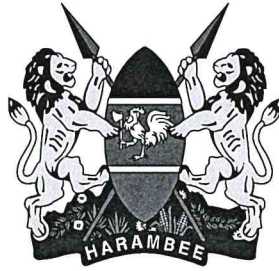


Approved for tabling.

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12/3/19

REPUBLIC OF KENYA



THE NATIONAL ASSEMBLY

12TH PARLIAMENT – THIRD SESSION (2019)

**SELECT COMMITTEE ON NATIONAL GOVERNMENT
CONSTITUENCIES DEVELOPMENT FUND**

**REPORT ON THE VETTING OF NOMINEES FOR THE
POSITIONS OF DIRECTORS TO THE NATIONAL GOVERNMENT
CONSTITUENCIES DEVELOPMENT FUND BOARD**

MARCH 2019

Directorate of Committee Services,
Office of the Clerk,
National Assembly,
Parliament Buildings,
NAIROBI.


 THE NATIONAL ASSEMBLY PAPERS LAID	
DATE: 12 MAR 2019	DAY: Tuesday
TABLED BY:	Hon. Maoka Maore Chairperson, National Government Constituencies Development Fund Committee
CLERK-AT THE-TABLE:	R. Koin - PCA

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ABBREVIATIONS

DCI	-	Directorate of Criminal Investigations
EACC	-	Ethics and Anti-Corruption Commission
HELB	-	Higher Education Loans Board
KRA	-	Kenya Revenue Authority
PAPAA	-	Public Appointments (Parliamentary Approval) Act, 2011
HR	-	Human Resource
NG-CDF	-	National Government Constituencies Development Fund
MP	-	Member of Parliament
FDSE	-	Free Day Secondary Education
KLB	-	Kenya Literature Bureau
SEPU	-	School Equipment Production Unit
CRB	-	Credit Revenue Bureau
NASC	-	National Assembly Select Committee
MOEST	-	Ministry of Education Science and Technology
OGW	-	Order of the Golden Warrior

CHAIRPERSON'S FOREWORD

Pursuant to the provisions of Standing Order No. 42, the Speaker of the National Assembly issued a Communication on **Tuesday, 26th February, 2019** for vetting of the following seven (7) nominees for the positions of Board of Directors to the National Government Constituencies Development Fund (NG-CDF).

- i. Mr. Robert Nyariki Momanyi Masese;
- ii. Ms. Irene C. Masit;
- iii. Mr. Abdulaziz Bulle Yarrow;
- iv. Ms. Isabel Nyambura Waiyaki;
- v. Hon. Peter Edick Omondi Anyanga; and
- vi. Mr. George Kasatua Ole Meshuko.

The names were subsequently committed to the Select Committee on National Government Constituencies Development Fund Board for approval.

The Committee undertook the exercise on Thursday 7th March, 2019, in compliance with the Constitution, the Public Appointments (Parliamentary Approval) Act, 2011 and the National Assembly Standing Orders and recommends all nominees for appointment as Directors of the National Government Constituencies Development Fund Board.

I take this opportunity to thank all Members of the Committee for their dedication to duty. I also thank the offices of the Speaker and the Clerk of the National Assembly for according the Committee the necessary logistical support during the vetting exercise.

Further, the Committee wishes to thank all the stakeholders who participated in the approval hearings.

On behalf of the Members of the National Assembly Select Committee on the National Government Constituencies Development Fund and pursuant to Standing Order 199 and section 50(5) (d) of the National Government Constituencies Development Fund Act (No. 30 of 2015), it

is my pleasure and duty to present to the House the Committee's Report on the Vetting of Nominees for positions of Directors to the National Government Constituencies Development Fund Board for approval.

Signature..... Maore Date..... 12/3/2019

The Hon. Richard Maore Maoka, CBS, M.P.

Chairperson - Select Committee on National Government Constituencies Development Fund

1.0 EXECUTIVE SUMMARY

Pursuant to the provisions of Section 15 of the National Government Constituencies Development Fund Act, 2015, the Cabinet Secretary for the National Treasury nominated the following persons for appointment as Board of Directors of the National Government Constituencies Development Fund and forwarded their names to the National Assembly for approval –

1. Mr. Robert Nyariki Momanyi Masese;
2. Ms. Irene C. Masit;
3. Mr. Abdiaziz Bulle Yarrow;
4. Ms. Isabel Nyambura Waiyaki,
5. Ms. Maria Lekoloto;
6. Mr. George Kasatua Ole Meshuko; and
7. Hon. Peter Edick Omondi Anyanga.

The Speaker subsequently issued a Communication to the House on 26th February, 2019 on receipt of the names from the Cabinet Secretary, National Treasury and committed them to the Select Committee on National Government Constituencies Development Fund for approval.

The Committee immediately embarked on the approval exercise in accordance with the provisions of the Constitution, the Public Appointments (Parliamentary Approval) Act, 2011, the National Government Constituencies Development Fund Act (No. 30 of 2015) and the National Assembly Standing Orders.

On 28th February, 2019, the Committee, pursuant to section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011 invited the public to submit memoranda contesting the suitability of any of the nominees. On the same day, the general public was notified of the appointments, pursuant to Section 6(4) of Public Appointments (Parliamentary Approval) Act, 2011 and the date of the approval hearing scheduled for Thursday, 7th March, 2019 in Committee Room, 5th Floor Continental House, starting at 9.00 a.m.

The nominees were also required to submit clearances from the following agencies: the Ethics and Anti-Corruption Commission, the Kenya Revenue Authority, the Higher Education Loans Board, the Directorate of Criminal Investigations and the Credit Reference Bureaus.

By close of day on Wednesday, 6th March, 2019, the Clerk of the National Assembly had not received any memoranda contesting the suitability of any of the nominees.

The Committee undertook the approval hearing on Thursday 7th March, 2019, in compliance with the Constitution, the Public Appointments (Parliamentary Approval) Act, 2011 and the National Assembly Standing Orders and recommends all nominees for appointment as Directors of the National Government Constituencies Development Fund Board.

In absence of any memoranda contesting the suitability of the said nominees, the Committee, pursuant to Section 15 (1) (e) of the National Government Constituencies Development Fund Act (No. 30 of 2015), Section 8(2) of the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011), unanimously recommended approval of all nominees for the position of Board of Directors of the National Government Constituencies Development Fund.

2.0 PREFACE

2.1 Establishment and Mandate of the Committee

The Select Committee on National Government Constituency Development Fund (NASC or NGCDF) is a Statutory Committee established in accordance with the provisions Section 50 of NG-CDF Act of 2015 and its functions include:

- a) To oversee the implementation of this Act and in this respect, shall after every two years submit a report to the National Assembly and where necessary, propose any amendments to this Act with respect to the quantum of funds repayable into the Fund in accordance with section 4 of the Act;
- b) To oversee the policy framework and legislative matters that may arise in relation to the Fund;
- c) To continually review the frame set out for the efficient delivery of development programmes financed through the Fund;
- d) To consider and report to the National Assembly, with recommendations, names of persons required to be approved by the National Assembly under this Act; and
- e) To carry out any other functions relevant to the work of the Fund.

2.2 Committee Membership

1. Hon. Richard Maore Maoka, CBS, MP - **Chairman**
2. Hon. Omar Maalim Hassan, MP - **Vice Chairman**
3. Hon. Moses Lessonet.MP
4. Hon. Sharif Athman, MP
5. Hon. Mishi Mboko, MP
6. Hon. Fred Ouda, MP
7. Hon. Fred Kapondi Chesebe, MP
8. Hon. Sophia Abdi Noor, MP
9. Hon. Emmanuel Wangwe, MP
10. Hon. Richard Tongi, MP
11. Hon. Johanna Ng'eno, MP
12. Hon. Titus Khamala, MP
13. Hon. Benjamin Gathiru, MP
14. Hon. Alfa Ondieki, MP
15. Hon. Ferdinand Wanyonyi, MP
16. Hon. Janet Jepkemboi Sitienei, MP
17. Hon. Kassim Sawa Tandaza, MP
18. Hon. Mary Wamaua Waithira, MP
19. Hon. Mwalyo Joshua, MP

2.3 Committee Secretariat

- | | |
|------------------------|----------------------------------|
| 1. Mr. Johnston Kioko | Clerk Assistant II (Team Leader) |
| 2. Ms. Naserian Lotuai | Clerk Assistant III |
| 3. Mr. Erick Osoi | Research Officer III |
| 4. Ms. Brigita Mati | Legal Counsel II |

3.0 BACKGROUND

3.1 Establishment of the NG-CDF Board

The NG-CDF Board is established in accordance with Section 14 of NG-CDF Act, 2015.

3.2 Composition of the Board

The Board of Directors consists of the following, as provided in Section 15 of the Act –

- 1) the principal secretary in the Ministry for the time being responsible for matters relating to national economic policy and planning or a designated alternate, not being below the level of Director of Planning;
- 2) the principal secretary in the Ministry for the time being responsible for matters relating to finance or a designated alternate not being below the level of Deputy Director of Budget;
- 3) the Attorney-General or a designated alternate not being below the level of Senior State Counsel;
- 4) the principal secretary in the Ministry responsible for matters relating to education or a designated alternate not being below the level of Director;
- 5) seven other persons, three of whom shall be of the opposite gender and at least one shall be a person with disability, qualified in matters relating to finance, accounting, engineering, economics, community development, public affairs, project management, education, security or law appointed by the Cabinet Secretary with the approval of the National Assembly; and
- 6) the chief executive officer who shall be an ex-officio member without a right to vote.

3.3 Functions of the Board

The functions of the Board are provided for under Section 16 as follows:

- a) to consider project proposals submitted by various constituencies in accordance with the Act, approve for funding proposals that are consistent with the Act and disburse funds to the respective constituencies with respect to the approved projects;

- b) to ensure timely and efficient disbursements of funds to every Constituency;
- c) to ensure efficient management of the fund;
- d) to co-ordinate the implementation of inter-constituency projects;
- e) to receive and address complaints that may arise from the implementation of the Fund;
- f) to encourage best practices in the implementation of projects;
- g) to administer the funds and assets of the Board in such a manner and for such purpose as shall promote the best interest of the Board in accordance with the Act to ensure efficient management of the fund; and
- h) to perform such other duties as the Board may deem necessary from time to time for the proper management of the Fund.

3.4 Nomination process

The procedure of nomination is provided for under the Section 15 (1) (e) of the NG-CDF Act.

The Cabinet Secretary, National Treasury is mandated to nominate seven (7) persons; three (3) of the opposite gender and at least with disability who are qualified in matters relating to Finance, Accounting, Engineering, Economics, Community Development, Project Management, Education, Security, Public Affairs or Law. The Cabinet Secretary is further required to take into consideration gender equity and the regional diversities of the people of Kenya.

Having undertaken the nomination process, the Cabinet Secretary, in his letter dated 20th February, 2019 submitted the names of the following seven (7) nominees to the National Assembly for approval –

1. Mr. Robert Nyariki Momanyi Masese;
2. Ms. Irene C. Masit;
3. Mr. Abdiaziz Bulle Yarrow;
4. Ms. Isabel Nyambura Waiyaki,
5. Ms. Maria Lekoloto;
6. Mr. George Kasatua Ole Meshuko; and
- 7) Hon. Peter Edick Omondi Anyanga.

3.5 Message from the National Treasury

The Speaker, through a communication to the House made on **Tuesday 26th February, 2019**, informed Members that he had received a notification on the nomination of the seven persons for appointment to the National Government Constituencies Development Fund Board.

The names were subsequently committed the names to the Select Committee on National Government Constituencies Development Fund for consideration.

The Committee was directed to report to the House on its consideration of the nominees, not later than Tuesday, 12 March, 2019.

3.6 Notification to the Public

On **Thursday, 28th February, 2019**, the Clerk of the National Assembly, pursuant to section 6 (9) of the Public Appointments (Parliamentary Approval) Act, (No.33 of 2011), placed a notification in the print media informing the general public of the approval hearings for the nominees, scheduled for **Thursday, 7th March, 2019**.

3.7 Notification to the Nominees

The Clerk of the National Assembly notified the nominees of the approval date of their vetting by the Select Committee on NG-CDF on **Thursday, 6th March, 2019** in the **Committee Room on 5th Floor, Continental House**.

The nominees were also required to obtain clearance certificates from the Kenya Revenue Authority (KRA), the Higher Education Loans Board (HELB), the Ethics and Anti-Corruption Commission (EACC), the Directorate of Criminal Investigations (DCI) and any of the Credit Reference Bureaus.

3.8 Clearance Requirements

On 27th February, 2019, the Clerk of the National Assembly wrote to the Kenya Revenue Authority (KRA), the Higher Education Loans Board (HELB), Ethics and Anti-Corruption Commission (EACC), Office of the Registrar of Political Parties (ORPP) and Directorate of Criminal Investigations requesting for tax, education loans, integrity, affiliation to political

parties and criminal record status of the nominees. All the nominees were given the requisite clearance.

4.0 COMMITTEE PROCEEDINGS

Having received the names, the Committee embarked on the approval process in accordance with the Constitution, the Public Appointments (Parliamentary Approval Act) (No.33 of 2011) and Section 15 of the NG-CDF Act of 2015.

The Committee held three sittings; the pre-vetting meeting on Monday, 5th March, 2019, the approval hearing on Thursday, 7th March, 2019 and a meeting to consider and adopt the report on Monday, 11th March, 2019.

4.1 Constitutional and Statutory Requirements

The Constitution sets out certain requirements regarding the appointment of persons to public office which include –

(i) Leadership and Integrity

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

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

The Public Appointments (Parliamentary Approvals) Act provides that an approval hearing should focus on a candidate's academic credentials, professional training, experience, personal integrity and background.

The Committee ensured that the suitability of the nominees was evaluated in a wholistic manner considering the nominees' academic credentials, professional training, experience, background and personal qualities as well as the performance of the nominees during the approval hearing.

4.2 Qualifications for appointment to the Board of Directors of the NG-CDF

Section 15 (1) (e) and (2) of the NGCDF Act of 2015 stipulates the qualification of the seven persons to be nominated to the Board.

The Cabinet Secretary, National Treasury is required to nominate seven (7) persons; three (3) of the opposite gender and at least with disability who are qualified in matters relating to Finance, Accounting, Engineering, Economics, Community Development, Project Management,

Education, Security, Public Affairs or Law. The Cabinet Secretary is further required to take into consideration gender equity and the regional diversities of the people of Kenya.

4.3 Submission of Memoranda

By close of business on Wednesday, 6th March, 2019 at 5pm, the Office of the Clerk had not received any memoranda contesting suitability of any of the candidates.

4.4 Approval Hearings

The Committee conducted approval hearings for the nominees on **Thursday 7th March, 2019** from **9.00am**.

In conducting the exercise, the Committee was guided by, the Constitution, the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011), the National Government Constituencies Development Fund Act of 2015, 2011 and the Standing Orders.

The Committee also considered the following in vetting the nominees: -

- a. Academic qualifications;
- b. Employment record and work experience;
- c. Professional association;
- d. Public office, political activities and affiliations;
- e. Potential conflict of interest;
- f. Suitability to the position;
- g. Integrity; and
- h. Expectations and Key priorities.

4.4.1 Mr. Robert Nyariki Momanyi Masese, OGW

The nominee is a 63 year old retired career educationist from Trans Nzoia County. He served in the Ministry of Education from 1983 as a graduate teacher until 2018, when he retired as acting Director General for Basic Education.

He holds a Master of Education degree in Educational Administration from the University of Nairobi. He also has undertaken several professional courses in the course of duty.

He served as Branch Chairman of the Kenya Secondary Schools Heads Association in Rift Valley & Nairobi and the Chairman of Principals of National Schools in Kenya.

Response to the Committee's Questions

The nominee informed the Committee that his extensive experience in various national assignments prepared him for his role as a Board Director, if approved for appointment. He has served in various capacities including serving as a Member of the Taskforce that originated the concept of National academies targeting talented youth in-and out-of-school in 2006 and a Member of the taskforce that came up with Free Day Secondary Education (FDSE) in Kenya. He also spearheaded the 100% transition from Primary to Secondary initiative and the one-text book for each student per subject per grade in schools.

The nominee served in several boards including as an Alternate to the Principal Secretary of Education in various Boards namely: the Kenya Literature Bureau (KLB); the School Equipment Production Unit (SEPU) and the National Government Constituency Fund Board (NG-CDFB) Acting Chair of the Board.

At the Teachers Service Commission, he played a key role in improving teachers' terms and conditions of service and represented the Ministry of Education in negotiations with unions on terms of service. At the Kenya Institute of Curriculum Development, he chaired several course panels, as Director and Acting Director General, as well as Ministerial Textbook Vetting Committee, for materials used in schools and colleges.

He also undertook governance trainings by the State Corporation Advisory Committee (SCAC); the Institute of Directors (IoD) and the Institute of Internal Auditors, among others. He also served as Secretary to the Boards of Cheptulon Secondary School and Chebara Secondary School, Rift Valley Technical Training Institute and Nairobi School.

He has also presented papers in various conferences.

On community service, the nominee is a member of Lions Club in Nairobi and has participated in the organization of games for children with impairment. He is the current Chairman of Mihuti Court Estate in Dennis Pritt Road which houses senior civil servants.

1. Achievements as Acting Chairperson of NG-CDF Board

- (i) Mr. Masese informed the Committee that he implemented employment of Fund Account Managers in most constituencies, a matter that had been outstanding for long. He also initiated performance targets for Fund Account Managers which include record keeping, training of fund managers and accountability of funds.
 - (ii) Asked about the difference he would bring in implementation of projects, Mr. Masese cited his preference of online submission of project proposals by CDFC which eases the process of approvals.
 - (iii) On staff and secretariat, he submitted that it is regrettable that several staff of the Board are on secondment from Ministries and he also cited cases of lack of motivation of staff.
 - (iv) He further submitted that as a Director, he would hold staff to account for their work especially the Fund Account Managers and National Government Constituencies Development Fund Committees (NG-CDFCs) to deliver quality services to the country. In addition, he would introduce parallel vote/accounts books for the Fund Account Managers and County Commissioner's.
- 8) On Stalled Projects and Fund arrears owed to the Board, Mr. Masese submitted that stalled projects are detrimental to economic growth, and it is priority to clear the backlog and to capacity-build the NG-CDFCs employees, including timely and proper submission of project proposals that would pass Board's approval.
- (v) On bursaries to schools, he observed that students are allocated bursaries but the monies are not accounted for by the heads of schools. He proposed that he will ensure that the NG-CDF Board and the Ministry of Education collaborates to address this matter with feasible solutions.

- (vi) On disbursement of funds, the nominee proposed timely approval of project proposals, to ensure that there are no delays by the NG-CDF board.
- (vii) on the matter of equity and allocation of funding (2.5% statutory allocation), he proposed increment of allocation since its effects are felt in constituencies especially on matters education and security.

Committee Observations on Mr. Robert Masese

The Committee observed that-

1. the nominee has a vast knowledge on matters education and experience in public service;
2. the nominee has served as the acting Chairperson of the NG-CDF Board and as an alternate Director nominated by Ministry of Education, Science & Technology; and
- 9) the nominee demonstrated knowledge of the education sector and education-based projects.

4.4.2 Ms. Irene C. Masit

The nominee is a 53-year-old female from Elgeyo Marakwet County. She holds a Master of Science degree in Human Resources Management from the University of Manchester, Bachelor of Laws degree from the University of Nairobi and Bachelor of Arts degree from the University of Nairobi.

Response to Committee Questions

In response to the Committees' Questions on: -

- 1) On how her educational and professional background had prepared her for the tasks as NG-CDF Board Director, the nominee informed the Committee that her work experience and past roles are proof of her suitability as a director to the Board.
- 2) The nominee further cited her knowledge on issues touching on human rights, labour rights, gender, transitional justice, constitution, participatory approach methods as an added advantage to her suitability as Director of the NG-CDF Board.
- 3) The nominee demonstrated vast knowledge in strategy and development and implementing divisional plans, policies, norms and procedures and formulating and

- implementing strategies on human resource planning, procurement, development, performance management, employee relations, staff benefits and administrative services.
- 4) Regarding public administration, the nominee confirmed that she has acquired knowledge and skills on public administration which entails developing, establishing and implementing government initiatives and operations that impact communities at varying levels.
 - 5) on project management, the nominee affirmed that she is experienced and knowledgeable in managing (new or ongoing) projects ensuring that all strategies are put in place by carrying out project planning and design for smooth running and that budget is adhered.
 - 6) On community development, the nominee informed Members that she had worked with and is committed to transforming communities through development projects as change agent such as: training youth and women groups on sanitation, entrepreneurship and influencing to better their livelihoods.
 - 7) Concerning cases before the courts and the proposed way forward, the nominee affirmed that she would handle court cases by engaging the relevant stakeholders, specifically the civil societies to mediate and arbitrate as they find an amicable solution.
 - 8) on pro-bono contributions and the charitable work done, the nominee informed the Committee that she contributes through *pro bono* legal services.
 - 9) On political ambitions she informed the Committee that she contested for election as a Woman Representative in Elgeyo Marakwet County and that her past political ambition would not interfere with her work as a Board Director.

Committee Observations on Ms. Irene Masit

The Committee observed that her knowledge in project management is an important consideration in ensuring that projects in constituencies are implemented in good time, are cost effective and of the highest quality. She is therefore qualified for appointment for appointment as Board Director.

4.4.3 Mr. Abdulaziz Bulle Yarrow

Mr. Yarrow is a 37-year-old male from Mandera County. He holds a Master of Arts degree in Diplomacy and Bachelor of Arts degree in Political Science and Sociology. He is the Managing Director of the Top Ten Agencies Limited, an authorized Safaricom dealer.

Response to Committee Questions

The nominee affirmed that he is qualified to serve a Board Director having served as the Managing Director of the Top Ten Agencies Limited, an authorized Safaricom dealer. The position gave him an opportunity to showcase his leadership skills through setting overall strategic decisions alongside the Board and implementing long-term business strategies to achieve the Company's objectives.

The nominee further informed the Committee that he has worked with Operations Support Manager, Mercy United States of America, a humanitarian organization where his roles included overseeing the entire operational activities in procurement and logistics department, supervision of staff in procurement department, management of properties including fleets, planning and leading donor meetings. He also participated in inter-agency working groups.

The nominee pledged to advocate for increment of allocation to the NG CDF and to improve its implementation policies and work on addressing various litigation cases affecting the Board.

On the challenges facing disbursements of funds, the nominee assured members that he would propose financial policies to improve and hasten the process of disbursements.

Committee Observations on Mr. Abdulaziz Yarrow

- Mr. Abdulaziz Yarrow is an entrepreneur, he has potential to add value to the Board in terms of investments as the Board's mandate pursuant to Section 15(c) of the NG-CDF Act 2015 to borrow money and make investments.

- The Nominee has been cleared by the following agencies: Ethics and Anti-Corruption Commission, Higher Educations Loans Board; Directorate of Criminals Investigation, Kenya Revenue Authority and the Credit Reference Bureau.

4.4.4 Mrs. Maria Lekoloto

Ms. Maria Lekoloto is a 45-year-old female from Marsabit County, living with disability. She holds a Master of Business Administration degree in Human Resource Management from the Kenya Methodist University and a Diploma in Community Based Development.

On how educational background and professional background has prepared her for the tasks as NG-CDF Board Director, the nominee informed the Committee that she is currently the Human Resource Officer at the Kenya Methodist University. She also served as an Assistant Administrative Officer (A.A.O) in the Directorate of Research, Development & Postgraduate Studies at Kenya Methodist University.

She also indicated that her competency in community mobilization and human resource development and management, makes her an asset to the board of directors. The nominee also informed the Committee that she is conversant with Board operations and that she had personally benefitted from the Fund through a bursary allocation when undertaking her studies.

The nominee further observed that the Fund is a success story and it has positively impacted the community through numerous schools built by the NGCDF in her home area which has seen increase in enrolment of pupils/students in schools. The community has also benefitted from the dams and wells that were built by the Fund.

On the 2.5% of the national sharable revenue allocated to the NG-CDF kitty, the nominee supports increment of the allocation to the Fund.

Committee Observations on Mrs. Maria Lekoloto

The Committee observed that the nominee represents persons living with disability and is qualified to be appointed as a Board Director.

4.4.5 Dr. Isabel Nyambura Waiyaki

She is a 37 year-old female from Kiambu County and holds PhD in Economics from the University of Nairobi/ University of Dar es salaam, Master of Arts degree in Leadership and Governance from Pan-African Christian University, Master of Arts degree in Economics from University of Nairobi and Bachelor of Arts degree in Economics from the University of Nairobi.

In response to how her educational background and professional background has prepared her for the tasks as NG-CDF Board Director, the nominee informed the Committee that her experience in the following areas gives her an advantage in her proposed role as a Director of the Board: County Executive Committee (CEC) Member for the Department of Trade, Tourism, Co-operatives and Enterprise Development – County Government of Kiambu; Lecturer at University of Nairobi, School of Economics. Consultant at the Kenya National Chamber of Commerce and Industry; Consultant at the Kenya Health Sector Support Project (KHSSP) at the World Bank, Nairobi ;Economics Research Adviser at Bank of Africa (K) Ltd on a Full time and at various times as a Consultant; Corporate Relationship Manager at Bank of Africa; Financial/Corporate Analyst at Bank of Africa (K) Ltd; Operations Officer at Bank of Africa (K) Ltd ;Research Analyst at Centre for Economic and Social Research at various times on part time basis and Research Assistant at Good Health Promotion for Kenya Organization.

She added that her key current role as the Chairperson of the National Government - Constituency Development Fund (NG-CDF) Committee in Kikuyu Constituency has added her knowledge in matters implementation of the funds.

In regard her position as the Chairperson of Kikuyu CDFC, the nominee assured members that she would immediately resign from the position, if approved to the position of a Director of the Board.

On the 2.5% allocation threshold and financing gaps in NGCDF, the nominee proposed that, yearly NG-CDF fund allocations be based on the net collected revenue and not on financial year estimates.

She further proposed sensitization and the need to build capacity of the local community on the role of NGCDFC and management of the Fund.

Committee Observations on Dr. Isabel Nyambura Waiyaki

The Committee observed that the nominee is currently serving as the Chairperson of NG-CDFC Kikuyu Constituency and therefore has first-hand experience on the implementation and management of the Fund at the Constituency level.

She is qualified for appointment to the Board owing to her work experience and education background.

4.4.6 Hon. Peter Edick Omondi Anyanga

The nominee is a 54-year-old male from Migori County and served as the Member of Parliament for Nyatike Constituency in the 10th and 11th Parliaments. He served as a member of the Budget and Appropriations and Public Accounts Committees in the National Assembly.

The nominee informed the Committee that he is a businessman, upholds integrity and understands the Government agenda.

He holds a Master of Business Administration degree and a Bachelor of Arts degree in Business Studies, both from University of Derby, UK and a Higher Diploma in Strategic Management and Leadership from India.

Concerning his interaction with NGCDF, the nominee informed the Committee that he served as Member of Parliament for 10 years and participated fully in the legislation and implementation of the Fund at the Constituency level.

On whether there exists any audit issues on the accounts of Nyatike Constituency during his tenure as the Members of Parliament, the nominee assured the Committee that he is not aware of any such issues and invited relevant authorities to investigate and take relevant, if found culpable.

On his tenure as a Board Member of African Finance Corporation (AFC), the nominee informed the Committee that the law allows one to serve in more than one Board, if they don't conflict/overlap in mandate or schedule of meetings.

Committee Observations on Hon. Peter Edick Omondi Anyanga

The Committee found the nominee qualified for nomination owing to his past experience in public service and his education background.

4.4.7 Mr. George Kasatua Ole Meshuko

The nominee is a 47-year-old male from Narok County. He holds a Masters in Economic Planning and Strategic Management and Bachelor of Arts degree from the University of Nairobi.

Asked how his educational background and professional background had prepared him for the task as NG-CDF Board Director, the nominee cited his competency in public administration and as a former County Executive Committee Member in charge of Public Service and Management in Narok County.

In regard to his current job status, the nominee is not engaged in any salaried employment and is currently engaged in farming and livestock keeping.

Committee Observations on Mr. George Kasatua Ole Meshuko

The Committee observed that the nominee is qualified for appointment as a Board Director owing to his experience in public service and educational background.

4.0 RECOMMENDATION

Having considered the suitability, capacity and integrity of the nominees, and pursuant to Section 8 (2) of the Public Appointments (Parliamentary Approval) Act, 2011, the Committee hereby recommends that the National Assembly **APPROVES** the following nominees for appointment as Board of Directors of the National Government Constituencies Development Fund –

- 1. Mr. Robert Nyariki Momanyi Masese;**
- 2. Hon. Peter Edick Omondi Anyanga;**
- 3. Ms. Irene C. Masit;**
- 4. Mr. Abdiaziz Bulle Yarrow;**
- 5. Ms. Isabel Nyambura Waiyaki;**
- 6. Ms. Maria Lekoloto; and**
- 7. Mr. George Kasatua Ole Meshuko.**

APPENDIX 1

**Letter from the Cabinet Secretary, National Treasury &
Planning forwarding nominees' names for approval**



REPUBLIC OF KENYA
THE NATIONAL TREASURY AND PLANNING

Telegraphic Address: 22921
Finance - Nairobi
FAX NO. 310838
Telephone: 2252299
When Replying Please Quote

THE NATIONAL TREASURY
P O BOX 30007 - 00100
NAIROBI

ODESP
see process
20th February 2019
rsp/19

TNTP/4/52

Mr. Michael Sialai
Clerk of the National Assembly
Parliament Building
NAIROBI



Dear *Clerk,*

RE: NOMINEES TO THE BOARD OF DIRECTORS OF THE NATIONAL GOVERNMENT CONSTITUENCIES DEVELOPMENT FUND

Pursuant to Section 15 of the National Government Constituencies Development Fund Act, the following persons have been nominated to the Board;

- 1. Robert Nyariki Momanyi Masese - Male
- 2. Irene C. Masit - Female
- 3. Abdulaziz Bulle Yarrow - Male
- 4. Isabel Nyambura Waiyaki - Female
- 5. Maria Lekoloto - Female (Representing persons with disability)
- 6. Omondi Anyanga - Male
- 7. George Kasatua Ole Meshuko - Male

Handwritten notes:
① *Mr. Robert Masese*
Mr. Irene Masit
Mr. Abdulaziz Bulle Yarrow
Ms. Isabel Nyambura Waiyaki
Ms. Maria Lekoloto
Mr. Omondi Anyanga
Mr. George Kasatua Ole Meshuko

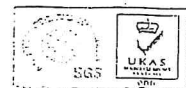
The curriculum vitae of the above persons are attached. Kindly facilitate approval by the National Assembly.

Your *Sincerely,*
[Signature]

②

HENRY K. ROTICH, EGH
CABINET SECRETARY/NATIONAL TREASURY & PLANNING

Encl.



ISO 9001:2008
Certified.

APPENDIX 2

Communication from the Chair



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

MESSAGE FROM THE NATIONAL TREASURY
(No. 1 of 2019)

**ON NOMINATION OF PERSONS FOR APPOINTMENT
AS MEMBERS OF THE BOARD OF DIRECTORS OF THE NATIONAL
GOVERNMENT CONSTITUENCIES DEVELOPMENT FUND**

Honourable Members, pursuant to the provisions of section 15 of the National Government Constituencies Development Fund Act, 2015, I wish to convey to the House that I have received a request from the Cabinet Secretary for the National Treasury, asking the House to approve the appointment of the following nominees to the Board of Directors of the National Government Constituencies Development Fund (NG-CDF):

1. Mr. Robert Nyariki Momanyi Masese;
2. Ms. Irene C. Masit;
3. Mr. Abdulaziz Bulle Yarrow;
4. Ms. Isabel Nyambura Waiyaki;
5. Ms. Maria Lekoloto (representing persons with disability);
6. Mr. Omondi Anyanga; and
7. Mr. George Kasatua Ole Meshuko.

Honourable Members, section 15(4) of the National Government Constituencies Development Fund Act, 2015 provides that members nominated by the Cabinet Secretary for appointment to the NG-CDF Board shall be approved by the House before appointment.

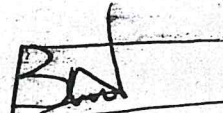
Section 50(5)(d) of the NG-CDF Act stipulates that, one of the functions of the National Assembly Select Committee on the National Government Constituencies Development Fund is to consider and report to the House, with recommendations, names of persons requiring approval by the National Assembly pursuant to the NG-CDF Act.

Honourable Members, in this regard, I hereby refer the names of the nominees, including their curriculum vitae, to the Select Committee on the National Government Constituencies Development Fund to undertake the necessary approval hearings. Thereafter, the House shall consider the nominees in accordance with the Public Appointments (Parliamentary Approval) Act, 2011.

Honourable Members, Section 8(1) of the said Act requires the National Assembly to either approve or reject the nominees **within fourteen days** from the date on which the notification of nomination was given. In view of the foregoing, I wish to guide the Committee and the House as follows:

- (i) The Committee should notify the nominees and the general public of the time and place of the approval hearings, in good time. The notification should therefore be made immediately; and,
- (ii) The Committee may thereafter commence the necessary approval hearings and submit its report to the House on or before **Tuesday, March 12, 2019.**

I thank you!


THE HON. JUSTIN B.N. MUTURI, EGH, MP
SPEAKER OF THE NATIONAL ASSEMBLY
Tuesday, February 26, 2019

APPENDIX 3

Newspaper advertisements inviting submission of memoranda



**NATIONAL ASSEMBLY
TWELFTH PARLIAMENT – THIRD SESSION**

In the matter of approval by the National Assembly of persons nominated for appointment as Directors of the Board of the National Government Constituencies Development Fund

SUBMISSION OF MEMORANDA

Pursuant to the provisions of Section 15 of the National Government Constituencies Development Fund Act, 2015, the Cabinet Secretary for the National Treasury has nominated the following persons for appointment to the Board of Directors of the National Government Constituencies Development Fund:-

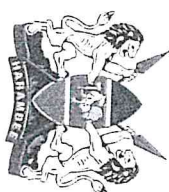
1. Mr. Robert Nyariki Momanyi Masese
2. Ms. Irene C. Masiti
3. Mr. Abdulaziz Bulle Yarow
4. Ms. Isabel Nyambura Waiyaki
5. Ms. Maria Lekoloto (Representing persons with disability)
6. Hon. Peter Edick Omondi Anyanga
7. Mr. George Kasatua Ole Meshuko

Following the receipt of the nominations, the **Select Committee on National Government Constituencies Development Fund** is mandated to vet and consider the suitability of the said nominees for appointment to office.

Pursuant to Section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011, the Committee now invites interested members of the public to submit any representation by written statement on oath (**Affidavit**) with supporting evidence contesting the suitability of the said nominees for appointment to office.

The representations may be forwarded to the **Clerk of the National Assembly, P.O. Box 41842-00100, Nairobi**; hand-delivered to the **Office of the Clerk, Main Parliament Buildings, Nairobi**; or emailed to **clerk@parliament.go.ke**; to be received **on or before Wednesday 6th March, 2019 at 5.00 pm.**

**MICHAEL R. SIALAI, EBS
CLERK OF THE NATIONAL ASSEMBLY**



**NATIONAL ASSEMBLY
TWELFTH PARLIAMENT – THIRD SESSION**

NOTIFICATION FOR VETTING BY THE SELECT COMMITTEE ON NATIONAL GOVERNMENT CONSTITUENCIES DEVELOPMENT FUND FOR PERSONS NOMINATED FOR APPOINTMENT TO THE BOARD OF DIRECTORS OF THE NATIONAL GOVERNMENT CONSTITUENCIES DEVELOPMENT FUND

Pursuant to the provisions section 15 of the National Government Constituencies Development Fund Act, 2015, the Cabinet Secretary for the National Treasury has nominated the following persons for appointment to the Board of Directors of the National Government Constituencies Development Fund:-

Following the receipt of the nomination, the **Select Committee on National Government Constituencies Development Fund** is mandated to vet and consider the suitability of the said nominees for appointment to office.

Pursuant to provisions of Article 118 of the Constitution of Kenya and Section 6(4) of the Public Appointments (Parliamentary Approval) Act, 2011, the general public is hereby notified that **Select Committee on National Government Constituencies Development Fund** shall conduct the vetting of the said nominees on **Thursday, 7th March, 2019 in Committee Room on 5th Continental House Parliament Buildings** as indicated below:-

NOMINEE	TIME
1. Mr. Robert Nyariki Momanyi Masese	9.00 am
2. Ms. Irene C. Masiti	9.45 am
3. Mr. Abdulaziz Bulle Yarow	10.30 am
4. Ms. Isabel Nyambura Waiyaki	11.15 am
5. Ms. Maria Lekoloto	12.00 pm
6. Hon. Peter Edick Omondi Anyanga	12.45 pm
7. Mr. George Kasatua Ole Meshuko	2.00 pm

The nominees should bring originals of their identity card, academic and professional certificates and other relevant testimonials. In addition, the nominees should bring letters/certificate of clearance/compliance from the following:-

- (i) Ethics and Anti-Corruption Commission;
- (ii) Kenya Revenue Authority;
- (iii) Higher Education Loans Board;
- (iv) Directorate of Criminal Investigations; and
- (v) Any of the Credit Reference Bureaus.

**MICHAEL R. SIALAI, EBS
CLERK OF THE NATIONAL ASSEMBLY**

REPUBLIC OF KENYA



NATIONAL ASSEMBLY
TWELFTH PARLIAMENT – THIRD SESSION

In the matter of approval by the National Assembly of persons nominated for appointment as Directors of the Board of the National Government Constituencies Development Fund

SUBMISSION OF MEMORANDA

Pursuant to the provisions of Section 15 of the National Government Constituencies Development Fund Act, 2015, the Cabinet Secretary for the National Treasury has nominated the following persons for appointment to the Board of Directors of the National Government Constituencies Development Fund:-

1. Mr. Robert Nyariki Momanyi Masese
2. Ms. Irene C. Masit
3. Mr. Abdulaziz Bulle Yarrow
4. Ms. Isabel Nyambura Waiyaki
5. Ms. Maria Lekoloto (Representing persons with disability)
6. Hon. Peter Edick Omondi Anyanga
7. Mr. George Kasatua Ole Meshuko

Following the receipt of the nominations, the Select Committee on National Government Constituencies Development Fund is mandated to vet and consider the suitability of the said nominees for appointment to office.

Pursuant to Section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011, the Committee now invites interested members of the public to submit any representation by written statement on oath (affidavit) with supporting evidence contesting the suitability of the said nominees for appointment to office.

The representations may be forwarded to the Clerk of the National Assembly, P.O. Box 41842-00100, Nairobi; hand-delivered to the Office of the Clerk, Main Parliament Buildings, Nairobi; or emailed to clerk@parliament.go.ke; to be received on or before Wednesday 6th March, 2019 at 5.00 pm.

MICHAEL R. SIALAI, EBS

CLERK OF THE NATIONAL ASSEMBLY



REPUBLIC OF KENYA

MINISTRY OF PETROLEUM AND MINING
KENYA PETROLEUM TECHNICAL ASSISTANCE PROJECT
REQUEST FOR EXPRESSIONS OF INTEREST
(CONSULTING SERVICES – FIRMS SELECTION)

Country: KENYA
Name of Project: KENYA PETROLEUM TECHNICAL ASSISTANCE PROJECT
Credit No: 55260 KE
Project ID No. P145234
Assignment Title: TECHNICAL LABORATORY ADVISOR
Reference No: KE-MOE-88547-CS-QCBS

The Government of Kenya (GoK) has received financing from the World Bank's International Development Assistance (IDA) towards the cost of the Kenya Petroleum Technical Assistance Project (KEPTAP) whose overall objective is to strengthen the capacity of the Government of Kenya to manage its petroleum sector and accruing wealth for sustainable development. It is intended that part of the proceeds of this credit be applied to eligible payments under the contracts for provision of consultancy services of a Technical Laboratory advisor for National Environment Management Authority.

The consultancy is a fixed two (2) year indefinite delivery contract.

Under the supervision of the NEMA, the consultant will among others carry out the following specific tasks which include but not limited to the following services;

- Develop Standard Operating and analytical Procedures for the laboratory in line with International Best Practice;
- Carry out capacity gaps assessment for adequate Laboratory operation and recommend gaps closure options;
- Provide technical advice on instrumentation techniques for the laboratory equipment;
- Undertake laboratory equipment mobilization to fully operationalize the lab;
- Provide on-job training for NEMA Environmental Inspectors and Lab personnel on Hydrocarbon Analysis including Sample Collection, handling/transportation and storage and on-site analysis of physical parameters;
- Assist NEMA in preparation of the Laboratory business plan for commercialization strategy;
- Develop Standard Operating Procedures for the movement of the mobile laboratories;
- Develop guidelines for designation of Laboratories for hydrocarbon testing; and,
- Support NEMA in developing proficiency tests for designated Laboratories.

