

REPUBLIC OF KENYA



ELEVENTH PARLIAMENT (FOURTH SESSION) THE NATIONAL ASSEMBLY MESSAGES

MESSAGE FROM THE PRESIDENT

(No. 10 of 2016)

ON THE NOMINEE FOR APPOINTMENT AS THE CHAIRPERSON OF THE ETHICS AND ANTI-CORRUPTION COMMISSION (EACC)

Honourable Members, pursuant to the provisions of Standing Order No. 42(1) of the National Assembly Standing Orders, I wish to report to the House that I have received a Message from His Excellency the President, seeking National Assembly's approval of the nominee for appointment as the Chairperson of the Ethics and Anti-Corruption Commission (EACC). In the Message, His Excellency the President conveys that, in exercise of powers vested in him under sections 3 and 5 of the Ethics and Anti-Corruption Commission Act, 2011, he has nominated **Archbishop (Rtd.) Eliud Wabukala Wamukekhe** for appointment as the Chairperson of the Ethics and Anti-Corruption Commission (EACC).

Honourable Members, it is expected that the nominee will undergo the vetting process in accordance with the provisions of the Public Appointments (Parliamentary Approval) Act, 2011. Section 8 of the said Act provides that the relevant Committee of the House should consider the suitability or otherwise of the nominee and table its Report for consideration by the House within fourteen (14) days from the date when the notification of nomination is conveyed to the House. Further, the Act requires that the public be given a seven (7) days notification to submit their views regarding the

suitability or otherwise of the nominee proposed for appointment to an office requiring Parliamentary approval.

In this regard, and in accordance with the provision of Article 259(5)(a) of the Constitution as read together with section 5 of the said Act, the seven (7) days' notification to the public shall start running on the day following the day when the notice is published in the dailies. Further Section 9 of the said law provides that:-

" If after the expiry of the period for consideration specified in Section 8, Parliament has neither approved nor rejected a nomination of a candidate, the candidate shall be deemed to have been approved."

Honourable Members, in this regard, I will be asking the Chairperson if the Departmental Committee on Justice and Legal Affairs to seek relevant resolution of the House today, to extend the period for consideration of the nominee as provided for in under section 13 of the Public Appointments (Parliamentary Approval) Act, 2011.

Honourable Members, owing to the pivotal role played by the Office of the Chairperson of the Ethics and Anti-Corruption Commission (EACC) in driving the fight against corruption within our society, it is advisable that the concerned committee expeditiously proceeds to notify the nominee and the public. Thereafter, the Committee should commence the approval hearings and table a Report thereto, at the earliest opportunity to enable the House to consider the Report within the statutory timelines. This Message, together with the resume of the nominee stand committed to the Departmental Committee on Justice and Legal Affairs for consideration.

I thank you.

THE HON. JUSTIN B.N. MUTURI, EGH, MP
SPEAKER OF THE NATIONAL ASSEMBLY

Tuesday, December 20, 2016