, MP	
6.	Hon. Sarah Paulata Korere, MP	
7.	Hon. Liza Chepkorir Chelule, MP	
8.	Hon. Mburu Kahangara, MP	
9.	Hon. Protus Ewesit Akujah, MP	
10.	Hon. Oku Kaunya, MP	
11.	Hon. Rozaah Akinyi Buyu, MP	
12.	Hon. Francis Kipyegon Sigei, EBS, MP	
13.	Hon. Fatuma Abdi Jehow, MP	
14.	Hon. Caroline Jeptoo Ng'elechei, MP	
15.	Hon. Hussein Weytan Mohammed, MP	

**MINUTES OF THE 10TH SITTING OF THE DEPARTMENTAL COMMITTEE ON
ADMINISTRATION & INTERNAL AFFAIRS HELD ON TUESDAY 15TH
NOVEMBER, 2022 IN WESTON HOTEL AT 2.30 P.M.**

PRESENT

1. Hon. Gabriel Koshal Tongoyo, MP - Chairperson
2. Hon. Col (Rtd) Dido Rasso, MBS, MP - Vice Chairperson
3. Hon. Aduma Owuor, MP
4. Hon. Mburu Kahangara, MP
5. Hon. Protus Ewesit Akujah, MP
6. Hon. Oku Kaunya, MP
7. Hon. Francis Kipyegon Sigei, EBS, MP
8. Hon. Fatuma Abdi Jehow, MP

APOLOGIES

1. Hon. Kaluma George Peter, MP
2. Hon. Fred C. Kapondi, MP
3. Hon. Liza Chepkorir Chelule, MP
4. Hon. Sarah Paulata Korere, MP
5. Hon. Rozaah Akinyi Buyu, MP
6. Hon. Caroline Jeptoo Ng'elechei, MP
7. Hon. Hussein Weytan Mohammed, MP

COMMITTEE SECRETARIAT

- | | |
|--------------------------|-----------------------|
| 1. Mr. Philip Lekarkar | -Clerk Assistant II |
| 2. Mr. Gideon Kipkogei | -Clerk Assistant III |
| 3. Mr. Bernard Njeru | -Clerk Assistant III |
| 4. Ms. Delvin Onyancha | -Research Officer III |
| 5. Dr. Maina Mburu | -Research Officer III |
| 6. Ms. Catherine Mukunyi | -Sergeant At Arms |

MIN. NO. DC-AIA/046/2022: PRELIMINARIES

The meeting was called to order at 2:35 p.m and a word of prayer was said.

MIN. NO. DC-AIA/047/2022: ADOPTION OF THE AGENDA

The agenda of the meeting was adopted having been proposed by Hon. Protus Ewesit and seconded by Hon. Oku Kaunya, MP

**COMMITTEE OBSERVATIONS ON THE SUITABILITY OF MS. AURELIA
RONO – NOMINEE FOR THE POSITION OF PRINCIPAL SECRETARY, STATE
DEPARTMENT FOR PARLIAMENTARY AFFAIRS**

The Committee having considered the nominees filled questionnaire pursuant to section 6(8) of the Public Appointments (Parliamentary Approval) Act, 2011, her curriculum vitae and having heard her oral submissions during the approval hearing, made the following observations on her suitability for appointment as Principal Secretary for Parliamentary Affairs:

- (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 Bomet County and does not hold dual citizenship.
- (2) **THAT**, the nominee holds a Master's degree in Business Administration from Jomo Kenyatta University of Agriculture and Technology and Bachelor degree in Education Science from Egerton University. She is currently pursuing Doctorate degree in Business Administration.
- (3) **THAT**, the nominee possesses 10 years of teaching experience at the University and college level having lectured in Maasai Mara University, Bomet University College, Jomo Kenyatta University of Agricultural and Technology and Nairobi Institute of Business Studies. Her academic credentials, professional training and experience thus comply with section 6(7) of the Public Appointments (Parliamentary Approval) Act, No. 33 of 2011.
- (4) **THAT**, the nominee meets the requirements of Chapter 6 of the Constitution on leadership and integrity having obtained clearance from the following statutory bodies; the Ethics and Anti-Corruption Commission, the Kenya Revenue Authority, the Directorate of Criminal Investigations, Office of the Registrar of Political Parties, and the Higher Educations Loan Board.
- (5) **THAT**, the nominee has not been charged in a court of law in the past three years.
- (6) **THAT**, the nominee is not a member or an official of any registered political party.
- (7) **THAT**, the nominee has never been dismissed from office under Article 75 of the Constitution for contravention of the provisions of Articles 75(1) (*conflict of interest*), Article 76 (*financial probity*), Article 77 (*restriction on activities of State Officers*) and Article 78(2) (*dual citizenship*) of the Constitution.
- (8) **THAT**, the nominee demonstrated knowledge of topical, administrative and technical issues touching on government and has the requisite abilities, qualifications and experience to serve as a Principal Secretary for the State Department for Parliamentary Affairs.

**MIN. NO. DC-AIA/048/2022: CONSIDERATION OF THE REPORT ON VETTING
OF NOMINEES FOR THE POSITION OF
PRINCIPAL SECRETARIES**

**COMMITTEE OBSERVATIONS ON THE SUITABILITY OF MS. ESTHER
NGERO, – NOMINEE FOR THE POSITION OF PRINCIPAL SECRETARY,
STATE DEPARTMENT FOR PERFORMANCE AND DELIVERY
MANAGEMENT**

The Committee having considered the nominees filled questionnaire pursuant to section 6(8) of the Public Appointments (Parliamentary Approval) Act, 2011, her curriculum vitae and having heard her oral submissions during the approval hearing, made the following observations on her suitability for appointment as Principal Secretary for Performance and Delivery Management:-

- (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 Nyeri and does not hold dual citizenship.
- (2) **THAT**, The nominee holds Bachelors' degree in Education from Kenyatta University. She also holds Certificate in Performance Management Skills and Performance Management.
- (3) **THAT**, she has a working experience of 18 years in Oil and Gas sector with over 10 years-experience in senior management positions and various levels in petroleum trading and distribution within Eastern African and Regional Markets. Her academic credentials, professional training and experience thus comply with section 6(7) of the Public Appointments (Parliamentary Approval) Act, No. 33 of 2011
- (4) **THAT**, the nominee meets the requirements of Chapter 6 of the Constitution on leadership and integrity having obtained clearance from the following statutory bodies; the Ethics and Anti-Corruption Commission, the Kenya Revenue Authority, the Directorate of Criminal Investigations, Office of the Registrar of Political Parties and the Higher Educations Loan Board.
- (5) **THAT**, the nominee has not been charged in a court of law in the past three years.
- (6) **THAT**, the nominee is not a member or an official of any registered political party.
- (7) **THAT**, the nominee has never been dismissed from office under Article 75 of the Constitution for contravention of the provisions of Articles 75(1) (*conflict of interest*), Article 76 (*financial probity*), Article 77 (*restriction on activities of State Officers*) and Article 78(2) (*dual citizenship*) of the Constitution.
- (8) **THAT**, the nominee demonstrated knowledge of topical, administrative and technical issues touching on government and has the requisite abilities, qualifications and experience to serve as a Principal Secretary.

COMMITTEE RECOMMENDATIONS

Having conducted the approval hearing for the nominees pursuant to Article 155(3) of the Constitution, sections 3 and 8 of the Public Appointments (Parliamentary Approval) Act, 2011 and Standing Order 216(5)(f), **the Committee recommends that this House –**

1. **approves the nomination of Ms. Aurelia Rono for appointment as Principal Secretary, State Department for Parliamentary Affairs; and**
2. **approves the nomination of Ms. Esther Ngero, for appointment as Principal Secretary, State Department for Performance and Delivery Management**

Report Adoption

The Committee unanimously adopted the Report on the Approval Hearing for the nominees:- Mr. Julius Korir, the nominee, State Department for Cabinet Affairs; Dr. Raymond Omollo, the nominee for the State Department for Interior and National Administration; Amb. (Prof.) Julius Bitok the nominee for the State Department for Citizen Services; Ms. Aurelia Rono the nominee for the State Department for Parliamentary Affairs; and Ms. Esther Ngero, the nominee for the State Department

for Performance and Delivery Management having been proposed by Hon. Francis Kipyegon Sigei, EBS, MP and seconded by Hon. Fatuma Abdi Jehow, MP

MIN. NO. DC-AIA/049/2022: ADJOURNMENT

No other business arose

MIN. NO. DC-AIA/050/2022: ADJOURNMENT

There being no other business, the meeting was adjourned at 4.30 p.m. The next meeting will be held on notice.

SIGNED  DATE 30/11/2022

HON. GABRIEL TONGOYO KOSHAL, MP - CHAIRPERSON

DEPARTMENTAL COMMITTEE ON ADMINISTRATION AND INTERNAL AFFAIRS