

# REPUBLIC OF KENYA



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## ELEVENTH PARLIAMENT (THIRD SESSION) THE NATIONAL ASSEMBLY MESSAGES

### MESSAGE FROM THE PRESIDENT (No. 36 of 2015)

### ON THE NOMINATION OF CABINET SECRETARIES AND PRINCIPAL SECRETARIES

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#### **Honourable Members,**

Pursuant to Standing Order 42 of the National Assembly Standing Orders, I wish to convey a Message from His Excellency the President. The Message was submitted by way of a letter which was delivered to my office yesterday, the 1<sup>st</sup> of December, 2015 for presentation to the House in accordance with Article 152(2) and 155(3) of the Constitution.

**Hon. Members,** Article 152(2) requires that, and I quote;

***“(2) The President shall nominate and, with the approval of the National Assembly, appoint Cabinet Secretaries.”***

Article 155(3) on the other hand states;

***“(3) The President shall—***

***(a) nominate a person for appointment as Principal Secretary from among persons recommended by the Public Service Commission; and  
(b) with the approval of the National Assembly, appoint Principal Secretaries.”***

In the Message, His Excellency the President has nominated the following to serve as Cabinet Secretaries:-

<b>S/No.</b>	<b><u>Name</u></b>	<b><u>Ministry</u></b>
(i)	Daniel Kazungu Muzee	Mining
(ii)	Festus Mwangi Kiunjuri	Devolution and Planning
(iii)	Willy Kipkorir Bett	Agriculture
(iv)	Sicily Kanini Kariuki	Public Service, Youth and

(v)	Charles Cheruiyot Keter	Gender Affairs
(vi)	Dr. Cleopa Kilonzo Mailu	Energy and Petroleum
(vii)	Joseph Mucheru	Health
		Information, Communication and Technology

**Hon. Members,**

H.E. the President has further nominated the following as Principal Secretaries:-

<u>S/No.</u>	<u>Name</u>	<u>State Department</u>
(1)	Joe Okudo	Arts, Culture
(2)	Sammy Itemere	Broadcasting & Telecommunications
(3)	Micah Powon	Correctional Services
(4)	Amb. Peter K Kaberia	Defence
(5)	Betty Chemutai Maina	EAC Integration
(6)	Charles Sunkuli	Environment
(7)	Lilian Omollo	Youth and Public Service
(8)	Dr. Nicholas Muraguri	Health
(9)	Aidah Munano	Housing & Urban Development
(10)	Eng. Victor Kyalo	ICT & Innovation
(11)	Julius Korir	Industry & Enterprise Development
(12)	Dr. Chris Kiptoo	International Trade
(13)	Patrick Nduati Mwangi	Irrigation
(14)	Dr. Andrew K. Tuimur	Livestock
(15)	Nancy Karigithu	Maritime Commerce
(16)	Dr. Margaret Mwakima	Natural Resources

(17)	Andrew Kamau Nganga	Petroleum
(18)	Saitoti Torome	Planning & Statistics
(19)	Dr. Paul Maringa Mwangi	Public Works
(20)	Susan Mochache	Social Security & Services
(21)	Fatuma Hersi	Tourism
(22)	Wilson Nyakera Irungu	Transport
(23)	Dr. Dinah Jerotich Mwinzi	Vocational & Technical Training
(24)	Zeinab W Hussein	Gender Affairs

### **Hon. Members,**

H.E. the President now seeks the approval of the National Assembly on the nominees for appointment to as Cabinet Secretaries. At the same time, Standing Order 45 requires that upon receipt of notification of nomination for appointments, such nominations shall stand committed to the relevant Departmental Committees for consideration. Consequently, the nominations for appointment to the positions of Principal Secretaries are hereby referred to the respective Departmental Committees as follows:-

S/No.	Departmental Committee	Nominee
(1)	Finance, Planning & Trade	(i) Saitoti Torome
		(ii) Julius Korir
		(iii) Fatuma Hersi
		(iv) Dr. Chris Kiptoo
(2)	Energy, Information & Communication	(i) Sammy Itemere
		(ii) Eng. Victor Kyalo
		(iii) Andrew Kamau Ng'ang'a
(3)	Administration & National Security	Micah Powon
(4)	Environment & Natural Resources	(i) Charles Sunkuli
		(ii) Dr. Margaret Mwakima
(5)	Transport, Public Works & Housing	(i) Aidah Munano
		(ii) Dr. Paul Maringa Nganga

		(iii) Wilson Nakera Irungu
		(iv) Nancy Karigithu
(6)	Defence & Foreign Relations	Amb. Peter K. Kaberia
(7)	Agriculture, Livestock & Cooperatives	(i) Dr. Andrew K. Tuimur
		(ii) Patrick Nduati Mwangi
(8)	Health	Dr. Nicholas Muraguri
(9)	Education Research Technology	Dr. Dinah Jerotich Mwinzi
(10)	Labour and Social Welfare	(i) Betty Chemutai Maina
		(i) Susan Muchache
		(ii) Joseph Okudo
		(iii) Zeinab W. Hussein

**The Departmental Committees Administration & National Security and that on Labour and Social Welfare will jointly vet the proposed appointment of Ms. Lilian Omollo, as the state department on Youth and Public Service, for which she is nominated to, falls within the mandate of the two Committees.**

Further, and pursuant to the provisions of Standing Order 204(4), the nomination on the seven (7) Cabinet Secretaries is hereby referred to the *Committee on Appointment*.

I have also directed the Clerk to publish and circulate, tomorrow, the list of the nominees, showing clearly the respective Committees which will vet each one of the nominees

**Hon. Members**, section 8 of the Public Appointments (Parliamentary Approval) Act requires that unless otherwise provide in law, a Committee shall consider a nomination and table a report for debate and decision in the House within fourteen (14) days from the date of notification. It is therefore imperative that each of the aforementioned Committees immediately seizes itself of the matter to enable speedy conclusion within the set timelines. For the avoidance of doubt, the Committees are expected to have concluded their deliberation and table the necessary reports by **December 14, 2015**. You will note that this is the time that the House ought to consider and make a decision on the nominees for appointment to the Ethics and Anti-Corruption Commission, being the 21<sup>st</sup> and last day following the conveyance of the names in the House.

**Hon. Members,**

From the foregoing, and aware that the House is scheduled to break for long recess tomorrow in accordance with the House Calendar, it is only prudent that the House be recalled from the recess for Special Sittings on or around December 16<sup>th</sup> to 18<sup>th</sup>, 2015. Notably, about 12 Committees will be involved in the vetting exercise. It therefore follows that, the approval process will also be considered by the House by way of various separate motions. To this end, it may not be possible to conclude with all the separate motions within the required timelines. I have therefore requested the Leader of the Majority Party to move a motion tomorrow for the extension of the time for consideration of the nominations pursuant to the provisions of section 13 of the Public Appointments (Parliamentary Approval) Act. This will allow the conclusion of the approval motions after the tabling of the reports when the House is recalled for the special sitting on or around December 16, 2015. For avoidance of doubt, the said section states:-

***“13(1) Despite the provisions of this Act or any other written law, where a time is prescribed for doing an act or taking a proceeding by the National Assembly relating to a public appointment, the National Assembly may, by resolution, extend that time by a period not exceeding fourteen days.”***

**Hon. Members,**

In this regard, I wish to guide the Committees and the House as follows:-

- (i) The Committees should immediately notify the nominees and the general public of the time and place of holding approval hearings in good time to ensure commencement of the necessary hearings in good time; and
- (ii) The Committees are expected to have concluded their reports to the House on or before December 15, 2015 to enable the House to consider the respective reports and the nominees immediately thereafter.

**Finally Hon. Members,** let me take this early opportunity to correct the impression made by the print and electronic media with regard to the vetting of the nominees for the position of Cabinet Secretaries and Principal Secretaries. Articles 152(5)(a) and 155(4) allows the President to re-assign a Cabinet Secretary or a Principal Secretary respectively. The interpretation of these provisions is that a person vetted and approved for appointment to the position of Cabinet Secretary or Principal Secretary may be reassigned within the same position by the President. Indeed, any

appointment approved by the National Assembly would not require subsequent vetting if the reassignment is of the same nature and responsibility. Consequently, serving Cabinet and Principal Secretaries who have been moved to other Ministries or State Departments will be **NOT** require further approval of the House.

**I thank you!**

**THE HON. JUSTIN B.N. MUTURI, EGH, MP**  
**SPEAKER OF THE NATIONAL ASSEMBLY**  
**DECEMBER 02, 2015**