

REPUBLIC OF KENYA



ELEVENTH PARLIAMENT-(THIRD SESSION)

THE NATIONAL ASSEMBLY

MESSAGES

MESSAGE FROM THE PRESIDENT
(No. 20 of 2015)

ON THE NOMINATION OF THE CHAIRPERSON OF THE BOARD OF DIRECTORS,
GOVERNOR AND DEPUTY GOVERNOR OF THE CENTRAL BANK OF KENYA

Honourable Members,

Standing Order 42 (1) relating to **Messages from the President** provides that *“the Speaker shall read to the House any message from the President delivered to the Speaker for communication to the House”*. In this regard therefore, I wish to inform the House that I have received a Message from the His Excellency the President regarding appointment of persons to the Board of the Central Bank of Kenya.

The Message conveys that, H.E. the President, in accordance with the provisions of section 11 of Central Bank of Kenya Act, has nominated Mr. Jairus Mohammed Nyaoga to the position of Chairperson of the Board of Directors of the Central Bank of Kenya. Further, pursuant to section 13 and 13B of the same Act, the President has nominated Dr. Patrick Ngugi Njoroge and Mrs. Sheila Mmbijjewe to the positions of Governor and Deputy Governor of the Central Bank of Kenya, respectively. The President therefore seeks the approval of the National Assembly on the said nominations.

Hon. Members, the above provisions of the Central Bank of Kenya Act require that in making appointments to the offices of the Chairperson of the Board of Directors, the Governor and Deputy Governor of the Central Bank of Kenya, the appointing authority shall seek parliamentary approval. Section 5 of the Public Appointments (Parliamentary Approval) Act, 2011 provides that an appointing authority shall, upon nominating a person for an appointment to which this Act applies, notify the relevant House of Parliament accordingly. Consequently, a proper notification in line with the above provisions has been received.

Hon. Members, as the Central Bank of Kenya Act does not provide specific timelines for the consideration of the nominations, it follows that section 8(1) of the Public Appointments (Parliamentary Approval) Act, 2011 come into effect. For the avoidance of

doubt, this section states, and I quote, *'Unless otherwise provided in any law, a Committee shall consider a nomination and table its report in the relevant House for debate and decision within fourteen days from the date on which the notification of nomination was given in accordance with section 5.* In this regard therefore, the House has fourteen (14) days to consider the nominations in accordance with the relevant laws. **Hon. Members**, questions may arise as to whether the Chairperson of the CBK Board is subject to the provisions of the Public Appointments (Parliamentary Approval) Act. My reading of section 11 of the Central Bank of Kenya Act confirms that, indeed the appointment of the Chairperson, the Governor, the Deputy Governor and the other Non-executive Directors ought to be approved by the House.

Hon. Members, pursuant to the provisions of Standing Order 42(3)(c), I now refer the Message from H.E. the President containing the names of the nominees together with their curricula vitae, the report of the Selection Panel and the Score Sheets to the Departmental Committee on Finance, Planning and Trade to conduct the approval hearings and table their report on or before June 16, 2015. The Committee should endeavor to conduct extensive public participation as provided for under Article 118 of the Constitution as well as section 6(4) of the Public Appointments (Parliamentary Approval) Act.

Thank you!

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

June 3, 2015

