

Approved
EBS
1st Dec. 2022

REPUBLIC OF KENYA

THE NATIONAL ASSEMBLY
THIRTEENTH PARLIAMENT – FIRST SESSION – 2022

DIRECTORATE OF DEPARTMENTAL COMMITTEES
DEPARTMENTAL COMMITTEE ON BLUE ECONOMY AND IRRIGATION

REPORT ON THE APPROVAL HEARINGS OF:

MS. BETSY MUTHONI NJAGI, NOMINEE FOR APPOINTMENT AS PRINCIPAL SECRETARY, STATE DEPARTMENT FOR BLUE ECONOMY & FISHERIES;

MR. GITONGA MUGAMBI, EBS, NOMINEE FOR APPOINTMENT AS PRINCIPAL SECRETARY, STATE DEPARTMENT IRRIGATION; AND

DR. PAUL KIPRONOH RONO, NOMINEE FOR APPOINTMENT AS PRINCIPAL SECRETARY, STATE DEPARTMENT FOR WATER AND SANITATION

CLERK'S CHAMBERS
DIRECTORATE OF DEPARTMENTAL COMMITTEES
PARLIAMENT BUILDINGS
NAIROBI

THE NATIONAL ASSEMBLY	
DATE: 01 DEC 2022	THURSDAY
TABLED BY:	CHAIR, Blue Economy & Fisheries HON. DAVID BOWEN, MP
CLERK AT THE TABLE:	Benson Inzofu

NOVEMBER 2022

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LIST OF ABBREVIATIONS AND ACRONYMS

H.E.	-	His Excellency
KRA	-	Kenya Revenue Authority
EACC	-	Ethics and Anti-Corruption Commission
DCI	-	Directorate of Criminal Investigations
HELB	-	Higher Education Loans Board
ORPP	-	Office of the Registrar of Political Parties
PAPAA	-	Public Appointments (Parliamentary Approval) Act
SRC	-	Salaries and Remuneration Commission
PHD	-	Doctor of Philosophy
PM	-	Prime Minister
KESAP	-	Kenya Society of Agriculture Professionals
BSc	-	Bachelor of Science
MBA	-	Masters of Business Administration
EBS	-	Elder of the Burning Spear
MT	-	Metric Tonnes
ICT	-	Information Computer Technology

ANNEXURES

- Annexure 1: Adoption List
- Annexure 2: Minutes
- Annexure 3: Letter of notification from H.E. the President nominating the fifty-one (51) Principal Secretaries
- Annexure 4: Advertisement notifying the public of the approval hearings
- Annexure 5: Letters from the Clerk of the National Assembly inviting the nominees for the approval hearings
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CHAIRPERSON'S FOREWORD

This report contains proceedings of the Departmental Committee on Blue Economy and Irrigation during the approval hearings of Ms. Betsy Muthoni Njagi, nominee for appointment as Principal Secretary, State Department for Blue Economy and Fisheries, Mr. Gitonga Mugambi, EBS, nominee for appointment as Principal Secretary, State Department for Irrigation and Dr. Paul Kipronoh Ronoh, nominee for appointment as Principal Secretary, State Department Water and Sanitation as requested by H.E. the President and communicated to the House by the Speaker on **Thursday, 3rd November 2022**.

Through a letter dated 2nd November 2022, H.E. the President notified the National Assembly of the nomination of Ms. Betsy Muthoni, Mr. Gitonga Mugambi, EBS, and Dr. Paul Kipronoh Ronoh, for their appointment as Principal Secretaries for the State Departments for Blue Economy & Fisheries, State Department for Irrigation and State Department for Water and Sanitation respectively. The Hon Speaker vide a communication made on **Thursday, 3rd November 2022** conveyed to the House the Message from H.E. the President. The Speaker subsequently referred the nominees' curriculum vitae, and the Public Service Commission report on their recruitment to the Departmental Committee on Blue Economy and Irrigation for approval hearings. While referring the matter to the Committee, the Speaker directed that the Committee undertakes the vetting exercise within twenty-eight (28) days pursuant to Section 8 of the Public Appointments Parliamentary Approval Act (No. 33 of 2011). The Speaker further directed the Clerk of the National Assembly to notify the nominees and the general public by placing adverts in two newspapers of nationwide circulation and the Parliamentary Website of the time and place of holding the approval hearings by **Friday, 4th November 2022**.

In compliance with Article 118 (b) of the Constitution and section 6 (4) of the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011), the Clerk of the National Assembly placed an advertisement in the print media on Friday, 4th November 2022 informing the public of the nomination, date, time and place of the approval hearing. He also invited the public to submit memoranda by way of written statements on oath (*affidavit*) on the suitability of the nominees in conformity with section 6 (9) of the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011). The memoranda were to be received on or before Friday, 11th November 2022 at 5.00 p.m. (East African Time). At the close of the submission deadline, the Committee had not received any memorandum for or against the nominee's suitability.

The Clerk of the National Assembly also wrote to Kenya Revenue Authority (KRA), Ethics and Anti-Corruption Commission (EACC), Directorate of Criminal Investigations (DCI), Higher Education Loans Board (HELB) and Office of the Registrar of Political Parties (ORPP) seeking references and background checks relating to the suitability of the nominee.

The nominees appeared before the Committee on Tuesday , 15th November 2022 for vetting. The Committee examined their suitability based on the criteria set out in Section 7 of the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011). In addition, the Committee examined their academic credentials, relevant experience, knowledge of sector issues and on leadership and integrity. The Committee paid due regard to the procedure used to arrive at the nominees; any constitutional or statutory requirements relating to the office in question and suitability of the nominees for the appointment proposed having regard to whether the nominees' abilities, experience and qualities meet the needs of the State Departments.

Committee Recommendation

The Committee having held approval hearings of the nominees regarding their suitability, observed that due process was followed on the recruitment process as provided for under Article 155(3) (b) of the Constitution and the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011). The Committee therefore recommends that the National Assembly approves the nomination of –

1. Ms. Betsy Muthoni for appointment as Principal Secretary, State Department for Blue Economy and Fisheries;
2. Mr. Gitonga Mugambi, EBS for appointment as Principal Secretary, State Department for Irrigation; and
3. Dr. Paul Kipronoh Ronoh for appointment as Principal Secretary, State Department for Water and Sanitation.

Acknowledgements

The Committee registers its appreciation to the Offices of the Speaker, Office of the Clerk of the National Assembly, Office of the Director, Departmental Committees and the Committee Secretariat for the logistical support extended during the vetting process.

In addition, the Committee thanks the nominees for their cooperation during the vetting process. Finally, the Committee appreciates KRA, EACC, DCI, HELB and ORPP for providing references and background checks relating to the suitability of the nominees.

I acknowledge and appreciate Members of the Committee for their patience, sacrifice and commitment which enabled the Committee to complete the task within the required timelines.

On behalf of the Departmental Committee on Blue Economy and Irrigation ,and pursuant to Article 155(3)(b) of the Constitution and Section 8 of the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011) and provisions of Standing Orders 45(4) and 199(6), it is my pleasant duty to table the Report of the Committee on the approval hearings of Ms. Betsy Muthoni, nominee for appointment as Principal Secretary, State Department for Blue Economy and Fisheries, Mr. Gitonga Mugambi, EBS as nominee for appointment as Principal Secretary, State Department for Irrigation and Dr. Paul Kipronoh Ronoh, nominee for appointment as Principal Secretary, State Department Water and Sanitation for debate and adoption by the House.

Hon. Bowen David Kangogo, MP.

Chairperson, Departmental Committee on Blue Economy and Irrigation

CHAPTER ONE

1. PREFACE

1.1 Establishment of the Committee

1. The Departmental Committee on Blue Economy and Irrigation is one of the twenty Departmental Committees of the National Assembly established under **Standing Order 216** whose mandates pursuant to the **Standing Order 216 (5)** are as follows:

- i. *To investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned ministries and departments;*
- ii. *To study the programme and policy objectives of ministries and departments and the effectiveness of the implementation;*
- iii. *On a quarterly basis, monitor and report on the implementation of the national budget in respect of its mandate;*
- iv. *To study and review all legislation referred to it;*
- v. *To study, assess and analyze the relative success of the ministries and departments as measured by the results obtained as compared with their stated objectives;*
- vi. *To 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;*
- vii. *To 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);*
- viii. *To examine treaties, agreements and conventions;*
- ix. *To make reports and recommendations to the House as often as possible, including recommendation of proposed legislation;*
- x. *To consider reports of Commissions and Independent Offices submitted to the House pursuant to the provisions of Article 254 of the Constitution; and*
- xi. *To examine any questions raised by Members on a matter within its mandate.*

1.2 Subject of the Committee

2. In accordance with the Second Schedule of the Standing Orders, the Committee is mandated to consider matters of; use and regulation of water resources, irrigation, fisheries development including promotion of aquaculture, fish farming, marine fisheries, the sustainable use of ocean resources for economic growth and improved livelihoods, except seaports and marine transport.

3. In executing its mandate, the Committee oversees the following government ministries and departments and agencies (MDAs), namely:

- i. The State Department for Water and Sanitation
- ii. The State Department for Irrigation
- iii. The State Department for Blue Economy and Fisheries

1.3 Committee Membership

4. The Departmental Committee on Blue Economy and Irrigation was constituted by the House on 27th October, 2022 and comprises of the following Members:

Chairperson

Hon. Bowen David Kangogo, MP - **Chairperson**
Marakwet East Constituency
United Democratic Alliance Party

Vice- Chairperson

Hon. Kemero Maisori Marwa, MP - **Vice- Chairperson**
Kuria East Constituency
United Democratic Alliance Party

Hon. Stanley Muiruri Muthama, MP Lamu West Constituency <u>Jubilee Party</u>	Hon. Tandaza Kassim Sawa, MP Matuga Constituency <u>Amani National Congress</u>
Hon. Chepkwony Charity Kathambi, MP Njoro Constituency <u>United Democratic Alliance Party</u>	Hon. William Kamket, MP Tiaty Constituency <u>KANU</u>
Hon. Buyu Rozaah Akinyi, MP Kisumu West Constituency <u>Orange Democratic Party</u>	Hon. Eng. Paul Nzengu, MP Mwingi North Constituency <u>Wiper Democratic Party</u>
Hon. Were Charles Ong'ondo, MP Kasipul Constituency <u>Orange Democratic Party</u>	Hon. Dorothy Muthoni Ikiara, MP Nominated <u>United Democratic Alliance Party</u>
Hon. Nebart Bernard Muriuki, MP Mbeere South Constituency <u>Independent Member</u>	Hon. Mnyazi Amina Laura, MP Malindi Constituency <u>Orange Democratic Movement</u>
Hon. Adow Mohamed Aden, MP Wajir South Constituency <u>Orange Democratic Party</u>	Hon. Eric Mwangi Kahugu, MP Mathira Constituency <u>United Democratic Alliance Party</u>
Hon. George Gachagua, MP Ndaragwa Constituency <u>United Democratic Alliance Party</u>	

1.4 Committee Secretariat

5. The Committee is facilitated by the following staff:

Mr. Nicodemus K. Maluki
Clerk Assistant II/Head of Secretariat

Ms. Ivy Kageha
Clerk Assistant III

Dr. Benjamin Ngimor
Senior Fiscal Analyst

Ms. Lynette Otieno
Senior Legal Counsel

Ms. Veron D. Aluoch
Research Officer III

Mr. Wilson Angatangoria
Sergeant At Arms

Mr. Bernard Omondi
Senior Sergeant-At-Arms

Ms. Lilian Mburugu
Media Relations Officer

Mr. Cosmas Akhoye
Audio Officer

CHAPTER TWO

2. BACKGROUND INFORMATION

2.1 Legal Framework

6. Article 155 of the Constitution provides that:

155. (1) There is established the office of Principal Secretary, which is an office in the public service.

(2) Each State department shall be under the administration of a Principal Secretary.

(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.

(4) The President may re-assign a Principal Secretary.

(5) A Principal Secretary may resign from office by giving notice, in writing, to the President.

7. In light of this, H.E. the President nominated fifty-one (51) persons for appointment as Principal Secretaries to various State Departments. The President nominated the following persons for appointment as Principal Secretaries for the State Department for Blue Economy & Fisheries, State Department for Irrigation and the State Department for Water and Sanitation:

ii. Ms. Betsy Muthoni Njagi: Nominee for appointment as principal Secretary for Blue Economy and Fisheries;

iii. Mr. Gitonga Mugambi, EBS: Nominee for appointment as Principal Secretary, State Department for Irrigation; and

iv. Dr. Paul Kipronoh Ronoh: Nominee for appointment as Principal Secretary, State Department for Water and Sanitation.

8. The Departmental Committee on Blue Economy and Irrigation has been assigned the role of conducting the vetting of the aforesaid nominees.

9. The following Articles of the Constitution and statutes/provisions will be paramount to the Committee as it executes this mandate:

i. The Public Appointments (Parliamentary Approval) Act (No. 33 of 2011);

ii. The Public Service Act (No. 10 of 2017) on recommendation for appointment of Principal Secretaries;

iii. Article 10 of the Constitution on the national values and principles of governance;

iv. Chapter 6 of the Constitution on leadership and integrity;

v. Article 77 of the Constitution on restriction on activities of State Officers;

vi. Article 78 of the Constitution on dual citizenship;

vii. Article 118 of the Constitution on public participation;

viii. Article 232 of the Constitution on values and principles of public service;

ix. The Leadership and Integrity Act (No. 19 of 2012);

x. The Public Service (Values and Principles) Act (No. 1A of 2015); and

xi. The Public Officer Ethics Act (No. 4 of 2003).

The Public Appointments (Parliamentary Approval) Act (No. 33 of 2011)

10. Section 7 of the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011), provides for issues which the relevant House of Parliament (in this case, the National Assembly) is required to consider in relation to any nomination. These issues include:
- i. the procedure used to arrive at the nominee;*
 - ii. any constitutional or statutory requirements relating to the office in question; and*
 - iii. 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.*
11. During the approval hearing, section 6 of the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011) provides the following important points to be considered:
- i. An approval hearing shall focus on a candidate's academic credentials, professional training and experience, personal integrity and background (section 6(7), PAPAA);
 - ii. The criteria specified in the Schedule shall be used by a Committee during an approval hearing for the purposes of vetting a candidate (section 6(8), PAPAA);
 - iii. 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 (section 6(9), PAPAA); and
 - iv. A candidate may, at any time, by notice in writing addressed to the Clerk, withdraw from the approval process and the candidate's nomination shall end (section 6(10), PAPAA).

The Public Service Act (No. 10 of 2017)

12. Section 47 (2) of the Public Service Act (No. 10 of 2017) provides qualifications that one must have so as to be eligible for appointment as a Principal Secretary. These are:
- i. be a citizen of Kenya;
 - ii. hold a degree from a university recognized in Kenya;
 - iii. has at least ten (10) years relevant professional experience, five (5) years of which should have been in a leadership position or at a top management level in the public service or private sector;
 - iv. possess general knowledge of the organization and functions of Government;
 - v. demonstrates an understanding of the goals, policies and developmental objectives of the nation;
 - vi. has demonstrable leadership and management capacity including knowledge of financial management and strategic people management; and
 - vii. meets requirements of Chapter Six of the Constitution.

Article 10(2) of the Constitution on national values and principles of governance

13. Article 10(2) of the Constitution provides for the national values and principles of governance which include patriotism, national unity, sharing and devolution of power, the rule of law, democracy and participation of the people; human dignity, equity, social justice, inclusiveness, equality, human rights, non-discrimination and protection of the marginalized; good governance, integrity, transparency and accountability; and sustainable development.

Chapter 6 of the Constitution (Leadership and Integrity)

14. There are important provisions in Chapter 6 of the Constitution worth pointing out. Article 73 of the Constitution provides that the authority assigned to a State officer (a Principal Secretary being a state officer under Article 260 of the Constitution) is a public trust to be exercised in accordance to the Constitution, demonstrate respect for the people, bring honour to the nation and dignity to the office and promote public confidence in the integrity of the office. Also, the

State officer shall have the responsibility to serve the people, rather than the power to rule them.

15. The guiding principles of leadership and integrity are listed as selection based on personal integrity, competence and suitability, objectivity and impartiality in decision making; selfless service based solely on the public interest, accountability and discipline and commitment in service to the people.

Article 77 of the Constitution (Restriction on activities of State officers)

16. Article 77 of the Constitution provides that a full-time State officer shall not participate in any other gainful employment and that any appointed State officer shall not hold office in a political party.

Article 78 of the Constitution on citizenship and leadership

17. Article 78 of the Constitution states that a person is not eligible for election or appointment to a State office unless the person is a citizen of Kenya. It also provides that a State officer or a member of the defence forces shall not hold dual citizenship.

Article 118 of the Constitution on public access and participation

18. Article 118 of the Constitution provides that:

1. *Parliament shall:*
 - a) *conduct its business in an open manner, and its sittings and those of its committees shall be in public; and*
 - b) *facilitate public participation and involvement in the legislative and other business of Parliament and its committees.*
2. *Parliament may not exclude the public, or any media, from any sitting unless in exceptional circumstances the relevant Speaker has determined that there are justifiable reasons for the exclusion.*

Article 232 of the Constitution on Values and Principles of Public Service

19. Article 232 of the Constitution provides for the values and principles of public service which include high standards of professional ethics; efficient, effective and economic use of resources; responsive, prompt, effective, impartial and equitable provision of services; involvement of the people in the process of policy making; accountability for administrative acts; transparency and provision to the public of timely, accurate information; fair competition and merit as the basis of appointments and promotions; representation of Kenya's diverse communities; and affording adequate and equal opportunities for appointment, training and advancement, at all levels of the public service of men and women; the members of all ethnic groups; and persons with disabilities.

The Leadership and Integrity Act (No. 19 of 2012)

20. The Leadership and Integrity Act provides a number of obligations to a State officer. These are, among others: to respect and abide by the Constitution and the law, public trust, performance of duties in an honest and accountable manner, professionalism, financial integrity, not to engage in activities that amount to abuse of office, not misuse public resources, accepting gifts that may compromise the officer's duties, wrongful or unlawful acquisition of property, conflict of interest etc.

The Public Service (Values and Principles) Act (No. 1A of 2015)

21. Section 5 of the Public Service (Values and Principles) Act provides that a public officer shall maintain high standards of professional ethics, including, being honest; displaying high standards of integrity, transparency, accountability, respect to others, objectivity, patriotism, observance of rule of law. (Applies in future upon appointment)

The Public Officer Ethics Act (No. 4 of 2003)

22. The Public Officer Ethics Act provides for obligations to be carried out by a public officer. These include professionalism, carrying out duties in accordance with the law, prohibition from unjust enrichment, avoiding conflict of interest, not using office as a venue for soliciting or collecting harambees; not acting for foreigners; care of property; political neutrality, not practicing nepotism or favouritism, giving impartial advice, conducting private affairs in a way that maintains public confidence, bar from sexual harassment, submission of declaration of income, assets and liabilities once every two years (section 26). (Applies in future after appointment)

2.2 Qualifications for appointment as Principal Secretary

23. In conducting the approval hearings, the Committee was guided by Article 155 (3) (b) of the Constitution, section 47 (2) of the Public Service Act and the provisions of Section 7 of the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011).

2.3 Message from H.E. the President

24. H.E. the President on ~~2nd November 2022~~ communicated the names of the nominees for appointment to the positions of Principal Secretaries State Department for Blue Economy and Fisheries, State Department for Irrigation and the State Department for Water and Sanitation to the Speaker for approval by the National Assembly pursuant to Article 155 (3). The Speaker in his communication from the Chair issued on **Tuesday, 3rd November 2022** and pursuant to Standing Order No. 42 referred the names to the Departmental Committee on Blue Economy and Irrigation to conduct approval hearings and report within twenty-eight (28) days.

2.4 Speaker's Communication and Committal to the Committee

25. Pursuant to the provisions of Standing Order No. 42, the Speaker of the National Assembly on **Tuesday, 3rd November 2022** communicated to the House the message from H.E. the President regarding the nominees for appointment as Principal Secretaries for various State Departments. The Speaker informed the House that H.E. the President was seeking approval of the National Assembly on the said nominations before the nominees' appointment.

26. In accordance with Standing Order 45(1), the Speaker read the Message from H.E. the President and referred the names of the nominees, their curricula vitae and report of the Selection Panel on the recruitment process to the Departmental Committee on Blue Economy and Irrigation to conduct approval hearings.

27. While referring the matter to the Committee, the Speaker directed that the Committee undertakes the vetting exercise within twenty-eight (28) days pursuant to Section 8 of the Public Appointments Parliamentary Approval Act (No. 33 of 2011). The Speaker further directed the Clerk of the National Assembly to notify the nominees and the general public by

placing adverts in two newspapers of nationwide circulation and the Parliamentary Website of the time and place of holding the approval hearings by Friday, 4th November 2022.

28. In addition, the Speaker directed that approval hearings should commence on Monday, 14th November 2022 and end on Friday, 18th November 2022. Thereafter, the reports should be tabled in the House not later than Tuesday, 22nd November 2022 so as to enable the House to consider the reports within the statutory timelines.
29. On 15th November 2022, the Employment and Labour Relations Court in Constitution Petition No. E186 of 2022, Dr. Magare Gikenyi versus the President of the Republic of Kenya and 55 Others and in Constitution Petition No. E192 of 2022, Law Society of Kenya versus The National Assembly and 4 Others, granted Ex-Parte Conservatory Orders temporarily staying the vetting process in respect of nominees for appointment to the position of Principal Secretaries pending hearing and determination of the Petitioners' application for conservatory orders.
30. Consequently, on 16th November 2022 vide *Notification No. 02 of 2022*, the Speaker of the National Assembly directed that the vetting process be suspended pending the outcome of the judicial process and Further directed litigation Counsel to move the concerned courts to set aside the ex-parte orders based on various legal grounds and more particularly on lack of jurisdiction on the part of Courts to interfere with active parliamentary processes.
31. In the Ruling delivered on Tuesday, 29th November 2022, the court agreed with the National Assembly's submission that the doctrine of separation of powers as provided for in the Constitution ought to be respected and upheld at all times. Further, the court observed that the National Assembly has exclusive original jurisdiction to first carry out the approval process before the court can intervene.
32. In this regard the Speaker directed all the Departmental Committees to resume and conclude the vetting proceedings and approval hearings as soon as possible to allow for the conclusion of process. It is expected that the Committees will hasten the process and report to the House by end of the morning sitting of Thursday, 1st December 2022, to pave way for consideration of the various approval motions by the House.

2.5 Notification to the Public

33. Section 6(9) of the Public Appointments (Parliamentary Approval) Act (No. 33 of 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"*.
34. The Clerk of the National Assembly on **Friday, 4th November 2022** placed a notification in the print media informing the general public of the intention of the Committee to conduct approval hearings, as provided for by Article 118 (1) (a) (b) and (2) of the Constitution and Section 6(4) of the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011), which allows public participation in committee proceedings. The notification gave provision for the submission of memoranda, by way of written statements on oath (*affidavit*) on the suitability or otherwise of the nominees, by **Friday, 11th November 2022 at 5.00 pm (East African Time)**. At the close of the submission deadline, the Committee had not received any memorandum for or against the suitability of the nominees.

2.6 Notification to the Nominee

35. The Clerk of the National Assembly vide an advert placed in the print media on Friday, 4th November 2022 and letters Ref. NA/DDC/A&L/VETT/2022/001 and Ref. NA/DDC/A&L/VETT/2022/002 informed the nominees of the nomination by H.E. the President and requested them to appear for vetting by the Departmental Committee on Blue Economy and Irrigation on Tuesday, 15th November 2022 in Committee Room 7, Main Parliament Building. The Clerk of the National Assembly further requested the nominees to bring with them their clearance certificates from the Kenya Revenue Authority (KRA), the Higher Education Loans Board (HELB), Ethics and Anti-Corruption Commission (EACC), Directorate of Criminal Investigations (DCI) and Office of the Registrar of Political Parties (ORPP).

2.7 Clearance Requirements

36. 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 (DCI) requesting for tax, education loans, integrity, affiliation to political parties and criminal record status of the nominees. The following institutions wrote back to the National Assembly clearing the nominees, KRA (letter Ref. KRA/5/1002/5(8179) dated 14th November, 2022) ; DCI (letter Ref. DCI/CRO/SEC/6/7/2/A/VOL.XI/208 dated 10th November 2022); EACC (letter Ref. EACC.7/10/5 VOL XXI (70) dated 11th November 2022); HELB (letter Ref. HELB/RR/112009/190 dated 10th November 2022); and ORPP (letter Ref: RPP/ORG/34 VOL. VI (41) dated 10th November 2022).

2.8 Report of the Selection Panel on the Nomination of Principal Secretaries

37. Pursuant to Article 155 (3) (a) of the Constitution, the Public Service Commission invited applications from suitably qualified persons for the position of Principal Secretary. The advertisement was published in the print media, Kenya Gazette No. 10536 and on the Commission's Website on 7th September 2022 with a closing date of 20th October 2022.
38. On 20th September 2022, the Commission extended the advertisement period by seven (7) days. The advertisement period lapsed on 27th September 2022 with a total of nine thousand one hundred and fifty-four (9,154) persons submitting applications for consideration.
39. Four hundred and seventy-seven (477) candidates were shortlisted from 3rd to 6th October 2022 and a further review done on 7th October 2022 to bring the shortlist to five hundred and eighty-five (585) candidates so as to cater for gender, marginalised/minority groups and PWDs pursuant to Article 232 (1) (h) of the Constitution. Interviews for the shortlisted persons were conducted from 12th to 22nd October 2022.
40. The Public Service Commission adhered to all provisions of the Constitution in the process of advertising, shortlisting and interviewing the candidates including, merit, gender, ethnic and regional balance.

2.9 Committee proceedings

41. 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).

42. The Committee held five (5) sittings during which it examined and reviewed the nominees' certificates, testimonials as well as conducted approval hearings.

CHAPTER THREE

3. APPROVAL HEARINGS

43. The Committee conducted approval hearings for the nominees on **Tuesday, 15th November 2022**. In conducting the vetting exercise, the Committee was guided by, among other documents, the Constitution, the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011) and the National Assembly Standing Orders.
44. The Committee examined the nominees using the guidelines in the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011). 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. Tax compliance
 - h. Vision and leadership
 - i. Integrity
 - j. Expectations and Key priorities

3.1 Ms. Betsy Muthoni Njagi

45. Ms. Betsy Muthoni Njagi, the nominee for appointment as the Principal Secretary, State Department for Blue Economy and Fisheries, appeared before the Committee on Tuesday 15th November, 2022 at 11.30 am and was vetted under oath pursuant to Article 155(3) (b) of the Constitution, the Public Appointments (Parliamentary Approval) Act, 2011 and Standing Orders of the National Assembly. The Committee noted the following:

3.1.1 Date and Place of Birth

46. The nominee is a female Kenyan citizen born in 1983 in Tharaka Nithi County. She confirmed that she was a Kenyan citizen and did not hold any other citizenship.

3.1.2 Education and Training

47. The nominee holds a Bachelor's Degree in Information and Technology from Jomo Kenyatta University of Agriculture & Technology (JKUAT). She has a certificate in Project Management from APMG International among other short courses. She is currently undertaking a Master's Degree in Project Planning and Management in the University of Nairobi.

3.1.3 Work Experience/ Career Progression

48. The nominee informed the Committee that, she had seventeen years of experience having worked in both Public and Private sectors. She is currently the County Chief Officer Medical Services and ICT in Tharaka Nithi County. She had also served in the same capacity in Roads, Infrastructure, Public Works and ICT and Energy & ICT. The nominee worked for Internet Solutions, EA and Access Kenya group, Telkom Kenya, Safaricom PLC and Mater Hospital.

3.1.4 Membership and Professional Associations

49. The Committee noted that the nominee was a member of project management professional, APMG International Professional, Kenya Institute of Management (KIM), Member of Computer Society of Kenya (CSK) and INUKA Foundation.

3.1.5 Financial Net Worth

50. The nominee stated that her net worth was one Hundred and fifty two million Kenya shillings (Kshs. 152,000,000.00). She further stated that her total net worth comprises of; various parcels of land, poultry farming, an apartment in Nairobi, motor vehicles, upcountry home and shares and savings.

3.1.6 Public Office, Political Activities and Affiliations

51. The Nominee informed the Committee that she has never been a member of a Political Party or held any position of a Political party.

3.1.7 Clearance Requirements

52. The Committee confirmed that the nominee had been cleared by Kenya Revenue Authority (KRA), Office of the Registrar of Political Parties (ORPP), Directorate of Criminal Investigations (DCI), Ethics and Anti-Corruption Commission (EACC) and Higher Education Loans Board (HELB), having obtained clearance certificates to that effect.

3.1.8 Pro-bono/ Charity Work

53. The nominee is involved in charity work through developing business plans for community group at Kipini Kilifi County for mangrove bee keeping and mangrove conservation. Tree planting initiative for Oloolua Forest Ngong Road Forest and Eburru forest. She has donated books and stationery to children's homes.

3.1.9 General and Sector Specific Questions to the Nominee

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

Application of national values and principals of governance

55. She informed the Committee that, the provisions of Article 10 and 232 of the Constitution are very clear and they bind all State Officers and Public officers to apply high values of integrity, transparency and accountability in their operations.

Prudent use of public resources

56. The principles of Public Finance guide all aspects of finances in the republic and therefore she will endeavor to promote openness, equity and accountability at all times. She further stated that, she will be guided by the PFM Act, Public Procurement and Asset Disposal Act and other relevant laws.

Experience and achievements as the county chief officer in Tharaka Nithi County

57. She informed the Committee that amongst her key achievements, she developed and improved County revenue collection system that raised county revenue from **Kshs. 36.49 million** to **Kshs. 84.31 million** in the first half of the 2018/2019 financial year and subsequent years.

58. As the County Chief Officer, Medical Services and ICT the nominee informed the Committee that she had improved retrieval of Clinical data which provided timelines and promoted efficient, effective, equitable, patient-centered care while curbing revenue pilferage at the hospitals. This streamlined the flow of patients in the county hospitals, increased productivity of staff and reduced the waiting time and queues.
59. The nominee spearheaded implementation of an Omni channel call center at the County headquarters which dealt with handling of issues ranging from emergency and disaster response namely; A.I services, Agriculture, Health, Business permits and general inquiries in the county. This significantly improved fast call resolution of issues raised by the callers. She also redesigned the call to resolution model to improve support from 50 tickets resolved monthly to over 300 tickets.
60. She also informed the Committee that she had worked in other organization in different top management levels namely; Telkom Kenya, East Africa Region (Internet Solutions EA & Access Kenya Group), Safaricom Limited and Mater Hospital.

Vision for the State Department for Blue Economy and Fisheries

61. The nominee informed the Committee that the marine resources which include freshwater bodies and oceans can offer significant Economic opportunities such as fisheries, seabed mining, oil drilling, aquaculture, trade and tourism which can drastically transform the country's economy by creating employment and improving food security. She undertook to initiate regulations for the Fisheries and Development Act, 2016 so as to protect the sector once she is approved. She further noted that once approved she will ensure 60% - 80% of services offered to the vessels in Kenyan waters will be offered to Kenyans.

Challenges facing the State Department for Fisheries and Blue Economy

62. The Nominee informed the Committee that the country was losing billions of shillings annually due to illegal, unreported and unregulated fishing in its territorial waters by foreigners. The department is faced with a challenge of limited resources against unlimited requirements within the government and therefore she will focus more on quick wins.

Pending Bills in the Department

63. The nominee agreed that pending bills was a serious challenge in the government systems however, the law is very clear that pending bills are a first charge. She informed the Committee that analyses of all the pending bills will be done in consultation with the Cabinet Secretary and other officers in management with the view to paying all the pending bills.

Promotion of fish production and revival of fisheries in dry land

64. The Nominee noted that there was potential for increasing fish production in dryland areas however, there was need for the government to develop infrastructure with the view to promote the sector. She undertook to work together with the other relevant sectors to provide the necessary infrastructure like; roads, energy and security once approved to promote fish production and revival of the same in dryland.

Water Pollution causing losses to fish farmers in Lake Victoria

65. The nominee noted that fish farmers in Lake Victoria have endured losses attributed to water pollution however she will encourage better fish farming methods and better ways of disposing

waste and noted that Namibia as one of the best countries to benchmark. She further promised to initiate construction of cold rooms to help fish farmers to mitigate such situation. She was also open to discussions on matters compensation.

3.2 MR. MUGAMBI GITONGA EBS

66. Mr. Gitonga Mugambi, EBS, the nominee for appointment as the Principal Secretary, State Department for Irrigation, appeared before the Committee on Tuesday 15th November, 2022 at 2.30 pm and was vetted under oath pursuant to Article 155(3) (b) of the Constitution, the Public Appointments (Parliamentary Approval) Act, 2011 and Standing Orders of the National Assembly. The Committee noted the following:

3.2.1 Date and Place of Birth

67. The nominee is a male Kenyan citizen born on 24th December, 1965 in Meru County. He confirmed that he was a Kenyan citizen by birth and does not hold any other citizenship.

3.2.2 Education and Training

68. The nominee holds MBA, Strategic Management from Kenya Methodist University in 2017 and BSC, Agriculture from the University of Nairobi in 1990. He has undertaken several professional development courses namely; Mwingozo induction programme for Boards of State Corporations, 2017, High Performance Leadership workshop, Peak Performance International, 2016 and Performance Management by Public Sector reforms and performance contracting, office of the PM 2009 among others.

3.2.3 Work Experience/ Career Progression

69. In terms of work and career progression, the nominee is currently the Chief Executive Officer, National Irrigation Authority since May 2016. He has previously served as Regional Manager, Eastern Region, Chief Irrigation Officer, Research & Planning, Chief Human Resources Officer and Principal Irrigation Officer all in the National Irrigation Board among others.

3.2.4 Membership and Professional Association

70. The nominee is a member of Kenya Society of Agriculture Professionals (KESAP), Muthaiga North Community Welfare Association, Meru Senior Public Servants Association, Board of Governors - Gakondi Primary School and Muthaiga Golf Club.

3.2.5 Financial Net Worth

71. The nominee stated that his Financial net worth was Six Hundred and twenty seven million, five hundred thousand Kenya Shillings (**Kshs. 627,500,000.00**). He further stated that his total net worth comprises of income from salary, livestock, Quarry lease, rentals, tea farming and seedling production.

3.2.6 Public Office, Political Activities and Affiliations

72. The Nominee informed the Committee he has never been a member of a Political Party or held any position of a Political party.

3.2.7 Clearance Requirements

73. The Committee confirmed that the nominee had been cleared by Kenya Revenue Authority (KRA), Office of the Registrar of Political Parties (ORPP), Directorate of Criminal Investigations (DCI), Ethics and Anti-Corruption Commission (EACC) and Higher Education Loans Board (HELB), having obtained clearance certificates to that effect.

3.2.8 Honors and Awards

74. The nominee was awarded Second Class; Elder of the Burning Spear (E.B.S.) on 17th December, 2021 in recognition of his distinguished and outstanding services rendered to the nation in growth and transformation of the irrigation sector.

3.2.9 General and Sector Specific Questions to the Nominee

75. To examine suitability or otherwise of the nominee, the Committee posed questions to the nominee in the following thematic areas:

Application of national values and principles of public service in his docket

76. He informed the Committee that he will be patriotic, transparent, accountable, practice inclusivity, equity and adhere to the Constitution and all other relevant laws.

Prudent use of public resources

77. The nominee informed the Committee that if appointed as the Principal Secretary, he will work through serious appraisal mechanisms, work closely with Parliament to distribute projects all over the country with a view to promote fairness and inclusivity. The law is very clear on how to undertake government projects and therefore he will ensure financial records are kept properly and safely and monitor all the challenges faced by each and every project being implemented and advice accordingly. Further in his past leadership the nominee had spearheaded projects totaling up to **Kshs. 30 billion** without any audit query being raised by the Auditor General.

Achievements as the Chief Executive Officer at National Irrigation Authority

78. He informed the Committee that when he joined the National Irrigation Authority as the CEO, the institutions general performance was going down however, he improved the working environment for both staff and the board.

79. The nominee has steered implementation of irrigation projects and programmes that have contributed to the increase of area under irrigation from 354,831 acres to 664,000 acres majorly under the National Irrigation Programme.

80. He informed the Committee that he completed construction of 15.6 million cubic meters Thiba Dam in Kirinyaga County within the contract period and realized savings of upto Kshs. 400 million. This dam will stabilize water for Mwea Irrigation Scheme, support double production of 35,000 acres to increase productivity of paddy rice from 116,000 MT to 200,000 MT to effectively enhance income from **Kshs. 10 Billion** to **Kshs. 16 Billion** annually and create over 350,000 jobs directly and indirectly. He further completed expansion of Mwea Irrigation Scheme by over 17,000 acres.

81. The nominee transformed productivity in Bura Irrigation Scheme through crop diversification by introducing the Kwaboka rice variety as an alternative. Over 4,000 acres have been cropped

to date and increased farmers income from **Kshs. 30,000** to **Kshs. 120,000** per acre. Other irrigation schemes expanded are; Hola, Ahero, lower Kuja amongst others.

Vision for the State Department for Irrigation

82. The nominee vision is to ensure that all the dams being constructed are multipurpose. To achieve this he will ensure that the dams that are built across the country will be used for more than one purpose. For example generating electricity, Irrigation, controlling floods, fishing among others.

Challenges facing the State Department for Irrigation and the Pending Bills

83. The effects on seasons of a changing climate are already being seen across the country and vary region to region: temperatures have risen across seasons, growing seasons have become longer, precipitation patterns have changed, and extreme precipitation events have increased in frequency and severity hence the need to rehabilitate water pans and consult more with the governments.

On viability of Galana Kulalu Irrigation Project

84. The nominee informed the Committee that the concept was very good however, to achieve maximum production, the project should be handed to private producers. The project was at 85% completion having produced 132,800 bags to date.

Public Private Partnerships to develop the Turkana Aquifer

85. The nominee informed the Committee that the development of the Turkana Aquifer will require significant resources that may not be adequately accommodated within the government's budget due to other competing needs. Therefore, the state department may be required to develop it through Public Private Partnership (PPP) since it will leverage on the available resources and expertise in the private sector. However, the biggest challenge will be to organize farmers to meet their obligations to ensure full utilization of the installed water capacity since the water has to purchase at a fixed amount even if it is not needed immediately. The nominee indicated that he will make the necessary arrangements to ensure the region is ready and able to utilize the water resources before the launch of the PPP project.

3.3 DR. PAUL KIPRONOH RONO

86. Dr. Paul Kipronoh Ronoh, the nominee for appointment as the Principal Secretary, State Department for Water and Sanitation, appeared before the Committee on Tuesday 15th November, 2022 at 5.00 pm and was vetted under oath pursuant to Article 155(3) (b) of the Constitution, the Public Appointments (Parliamentary Approval Act, 2011) and Standing Orders of the National Assembly. The Committee noted the following:

3.3.1 Date and Place of Birth

87. The nominee is a male Kenyan citizen born on 30th December, 1972 in Bomet County. He confirmed that he was a Kenyan citizen by birth and does not hold any other citizenship.

3.3.2 Education and Training

88. The nominee holds a PHD in Leadership and Governance from Jomo Kenyatta University of Agriculture and Technology, Masters of Business Administration, Strategic Management from

the University of Nairobi, Bachelor of Science in Computer Science from the University of Nairobi, Computer Applications amongst other certificates from Strathmore University and the Kenya School of Government.

3.3.3 Work Experience/ Career Progression

89. The nominee is currently the Acting Chief Executive Officer, ICT Authority since September 2021 and worked in the same institution as Director programme and standard from 2015 to present. He also worked for Kenya Urban Roads Authority as the Head of ICT & Quality Management Standards from 2009 to 2014, Kenya Aviation Authority as the Head of ICT, Organization from 2005 to 2009, Deputy ICT Manager, Agriculture Finance Corporation from 2000 to 2003 and finally Head of Management Information Systems at Gilgil Telecoms Industries from 1998 to 2000.

3.3.4 Membership and Professional Association

90. The nominee is a member of Computer Society of Kenya, Member of Harvard Leadership School, and Member of Institute of Directors of Kenya.

3.3.5 Financial Net Worth

91. The nominee stated that his Financial net worth was two hundred and forty nine million , five hundred and fifty thousand Kenya Shillings (**Kshs. 249,550,000.00**). He further stated that his total net worth comprises of; land and buildings, Plots, shares and Business, school business, tree plantation and vehicles.

3.3.6 Public Office, Political Activities and Affiliations

92. The Nominee informed the Committee he has never been a member of a Political Party or held any position of a Political party.

3.3.7 Clearance Requirements

93. The Committee confirmed that the nominee had been cleared by Kenya Revenue Authority (KRA), Office of the Registrar of Political Parties (ORPP), Directorate of Criminal Investigations (DCI), Ethics and Anti-Corruption Commission (EACC) and Higher Education Loans Board (HELB), having obtained clearance certificates to that effect.

3.3.8 Honors and Awards

94. The nominee was awarded as a fellow of Computer Society of Kenya in June 2010.

3.3.9 Publication and Writings

95. The nominee informed the Committee that he had published the following:

- i. The use of ICT in marketing Financial Products case of AFC, Kenya, by Paul Kipronoh Ronoh, 2013 thesis.
- ii. Factors hindering successful implementation of ICT projects Author Paul Ronoh, Kamau Mwangi
- iii. Moderating role of Legal framework on transformation leadership in implementation of digital literacy programme Author Paul Ronoh and Iravo Mike
- iv. Transformational Leadership and implementation of Digital literacy program, author Paul Ronoh, Dr. Yussuf Muchelule

- v. Kenya Master digital master plan, june2022, author Paul Ronoh.

3.3.10 General and Sector Specific Questions to the Nominee

96. To examine suitability or otherwise of the nominee, the Committee posed questions to the nominee in the following thematic areas:

National values and principles of public service in his docket

97. The nominee informed the Committee that he will be patriotic, promote public participation with a view to promoting local sub- contractors and utilization of public resources as provided in the Constitution and other relevant laws. He will further promote public participation and ensure that there is openness of data and information of matters related to water.

Prudent use of public resources

98. The nominee noted that if approved by the House he will work closely with parliament and the relevant stakeholders to deliver projects that benefit all Kenyans. He undertook to be open, transparent and automate all the processes within the department. He will further ensure proper reporting of processes to avoid corruption.

Achievements as the Acting Chief Executive Officer ICT Authority

99. The nominee informed the Committee that he was a seasoned transformative leader and an information Technology expert with over 20 years progressive experience in public service with a track record of high performance, visionary leadership, stakeholder management, general knowledge of public administration, designing and implementing complex ICT programs of high impact, vast knowledge in strategic leadership and formulation of government policies, regulations and procedures.

100. The nominee noted that he had over 15 years working in senior leadership level in a number of public institutions managing ICT functions and administrations. His experience was cutting across design and management of complex programmes for government which are implemented through mutli- agency approach and enforcement of standards and quality management systems.

Vision for the State Department for water and Sanitation

101. The nominee noted that once approved he will strive to structure water funding model, emergency fund to mitigate water shortage in parts of the country during drought seasons. He will review all the water investment portfolio to focus on arid and semi-arid areas.

Challenges facing the State Department for Water and Sanitation

102. He noted that the government had not funded the water sector as required hence the household expenditure of water was very high. To mitigate these challenges the nominee incomplete

Sanitation and Sewerage

103. There was little attention being given to sanitation and sewerage in terms of funding. Once approved the nominee undertook to provide proper structure and other ways of raising funds to ensure that the sewerage lines are treated.

104. He further noted that since there is oil pipeline in place from Mombasa to Uganda, it could be possible to have a water pipeline running across the country. To implement this there is need to have integration of infrastructure such as water pipelines followed by ICT plan to monitor spillages and therefore reduce wastage.

Interventions to provide water to Kenyans

105. The nominee acknowledged that Kenyans were facing water shortages therefore, to mitigate this challenge he undertook to embark on reviewing investment portfolios in water, reduce on land revenue water and restructure the Water Trust Fund.

Long and short terms mitigation Measures to drought in the country

106. The nominee informed the Committee that to mitigate against the drought in the country he will restructure water funding models where funds are put in place to help during drought. He will examine the existing contractual frameworks with experts who can deliver and assist on matters water.

Public Private Partnerships to develop large dams

107. The nominee informed the Committee that the state department has a number of ongoing and proposed projects whose budget requirements are huge and may not be accommodated by the current government resources. To fund them, the state department will partner with the private sector in construction of larger dams which are the most feasible projects to be undertaken through the public private partnerships (PPPs). Since Kenya has not undertaken PPPs in the water sector, the nominee indicated that he will examine the existing laws governing PPPs first so as to ensure they do not fall into challenges that has grappled PPP projects implemented in Kenya like in the energy sector.

CHAPTER FOUR

OBSERVATIONS AND FINDINGS

108. The Committee observations were guided by section 7 of the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011) in terms of issues for consideration as follows:
- i. the procedure used to arrive at the nominee;
 - ii. any constitutional or statutory requirements relating to the office in question; and
 - iii. suitability of the nominees for the appointment proposed having regard to whether the nominees' abilities, experience and qualities meet the needs of the body to which the nomination is made.

109. The Committee made the following observations:

4.1 MS. BETSY MUTHONI NJAGI

110. The Committee having considered the nominee's filled questionnaire pursuant to section 6(8) of the Public Appointments (Parliamentary Approval) Act, her curriculum vitae and having heard her oral submission during the approval hearing, made the following observations on her suitability for appointment as a Principal Secretary:-
- i. She is a Kenyan citizen born on 16th September, 1983.
 - ii. She holds a Bachelor of Science, Information and Technology from Jomo Kenyatta University of Agriculture and Technology and currently undertaking a Master's Degree in Project Planning and Management in the University of Nairobi
 - iii. She is currently a County Chief Officer in Tharaka Nithi County
 - iv. Her experience in both the public and private sector would add value in the State Department for Blue Economy and Fisheries.
 - v. 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 1983 in Tharaka Nithi County and does not hold dual citizenship.
 - vi. 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 (EACC), the Kenya Revenue Authority (KRA), the Directorate of Criminal Investigations (DCI), Office of the Registrar of Political Parties (ORPP) and the Higher Educations Loan Board (HELB).
 - vii. 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.
 - viii. The nominee demonstrated knowledge of topical, administrative and technical issues touching on the office of the Principal Secretary and has the requisite

abilities, qualifications and experience to serve as the Principal Secretary in the State Department for Blue Economy and Fisheries.

- ix. There was no Memorandum received contesting her nomination and suitability for her appointment

4.2 MR. GITONGA MUGAMBI, EBS

111. The Committee having considered the nominee's 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 a Principal Secretary:

- i. He is a Kenyan citizen born on 24th December, 1965
- ii. He holds MBA, Strategic Management from Kenya Methodist University in 2017 and BSC, Agriculture from the University of Nairobi in 1990.
- iii. He is currently the Chief Executive Officer National Irrigation Authority
- iv. The nominee has over 29 years of professional experience, 5 years of which as a Chief Executive Officer, National Irrigation Authority.
- v. 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 on 24th December, 1965 in Meru County and does not hold dual citizenship.
- vi. 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 (EACC), the Kenya Revenue Authority (KRA), the Directorate of Criminal Investigations (DCI), Office of the Registrar of Political Parties (ORPP) and the Higher Education Loans Board (HELB).
- vii. 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.
- viii. The nominee demonstrated knowledge of topical, administrative and technical issues touching on the office of the Principal Secretary and has the requisite abilities, qualifications and experience to serve as the Principal Secretary in the State Department for Irrigation.
- ix. There was no Memorandum received contesting his nomination and suitability for his appointment

4.3 DR. PAUL KIPRONOH RONO

112. The Committee having considered the nominee's 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 a Principal Secretary:-

- i. He is a Kenyan citizen born on 30th December, 1972 in Bomet County

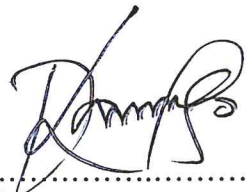
- ii. He holds a PHD in Leadership and Governance from Jomo Kenyatta University of Agriculture and Technology, Master of Business Administration, Strategic Management from The University of Nairobi and a Bachelor of Science in Computer Science from the University of Nairobi
- iii. He is currently the Acting Chief Executive Officer ICT Authority
- iv. 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 1972 in Bomet County and does not hold dual citizenship.
- v. 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 (EACC), the Kenya Revenue Authority (KRA), the Directorate of Criminal Investigations (DCI), Office of the Registrar of Political Parties (ORPP) and the Higher Education Loans Board (HELB).
- vi. 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.
- vii. The nominee demonstrated knowledge of topical, administrative and technical issues touching on the office of the Principal Secretary and has the requisite abilities, qualifications and experience to serve as the Principal Secretary in the State Department for Water and Sanitation.
- viii. There was no Memorandum received contesting his nomination and suitability for his appointment

CHAPTER FIVE

4. RECOMMENDATION

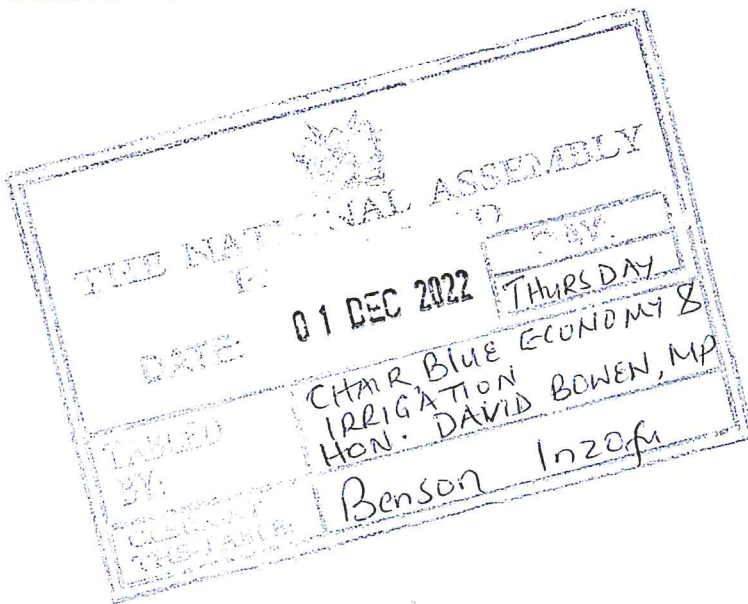
113. Having considered the suitability, capacity and integrity of the nominees, and pursuant to Section 8(2) of the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011), the Committee recommends that the National Assembly approves:

- a. The nomination of Ms. Betsy Muthoni Njagi for appointment as the Principal Secretary, State Department for Blue Economy and Fisheries by His Excellency the President of the Republic of Kenya;
- b. The nomination of Mr. Gitonga Mugambi EBS for appointment as the Principal Secretary, State Department for Irrigation by His Excellency the President of the Republic of Kenya; and
- c. The nomination of Dr. Paul Kipronoh Ronoh for appointment as the Principal Secretary State Department for Water and Sanitation by His Excellency the President of the Republic of Kenya.

SIGNED.....  DATE..... *30/11/2022*

HON. BOWEN DAVID KANGOGO, MP
CHAIRPERSON

DEPARTMENTAL COMMITTEE ON BLUE ECONOMY AND IRRIGATION





REPUBLIC OF KENYA

THE NATIONAL ASSEMBLY

13TH PARLIAMENT - FIRST SESSION - 2022

DEPARTMENTAL COMMITTEE ON BLUE ECONOMY AND IRRIGATION

MEMBERS ATTENDANCE SCHEDULE

DATE: 30/11/2022 START: 11:30 AM END: 1:40 PM

VENUE: WESTON HOTEL, NAIROBI

AGENDA: ADOPTION OF REPORT ON APPROVAL HEARINGS OF NOMINEES FOR APPOINTMENT AS PRINCIPAL SECRETARIES

NO.	NAME	SIGNATURE
1.	Hon. Bowen David Kangogo, MP – Chairperson	
2.	Hon. Kemero Maisori Marwa Kitayama, MP – Vice- Chairperson	
3.	Hon. Chepkwony Charity Kathambi, MP	VIRTUAL ATTENDANCE
4.	Hon. William Kamket, MP	
5.	Hon. Buyu Rozaah Akinyi, MP	
6.	Hon. Eng. Nzengu Paul Musyimi, MP	
7.	Hon. Tandaza Kassim Sawa, MP	VIRTUAL ATTENDANCE
8.	Hon. Were Charles Ong'ondo, MP	
9.	Hon. Gachagua George, MP	
10.	Hon. Eric Mwangi Kahugu, MP	
11.	Hon. Dorothy Muthoni Ikiara, MP	VIRTUAL ATTENDANCE
12.	Hon. Nebart Bernard Muriuki, MP	
13.	Hon. Muiruri Muthama Stanley, MP	
14.	Hon. Mnyazi Amina Laura, MP	
15.	Hon. Adow Mohamed Aden, MP	

Forwarded by:

Signed:

Mr. Nicodemus K. Maluki

Second Clerk Assistant – Committee Clerk

Date: 30/11/2022

Approved by:

Signed:

Date:

Mr. Peter K. Chemweno,

Director

Directorate of Departmental Committee



REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY
13TH PARLIAMENT - FIRST SESSION – 2022

**MINUTES OF THE 7TH SITTING OF THE DEPARTMENTAL COMMITTEE ON
BLUE ECONOMY AND IRRIGATION HELD ON WEDNESDAY 30TH NOVEMBER,
2022 IN THE 2ND FLOOR, KOITALEL 1, WESTON HOTEL AT 2.30 PM**

PRESENT

1. Hon. Bowen David Kangogo, MP - Chairperson
2. Hon. Tandaza Kassim Sawa, MP
3. Hon. William Kamket, MP
4. Hon. Buyu Rozaah Akinyi, MP
5. Hon. Were Charles Ong'ondo, MP
6. Hon. Chepkwony Charity Kathambi, MP
7. Hon. Nebart Bernard Muriuki, MP
8. Hon. Gachagua George, MP
9. Hon. Muiruri Muthama Stanley, MP
10. Hon. Dorothy Muthoni Ikiara, MP
11. Hon. Adow Mohamed Aden, MP

APOLOGIES

1. Hon. Kemero Maisori Marwa Kitayama, MP - Vice- Chairperson
2. Hon. Eng. Nzengu Paul Musyimi, MP
3. Hon. Eric Mwangi Kahugu, MP
4. Hon. Mnyazi Amina Laura, MP

**IN- ATTENDANCE – NATIONAL ASSEMBLY
COMMITTEE SECRETARIAT**

1. Mr. Nicodemus K. Maluki - Second Clerk Assistant
2. Ms. Ivy Kageha - Third Clerk Assistant
3. Dr. Benjamin Ngimor - Senior Fiscal Analyst
4. Ms. Lynette Otieno - Senior Legal Counsel
5. Ms. Veron D. Aluoch - Research Officer
6. Ms. Lilian Mburugu - Media Relations Officer
7. Mr. Wilson Angatangoria - Sergeant- At- Arms
8. Mr. Cosmas Akhonye - Audio Officer

MIN.NO.DC/ BE&I/029/2022: PRELIMINARIES

The Chairperson called the meeting to order at thirty minutes past two o'clock and prayed. He thereafter welcomed Members into the meeting and requested all present to make a self-introduction

AGENDA

1. Prayers
2. Preliminaries/ Introductions
3. Confirmation of Minutes
4. Communication from the Chair

5. Adoption of the Committee report on the Approval Hearings of the Nominees for appointment as Principal Secretaries
6. Any other Business
7. Adjournment

MIN.NO.DC/ BE&I/030/2022: ADOPTION OF THE COMMITTEE REPORT ON THE APPROVAL HEARINGS OF THE NOMINEES FOR APPOINTMENT AS PRINCIPAL SECRETARIES IN THE STATE DEPARTMENT FOR BLUE ECONOMY AND FISHERIES, IRRIGATION AND WATER AND SANITATION

Having considered the suitability, capacity and integrity of the nominees, and pursuant to Section 8(2) of the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011), the Committee unanimously adopted the Report and recommended that the National Assembly approves:

1. The nomination of Ms. Betsy Muthoni Njagi for appointment as the Principal Secretary, State Department for Blue Economy and Fisheries by His Excellency the President of the Republic of Kenya;
2. The nomination of Mr. Gitonga Mugambi EBS for appointment as the Principal Secretary, State Department for Irrigation by His Excellency the President of the Republic of Kenya; and
3. The nomination of Dr. Paul Kipronoh Ronoh for appointment as the Principal Secretary State Department for Water and Sanitation by His Excellency the President of the Republic of Kenya.

MIN.NO.DC/ BE&I/031/2022: ADJOURNMENT

There being no other business the Chairperson adjourned the meeting at ten minutes past three o'clock. The next meeting will be held on notice.

Signed.....

**HON. BOWEN DAVID KANGOGO, MP
(CHAIRPERSON)**

Date.....30/11/2022



REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY
13TH PARLIAMENT - FIRST SESSION – 2022

MINUTES OF THE 6TH SITTING OF THE DEPARTMENTAL COMMITTEE ON
BLUE ECONOMY AND IRRIGATION HELD ON WEDNESDAY 30TH NOVEMBER,
2022 IN THE 2ND FLOOR, KOITALEL 1, WESTON HOTEL AT 11.00AM

PRESENT

1. Hon. Bowen David Kangogo, MP - Chairperson
2. Hon. Tandaza Kassim Sawa, MP
3. Hon. William Kamket, MP
4. Hon. Buyu Rozaah Akinyi, MP
5. Hon. Were Charles Ong'ondo, MP
6. Hon. Chepkwony Charity Kathambi, MP
7. Hon. Nebart Bernard Muriuki, MP
8. Hon. Gachagua George, MP
9. Hon. Muiruri Muthama Stanley, MP
10. Hon. Dorothy Muthoni Ikiara, MP
11. Hon. Adow Mohamed Aden, MP

APOLOGIES

1. Hon. Kemero Maisori Marwa Kitayama, MP - Vice- Chairperson
2. Hon. Eng. Nzengu Paul Musyimi, MP
3. Hon. Eric Mwangi Kahugu, MP
4. Hon. Mnyazi Amina Laura, MP

**IN- ATTENDANCE – NATIONAL ASSEMBLY
COMMITTEE SECRETARIAT**

1. Mr. Nicodemus K. Maluki - Second Clerk Assistant
2. Ms. Ivy Kageha - Third Clerk Assistant
3. Dr. Benjamin Ngimor - Senior Fiscal Analyst
4. Ms. Lynette Otieno - Senior Legal Counsel
5. Ms. Veron D. Aluoch - Research Officer
6. Ms. Lilian Mburugu - Media Relations Officer
7. Mr. Wilson Angatangoria - Sergeant- At- Arms
8. Mr. Cosmas Akhonye - Audio Officer

MIN.NO.DC/ BE&I/025/2022: PRELIMINARIES

The Chairperson called the meeting to order at twenty minutes past eleven o'clock and prayed. He thereafter welcomed Members into the meeting and requested all present to make a self-introduction

AGENDA

1. Prayers
2. Preliminaries/ Introductions
3. Confirmation of Minutes
4. Communication from the Chair

5. Consideration and adoption of the Committee report on the Approval Hearings of the Nominees for appointment as Principal Secretaries
6. Any other Business
7. Adjournment

MIN.NO.DC/ BE&I/026/2022: CONFIRMATION OF MINUTES

The Minutes of the previous meetings were confirmed as follows:

1. The Minutes of the 1st Sitting held on Tuesday 1st November, 2022 were confirmed as a true record of the proceedings after being proposed and seconded by Hon. Stanley Muthama, MP and Hon. William Kamket, MP respectively.
 2. The Minutes of the 2nd Sitting held on Tuesday , 29th November, 2022 were confirmed as a true record of the proceedings after being proposed and seconded by Hon. George Gachagua, MP , and Hon. Nebert Benard Muriuki, MP respectively
 3. The Minutes of the 3rd Sitting held on Tuesday 15th November, 2022 were confirmed as a true record of the proceedings after being proposed and seconded by Hon. Stanley Muthama, MP and Hon. William Kamket, MP respectively.
 4. The Minutes of the 4th Sitting held on Tuesday 15th November, 2022 were confirmed as a true record of the proceedings after being proposed and seconded by Hon. Stanley Muthama, MP and Hon. William Kamket, MP respectively.
-
5. The Minutes of the 5th Sitting held on Tuesday , 29th November, 2022 were confirmed as a true record of the proceedings after being proposed and seconded by Hon. George Gachagua, MP , and Hon. Nebert Benard Muriuki, MP respectively

MIN.NO.DC/ BE&I/027/2022: CONSIDERATION OF THE DRAFT COMMITTEE REPORT ON THE APPROVAL HEARINGS OF THE NOMINEES FOR APPOINTMENT AS PRINCIPAL SECRETARIES IN THE STATE DEPARTMENT FOR BLUE ECONOMY AND FISHERIES, IRRIGATION AND WATER AND SANITATION

The Committee having considered the nominee's filled questionnaire pursuant to section 6(8) of the Public Appointments (Parliamentary Approval) Act, their curriculum vitae and having heard their oral submissions during the approval hearings, made the following observations on their suitability for appointment as a Principal Secretaries:

1. **Ms. Betsy Muthoni Njagi**
 - i. She is a Kenyan citizen born on 16th September, 1983.
 - ii. She holds a Bachelor of Science, Information and Technology from Jomo Kenyatta University of Agriculture and Technology and currently undertaking a Master's Degree in Project Planning and Management in the University of Nairobi

- iii. She is currently a County Chief Officer in Tharaka Nithi County
- iv. Her experience in both the public and private sector would add value in the State Department for Blue Economy and Fisheries.
- v. 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 1983 in Tharaka Nithi County and does not hold dual citizenship.
- vi. 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 (EACC), the Kenya Revenue Authority (KRA), the Directorate of Criminal Investigations (DCI), Office of the Registrar of Political Parties (ORPP) and the Higher Educations Loan Board (HELB).
- vii. 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.
- viii. The nominee demonstrated knowledge of topical, administrative and technical issues touching on the office of the Principal Secretary and has the requisite abilities, qualifications and experience to serve as the Principal Secretary in the State Department for Blue Economy and Fisheries.
- ix. There was no Memorandum received contesting her nomination and suitability for her appointment

2. Mr. Gitonga Mugambi, EBS

- i. He is a Kenyan citizen born on 24th December, 1965
- ii. He holds MBA, Strategic Management from Kenya Methodist University in 2017 and BSC, Agriculture from the University of Nairobi in 1990.
- iii. He is currently the Chief Executive Officer National Irrigation Authority
- iv. The nominee has over 29 years of professional experience, 5 years of which as a Chief Executive Officer, National Irrigation Authority.
- v. 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 on 24th December, 1965 in Meru County and does not hold dual citizenship.
- vi. 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 (EACC), the Kenya Revenue Authority (KRA), the Directorate of Criminal Investigations (DCI), Office of the Registrar of Political Parties (ORPP) and the Higher Educations Loan Board (HELB).
- vii. 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.
- viii. The nominee demonstrated knowledge of topical, administrative and technical issues touching on the office of the Principal Secretary and has the requisite abilities, qualifications and experience to serve as the Principal Secretary in the State Department for Irrigation.

ix. There was no Memorandum received contesting his nomination and suitability for his appointment

4.1 DR. PAUL KIPRONOH RONO

- i. He is a Kenyan citizen born on 30th December, 1972 in Bomet County
- ii. He holds a PHD in Leadership and Governance from Jomo Kenyatta University of Agriculture and Technology, Master of Business Administration, Strategic Management from The University of Nairobi and a Bachelor of Science in Computer Science from the University of Nairobi
- iii. He is currently the Acting Chief Executive Officer ICT Authority
- iv. 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 1972 in Bomet County and does not hold dual citizenship.
- v. 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 (EACC), the Kenya Revenue Authority (KRA), the Directorate of Criminal Investigations (DCI), Office of the Registrar of Political Parties (ORPP) and the Higher Educations Loan Board (HELB).
- vi. 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.
- vii. The nominee demonstrated knowledge of topical, administrative and technical issues touching on the office of the Principal Secretary and has the requisite abilities, qualifications and experience to serve as the Principal Secretary in the State Department for Water and Sanitation.
- viii. There was no Memorandum received contesting his nomination and suitability for his appointment

MIN.NO.DC/ BE&I/028/2022: ADJOURNMENT

The Chairperson adjourned the meeting at ten minutes past one o'clock. The next meeting will be held on Wednesday 30th November, 2022 at 2.30 pm.

Signed.....

**HON. BOWEN DAVID KANGOGO, MP
(CHAIRPERSON)**

Date.....



REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY
13TH PARLIAMENT - FIRST SESSION - 2022

**MINUTES OF THE 4TH SITTING OF THE DEPARTMENTAL COMMITTEE ON
BLUE ECONOMY AND IRRIGATION HELD ON TUESDAY 15TH NOVEMBER,
2022 IN COMMITTEE ROOM 7, MAIN PARLIAMENT BUILDINGS AT 2.30PM**

PRESENT

1. Hon. Bowen David Kangogo, MP - Chairperson
2. Hon. Kemero Maisori Marwa Kitayama, MP - Vice- Chairperson
3. Hon. Eng. Nzengu Paul Musyimi, MP
4. Hon. Eng. Tandaza Kassim Sawa, MP
5. Hon. Chepkwony Charity Kathambi, MP
6. Hon. William Kamket, MP
7. Hon. Buyu Rozaah Akinyi, MP
8. Hon. Were Charles Ong'ondo, MP
9. Hon. Eric Mwangi Kahugu, MP
10. Hon. Dorothy Muthoni Ikiara, MP
11. Hon. Nebart Bernard Muriuki, MP
12. Hon. Muiruri Muthama Stanley, MP
13. Hon. Mnyazi Amina Laura, MP
14. Hon. Adow Mohamed Aden, MP

APOLOGY

1. Hon. Gachagua George, MP

**IN- ATTENDANCE – NATIONAL ASSEMBLY
COMMITTEE SECRETARIAT**

1. Mr. Nicodemus K. Maluki - Second Clerk Assistant
2. Ms. Ivy Kageha - Third Clerk Assistant
3. Mr. Benjamin Ngimor - Senior Fiscal Analyst
4. Mr. Sidney Lugaga - Senior Legal Counsel
5. Ms. Audrey Ogutu - Legal counsel
6. Ms. Veron D. Aluoch - Research Officer
7. Ms. Lillian Mburugu - Media Relations Officer
8. Mr. Wilson Angatangoria - Sergeant At-Arms
9. Mr. Cosmas Akhonye - Audio Officer

PRINCIPAL SECRETARY NOMINEE

1. Mr. Gitonga Mugambi, EBS - State Department for Irrigation
2. Dr. Paul Kipronoh Ronoh - State Department for Water and Sanitation

MIN.NO.DC/ BE&I/015/2022: PRELIMINARIES

The Chairperson called the meeting to order at thirty minutes past two o'clock and prayed. He welcomed all present and requested them to make a self-introduction.

AGENDA:

The agenda of the meeting was presented as follows:

1. Prayers
2. Preliminaries/Introduction
3. Communication from the Chair
4. Confirmation on minutes
5. Matters arising
6. Approval Hearing of Mr. Gitonga Mugambi, EBS and Dr. Paul Kipronoh Ronoh nominee for appointment as the Principal Secretaries State Department Irrigation and State Department for Water and Sanitation
7. Any Other Business; and
8. Adjournment and date of the next meeting

MIN.NO.DC/ BE&I/016/2022: APPROVAL HEARINGS FOR MR. GITONGA MUGAMBI, EBS NOMINEE FOR APPOINTMENT AS PRINCIPAL SECRETARY, STATE DEPARTMENT FOR IRRIGATION

Mr. Gitonga Mugambi, appeared before the Committee on Tuesday 15th November, 2022 at 2.30 pm and was vetted under oath pursuant to Article 155(3) (b) of the Constitution, the Public Appointments (Parliamentary Approval Act, 2011 and Standing Orders of the National Assembly. The Committee noted the following:

Date and Place of Birth

The nominee is a male Kenyan citizen born on 24th December, 1965 in Meru County. He confirmed that he was a Kenyan citizen by birth and does not hold any other citizenship.

Education and Training

The nominee holds MBA, Strategic Management from Kenya Methodist University in 2017 and BSC, Agriculture from the University of Nairobi in 1990. He has undertaken several professional development courses namely; Mwongozo induction programme for Boards of State Corporations, 2017, High Performance Leadership workshop, Peak Performance International, 2016 and Performance Management by Public Sector reforms and performance contracting, office of the PM 2009 among others.

Work experience/career progression

In terms of work and career progression, the nominee is currently the Chief Executive Officer, National Irrigation Authority since May 2016. He has previously served as Regional Manager, Eastern Region, Chief Irrigation Officer, Research & Planning, Chief Human Resources Officer and Principal Irrigation Officer all in the National Irrigation Board among others.

Membership and Association

The nominee is a member of Kenya Society of Agriculture Professionals (KESAP), Muthaiga North Community Welfare Association, Meru Senior Public Servants Association, Board of Governors- Gakondi Primary School and Muthaiga Golf Club.

Financial Net worth

The nominee stated that his financial net worth was Six Hundred twenty seven million, five hundred thousand Kenya Shillings (Kshs. 627,500, 000.00). He further stated that his total net worth comprises of income from salary, livestock, Quarry lease, rentals, tea farming and seedling production.

Public Office, Political Activities and Affiliations

The nominee informed the Committee he has never been a member of a Political Party or held any position of a Political party.

Honors and Awards

The nominee was awarded Second Class; Elder of the Burning Spear (E.B.S) on 17th December, 2021 in recognition of his distinguished and outstanding services rendered to the nation in growth and transformation of the irrigation sector.

Clearance Requirements

The Committee confirmed that the nominee had been cleared by KRA, ORPP, DCI, EACC and HELB, having obtained clearance certificates to that effect.

GENERAL AND SECTOR SPECIFIC QUESTIONS TO THE NOMINEE

To examine suitability or otherwise of the nominee, the Committee posed questions to the nominee in the following thematic areas:

On application of National values and principles of public service in his docket

He informed the Committee that he will be patriotic, transparent, accountable, practice inclusivity, equity and adhere to the Constitution and all other relevant laws.

On prudent use of public resources

The nominee informed the Committee that if appointed as the Principal Secretary, he will work through serious appraisal mechanisms, work closely with Parliament to ensure equity on distribution of projects to all parts of the country with a view to promoting fairness and inclusivity. The law is very clear on how to undertake government projects and therefore he will ensure financial records are kept properly and safely and monitor all the challenges faced by each and every project being implemented and advice accordingly. Further in his past leadership the nominee had spearheaded projects totaling upto Kshs. 30 Billion without any audit query being raised by the Auditor General.

On his achievements as the Chief Executive Officer at National Irrigation Authority

He informed the Committee that when he joined the National Irrigation Authority as the CEO, the institutions general performance was going down however, he improved the working environment for both staff and the board.

The nominee has steered implementation of irrigation projects and programmes that have contributed to the increase of area under irrigation from 354,831 acres to 664,000 acres majorly under the National Irrigation Programme.

He informed the Committee that he completed construction of 15.6 million cubic meters Thiba Dam in Kirinyaga County within the contract period and realized savings of upto Kshs. 400 Million. This dam will stabilize water for Mwea Irrigation Scheme, support double production of 35,000 acres to increase productivity of paddy rice from 116,000 MT to 200,000MT to effectively enhance income from Kshs. 10 Billion to Kshs. 16 Billion annually and create over 350,000 jobs directly and indirectly. He further completed expansion of Mwea Irrigation Scheme by over 6,000 acres

The nominee transformed productivity in Bura Irrigation Scheme through crop diversification by introducing the Kwaboka rice variety as an alternative. Over 4,000 acres have been cropped to date and increased farmers income from Kshs. 30,000 to Kshs. 120,000 per acre. Other irrigation schemes expanded are; Hola, Ahero, lower Kuja amongst others.

On his vision for the State Department for Irrigation

To ensure that all the dams being constructed are multipurpose to enable farmers access to water and which to a great extent will curb fighting for water by many households.

Challenges facing the State Department for Irrigation and the Pending Bills

The effects on seasons of a changing climate are already being seen across the country and vary region to region: temperatures have risen across seasons, growing seasons have become longer, precipitation patterns have changed, and extreme precipitation events have increased in frequency and severity hence the need to rehabilitate water pans and consult more with the governments.

On viability of Galana Kulalu Irrigation Project

The nominee informed the Committee that the concept was very good however, to achieve maximum production the project should be handed to private producers. The project was at 85% completion having produced 132,800 bags to date.

Public Private Partnerships to develop large dams

The nominee informed the Committee that the state department has a number of ongoing and proposed projects whose budget requirements are huge and may not be accommodated by the current government resources. To fund them, the state department will partner with the private sector in construction of larger dams which are the most feasible projects to be undertaken through the public private partnerships (PPPs). Since Kenya has not undertaken PPPs in the water sector, the nominee indicated that he will examine the existing laws governing PPPs first so as to ensure they do not fall into challenges that has grappled PPP projects implemented in Kenya like in the energy sector.

MIN.NO.DC/ BE&I/017/2022: APPROVAL HEARINGS FOR DR. PAUL KIPRONOH RONOH NOMINEE FOR APPOINTMENT AS PRINCIPAL SECRETARY, STATE DEPARTMENT FOR WATER AND SANITATION

Dr. Paul Kipronoh Ronoh, appeared before the Committee on Tuesday 15th November, 2022 at 5.00 pm and was vetted under oath pursuant to Article 155(3) (b) of the Constitution, the Public Appointments (Parliamentary Approval Act, 2011 and Standing Orders of the National Assembly. The Committee noted the following

Date and Place of Birth

The nominee is a male Kenyan citizen born on 30th December, 1972 in Bomet County. He confirmed that he was a Kenyan citizen by birth and does not hold any other citizenship.

Education and Training

The nominee holds PHD in Leadership and Governance from Jomo Kenyatta University of Agriculture and Technology, Masters of Business Administration, Strategic Management from the University of Nairobi, Bachelor of Science in Computer Science from the University of Nairobi, Computer Applications amongst other certificates from Strathmore University and Kenya School of Government.

Work experience/career progression

The nominee is currently the Acting Chief Executive Officer, ICT Authority since September 2021 and worked in the same institution as Director programme & standard from 2015 to 2021. He also worked for Kenya Urban Roads Authority as the Head of ICT & Quality Management Standards from 2009 to 2014, Kenya Aviation Authority as the Head of ICT, Organization from 2005- 2009, Deputy ICT Manager, Agriculture Finance Corporation from 2003- 2000 and finally Head of Management Information Systems at Gilgil Telecoms Industries from 1998 to 2000.

Membership and Professional Association

The nominee is a member of Computer Society of Kenya, Member of Harvard Leadership School, and Member of Institute of Directors of Kenya.

Financial Net worth

The nominee stated that his financial net worth was two hundred forty nine million, five hundred and fifty thousand Kenya Shillings (Kshs. 249,550,000.00). He further stated that his total net worth comprises of; land and buildings, Plots, shares and Business, school business, tree plantation and vehicles.

Honors and Awards

The nominee was awarded as a fellow of Computer Society of Kenya in June 2010.

Clearance Requirements

The Committee confirmed that the nominee had been cleared by KRA, ORPP, DCI, EACC and HELB, having obtained clearance certificates to that effect.

Publication and writings

The nominee informed the Committee that he had published the following:

- i. The use of ICT in marketing Financial Products case of AFC, Kenya, by Paul Kipronoh Ronoh, 2013 thesis.
- ii. Factors hindering successful implementation of ICT projects Author Paul Ronoh, Kamau Mwangi
- iii. Moderating role of Legal framework on transformation leadership in implementation of digital literacy programme Author Paul Ronoh and Iravo Mike

- iv. Transformational Leadership and implementation of Digital literacy program, author Paul Ronoh, Dr. Yussuf Muchelule
- v. Kenya Master digital master plan, June 2022, author Paul Ronoh.

General and Sector Specific Questions to the Nominee

To examine suitability or otherwise of the nominee, the Committee posed questions to the nominee in the following thematic areas:

On National values and principles of public service in his docket

The nominee informed the Committee that he will be patriotic, promote public participation with a view to promoting local sub-contractors and utilization of public resources as provided in the Constitution and other relevant laws. He will further promote public participation and ensure that there is openness of data and information of matters related to water.

On prudent use of public resources

The nominee noted that if approved by the House he will work closely with parliament and the relevant stakeholders to deliver projects that benefit all Kenyans. He undertook to be open, transparent and automate all the processes within the department. He will further ensure proper reporting of processes to avoid corruption.

On his achievements as the Acting Chief Executive Officer ICT Authority

The nominee informed the Committee that he was a seasoned transformative leader and an information Technology expert with over 20 years progressive experience in public service with a track record of high performance, visionary leadership, stakeholder management, general knowledge of public administration, designing and implementing complex ICT programs of high impact, vast knowledge in strategic leadership and formulation of government policies, regulations and procedures.

The nominee noted that he had over 15 years working in senior leadership level working in a number of public institutions managing ICT functions and administrations. His experience was cutting across design and management of complex programmes for government which are implemented through multi-agency approach and enforcement of standards and quality management systems.

On his vision for the State Department for water and Sanitation

The nominee noted that once approved he will strive to structure water funding model, emergency fund to mitigate water shortage in parts of the country during drought seasons. He will review all the water investment portfolio to focus on arid and semi-arid areas.

Challenges facing the State Department for Water and Sanitation

He noted that the government had not funded the water sector as required hence the household expenditure of water was very high. To mitigate these challenges the nominee

On Sanitation and Sewerage

There was little attention being given to sanitation and sewerage in terms of funding. Once approved the nominee undertook to provide proper structure and other ways of raising funds to ensure that the sewerage lines are treated.

He further noted that since there is oil pipeline in place from Mombasa to Uganda, it could be possible to have a water pipeline running across the country. To implement this there is needs to have integration of infrastructure such as water pipelines followed by ICT plan to monitor spillages and therefore reduce wastage.

On Interventions to provide water to Kenyans

The nominee acknowledged that Kenyans were facing water shortages therefore, to mitigate this challenge he undertook to embark on reviewing investment portfolios in water, reduce on land revenue water and restructure the Water Trust Fund.

On Long and short terms mitigation Measures to drought in the country

The nominee informed the Committee that to mitigate against the drought in the country he will restructure water funding models where funds are put in place to help during drought. He will examine the existing contractual frameworks with experts who can deliver and assist on matters water.

Public Private Partnerships to develop large dams

The nominee informed the Committee that the state department has a number of ongoing and proposed projects whose budget requirements are huge and may not be accommodated by the current government resources. To fund them, the state department will partner with the private sector in construction of larger dams which are the most feasible projects to be undertaken through the public private partnerships (PPPs). Since Kenya has not undertaken PPPs in the water sector, the nominee indicated that he will examine the existing laws governing PPPs first so as to ensure they do not fall into challenges that has grappled PPP projects implemented in Kenya like in the energy sector.

MIN.NO.DC/ BE&I/018/2022: ADJOURNEMENT

There being no other business the Chairperson adjourned the meeting at thirty eight minutes past six o'clock. The next meeting will be called on notice.

Signed.....

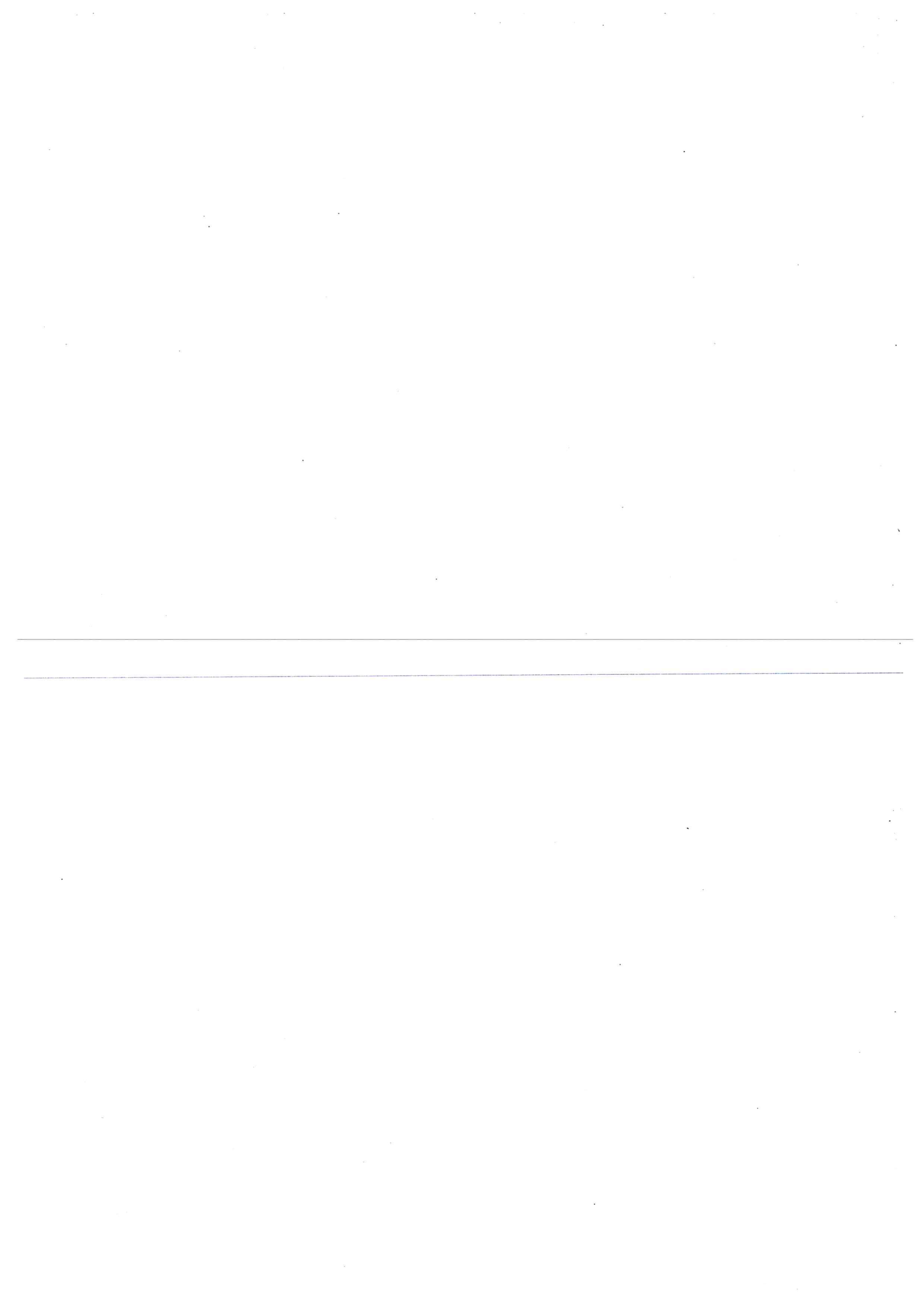


HON. BOWEN DAVID KANGOGO, MP

(CHAIRPERSON)

Date.....

30/11/2022.





REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY
13TH PARLIAMENT - FIRST SESSION - 2022

**MINUTES OF THE 3RD SITTING OF THE DEPARTMENTAL COMMITTEE ON
BLUE ECONOMY AND IRRIGATION HELD ON TUESDAY 15TH NOVEMBER,
2022 IN COMMITTEE ROOM 7, MAIN PARLIAMENT BUILDINGS AT 11.30AM**

PRESENT

1. Hon. Bowen David Kangogo, MP - Chairperson
2. Hon. Kemero Maisori Marwa Kitayama, MP - Vice- Chairperson
3. Hon. Eng. Nzengu Paul Musyimi, MP
4. Hon. Eng. Tandaza Kassim Sawa, MP
5. Hon. Chepkwony Charity Kathambi, MP
6. Hon. William Kamket, MP
7. Hon. Buyu Rozaah Akinyi, MP
8. Hon. Were Charles Ong'ondo, MP
9. Hon. Eric Mwangi Kahugu, MP
10. Hon. Dorothy Muthoni Ikiara, MP
11. Hon. Nebart Bernard Muriuki, MP
12. Hon. Muiruri Muthama Stanley, MP
13. Hon. Mnyazi Amina Laura, MP
14. Hon. Adow Mohamed Aden, MP

APOLOGY

1. Hon. Gachagua George, MP

**IN- ATTENDANCE – NATIONAL ASSEMBLY
COMMITTEE SECRETARIAT**

1. Mr. Nicodemus K. Maluki - Second Clerk Assistant
2. Ms. Ivy Kageha - Third Clerk Assistant
3. Mr. Benjamin Ngimor - Senior Fiscal Analyst
4. Mr. Sidney Lugaga - Senior Legal Counsel
5. Ms. Audrey Ogutu - Legal counsel
6. Ms. Veron D. Aluoch - Research Officer
7. Ms. Lillian Mburugu - Media Relations Officer
8. Mr. Wilson Angatangoria - Sergeant At-Arms
9. Mr. Cosmas Akhonye - Audio Officer

PRINCIPAL SECRETARY NOMINEE

1. Ms. Betsy Muthoni Njagi - State Department for Blue Economy and Fisheries

MIN.NO.DC/ BE&I/012/2022: PRELIMINARIES

The Chairperson called the meeting to order at thirty minutes past eleven o'clock and prayed. He welcomed all present and requested them to make a self-introduction.

AGENDA:

The agenda of the meeting was presented as follows:

1. Prayers
2. Preliminaries/Introduction
3. Communication from the Chair
4. Confirmation on minutes
5. Matters arising
6. **Vetting Ms. Betsy Muthoni Njagi, nominee for appointment as the PS State Department for Blue Economy and Fisheries**
7. Any Other Business; and
8. Adjournment and date of the next meeting

MIN.NO.DC/ BE&I/013/2022: APPROVAL HEARINGS FOR MS. BETSY MUTHONI NJAGI NOMINEE FOR APPOINTMENT AS PRINCIPAL SECRETARY, STATE DEPARTMENT FOR BLUE ECONOMY AND FISHERIES

Ms. Betsy Muthoni Njagi appeared before the Committee on Tuesday 15th November, 2022 at 11.30 am and was vetted under oath pursuant to Article 155(3) (b) of the Constitution, the Public Appointments (Parliamentary Approval Act, 2011 and Standing Orders of the National Assembly. The Committee noted the following:

i. Date and Place of Birth

The nominee is a female Kenyan citizen born in 1983 in Tharaka Nithi County. She confirmed that she was a Kenyan citizen and did not hold any other citizenship.

ii. Academic and Professional Qualification

The nominee holds a Bachelor's Degree in Information and Technology from Jomo Kenyatta University of Agriculture & Technology (JKUAT). She has a certificate in Project Management from APMG International among other short courses. She is currently undertaking a Master's Degree in Project Planning and Management in the University of Nairobi.

iii. Work Experience / Career progression

The nominee informed the Committee that, she had seventeen years of experience having worked in both Public and Private sectors. She is currently the County Chief Officer Medical Services and ICT in Tharaka Nithi County. She had also served in the same capacity under Roads, Infrastructure, Public Works and ICT and Energy & ICT. The nominee worked for Internet Solutions, EA and Access Kenya group, Telkom Kenya, Safaricom PLC and Mater Hospital.

iv. Professional Associations & Affiliations

The Committee noted that the nominee was a member of project management professional, APMG International Professional, Kenya Institute of Management (KIM), Member of Computer Society of Kenya (CSK) and INUKA Foundation.

v. Integrity and Leadership

The nominee informed the Committee that she has never been mentioned adversely in any report by a Parliamentary Committee or an Independent Commission. She also confirmed that she had no previous conviction or an ongoing case in court and that she is a person of high integrity. The nominee further submitted clearance from the Ethics and Anti-Corruption Commission, the Directorate of Criminal Investigation, the Kenya Revenue Authority (KRA), the Higher Education Loans Board (HELB) and the Office of the Registrar of Political Parties.

vi. Financial Net Worth

The nominee stated that her net worth was one Hundred and fifty two million (Kshs.152, 000,000. 00). She further stated that her total net worth comprises of; various parcels of land, poultry farming, an apartment in Nairobi, motor vehicles , upcountry home and shares and savings

vii. Pro- bono / Charity Work

The nominee is involved in charity work through developing business plans for community group at Kipini Kilifi County for mangrove bee keeping and mangrove conservation. Tree planting initiative for Ololua Forest Ngong Road Forest and Eburru forest. She has donated books and stationery to children's homes.

viii. Public Office, Political Activities and Affiliations

The Nominee informed the Committee that she has never been a member of a Political Party or held any position of a Political party.

ix. Clearance Requirements

The Committee confirmed that the nominee had been cleared by KRA, ORPP, DCI, EACC and HELB, having obtained clearance certificates to that effect.

x. GENERAL AND SECTOR SPECIFIC QUESTIONS TO THE NOMINEE

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

xi. On application of National values and Principals of governance

She informed the Committee that, the provisions of Article 10 and 232 of the Constitution are very clear and they bind all State Officers and Public officers to apply high values of integrity, transparency and accountability in their operations.

xii. On prudent use of public resources

The principles of Public Finance guides all aspects of finances in the republic and therefore she will endeavor to promote openness, equity and accountability at all times. She further stated that, she will be guided by the PFM Act, Public Procurement and Asset Disposal Act and other relevant laws.

xiii. On her Experience and achievements as the County Chief Officer in Tharaka Nithi County

She informed the Committee that amongst her key achievements, she developed and improved County revenue collection system that raised county revenue from Kshs. 36.49 million to Kshs. 84.31million in the first half of the 2018/2019 financial year and subsequent years.

As the County Chief Officer, Medical Services and ICT the nominee informed the Committee that she had improved retrieval of Clinical data which provided timelines and promoted efficient, effective, equitable, patient– centered care while curbing revenue pilferage at the hospitals. This streamlined the flow of patients in the county hospitals, increased productivity of staff and reduced the waiting time and queues.

The nominee spearheaded implementation of an Omni channel call center at the county headquarters which dealt with handling of issues ranging from emergency and disaster response namely; A.I services, Agriculture, Health, Business permits and general inquiries in the county. This significantly improved fast call resolution of issues raised by the callers. She also redesigned the call to resolution model to improve support from 50 tickets resolved monthly to over 300 tickets.

The also informed the Committee that she had worked in other organization in different top management levels namely; Telkom Kenya, East Africa Region (Internet Solutions EA & Access Kenya Group, Safaricom Limited and Mater Hospital.

xiii. On her vision for the State Department for Blue Economy and Fisheries

The nominee informed the Committee that the marine resources which include freshwater bodies and oceans can offer significant Economic opportunities such as fisheries, seabed mining, oil drilling, aquaculture, trade and tourism which can drastically transform the country's economy by creating employment and improving food security. She undertook to initiate regulations for the Fisheries and Development Act, 2016 so as to protect the sector once she is approved. She further noted that once approved she will ensure 60% - 80% of services offered to the vessels in Kenyan waters will be offered to Kenyans.

xiv. On the Challenges facing the State Department for Fisheries and Blue Economy

The Nominee informed the Committee that the country was losing billions of shillings annually due to illegal, unreported and unregulated fishing in its territorial waters by foreigners. The department is faced with a challenge of limited resources against unlimited requirements within the government and therefore she will focus more on quick wins.

xv. Pending Bills in the Department

The nominee agreed that pending bills was a serious challenge in the government systems however, the law is very clear that pending bills are first charge. She informed the Committee that analyses of all the pending bills will be done in consultation with the Cabinet Secretary and other officers in management with the view to paying all the pending bills.

xvi. Promotion of fish production and revival of fisheries in dry land

The Nominee noted that there was potential for increasing fish production in dryland areas however, there was need for the government to develop infrastructure with the view to promote the sector. She undertook to work together with the other relevant sectors to provide the necessary infrastructure like; roads, energy and security once approved to promote fish production and revival of the same in dryland.

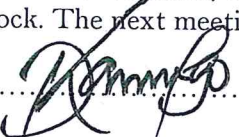
xvii. Water Pollution causing losses to fish farmers in Lake Victoria

The nominee noted that fish farmers in Lake Victoria have endured losses attributed to water pollution however she will encourage better fish farming methods and better ways of disposing waste and noted that Namibia as one of the best countries to benchmark. She

further promised to initiate construction of cold rooms to help fish farmers to mitigate such situation. She was also open to discussions of matters compensation.

MIN.NO.DC/ BE&I/014/2022: ADJOURNEMENT

There being no other business, the Chairperson adjourned the meeting at twenty-five minutes past one o'clock. The next meeting will be held on the afternoon of same day.

Signed.....

HON. BOWEN DAVID KANGOGO, MP
(CHAIRPERSON)

Date.....*30/11/2022.*



REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY
13TH PARLIAMENT - FIRST SESSION – 2022

MINUTES OF THE 2ND SITTING OF THE DEPARTMENTAL COMMITTEE ON
BLUE ECONOMY AND IRRIGATION HELD ON TUESDAY 8TH NOVEMBER, 2022 IN
COMMITTEE ROOM, 2ND FLOOR, CONTINENTAL HOUSE PARLIAMENT
BUILDINGS AT 2.30PM

PRESENT

1. Hon. Bowen David Kangogo, MP - Chairperson
2. Hon. Kemero Maisori Marwa Kitayama, MP - Vice- Chairperson
3. Hon. Eng. Nzengu Paul Musyimi, MP
4. Hon. Tandaza Kassim Sawa, MP
5. Hon. Chepkwony Charity Kathambi, MP
6. Hon. William Kamket, MP
7. Hon. Buyu Rozaah Akinyi, MP
8. Hon. Were Charles Ong'ondo, MP
9. Hon. Eric Mwangi Kahugu, MP
10. Hon. Dorothy Muthoni Ikiara, MP
11. Hon. Nebart Bernard Muriuki, MP
12. Hon. Muiruri Muthama Stanley, MP
13. Hon. Mnyazi Amina Laura, MP
14. Hon. Adow Mohamed Aden, MP
15. Hon. Gachagua George, MP

**IN- ATTENDANCE – NATIONAL ASSEMBLY
COMMITTEE SECRETARIAT**

1. Mr. Nicodemus K. Maluki - Second Clerk Assistant
2. Ms. Ivy Kageha - Third Clerk Assistant
3. Mr. Benjamin Ngimor - Fiscal Analyst
4. Mr. Sidney Lugaga - Legal Counsel
5. Ms. Audrey Ogutu - Legal counsel
6. Ms. Veron D. Aluoch - Research Officer
7. Ms. Lillian Mburugu - Media Relations Officer
8. Mr. Wilson Angatangoria - Sergeant At-Arms
9. Mr. Cosmas Akhonye - Audio Officer
10. Ms. Savannah Kanyoni - Pupil

MIN.NO.DC/ BE&I/005/2022: PRELIMINARIES

The Chairperson called the meeting to order at thirty minutes past two o'clock and prayed. He thereafter welcomed Members into the meeting and requested all present to make self-introduction.

AGENDA:

The agenda of the meeting was presented as follows:

1. Prayers
2. Preliminaries/Introduction
3. Communication from the Chair
4. Confirmation on minutes
5. Matters arising
6. Pre- Vetting meeting for the Principal Secretaries
7. Any Other Business; and
8. Adjournment and date of the next meeting

The agenda of the day was proposed by the Hon. Tandaza Kassim Sawa, MP and seconded by the Hon. Were Charles Ong'ondo, MP.

MIN.NO.DC/ BE&I/006/2022: COMMUNICATION FROM THE CHAIR

The Chairperson informed the Committee Members that, the Secretariat had prepared briefs on the Committee Mandate, functions and the SAGA, s that fall under the purview of the Departmental Committee on Blue Economy and Irrigation. He encouraged Members to find time and go through the briefs for the purpose of proper understanding of the Committee operations.

MIN.NO.DC/ BE&I/007/2022: CONFIRMATION OF PREVIOUS MINUTES

This agenda item was deferred to the next sitting.

MIN.NO.DC/ BE&I/008/2022: LEGAL BRIEF ON PARLIAMENTARY APPROVAL OF A PERSON NOMINATED FOR APPOINTMENT AS A PRINCIPAL SECRETARY

The Legal Counsel informed Committee that;

The Speaker of the National Assembly tabled a Message from the President on nomination of appointments to the offices of Principal Secretaries on Thursday 3rd November, 2022 in the afternoon sitting.

The President in exercise of powers conferred to him by Article 132(2) (d) of the Constitution as read together with Sections 3 and 5 of the Public Appointments (Parliamentary Approval) Act, No.33 of 2011 nominated the following nominees to be vetted by the Departmental Committee on Blue Economy and Irrigation:-

1. Dr. Paul Kipronoh Ronoh for the position of Principal Secretary, State Department for Water and Sanitation
2. Mr. Gitonga Mugambi, Principal Secretary State Department for Irrigation
3. Ms. Betsy Muthoni Njagi, Principal Secretary, State Department for Blue Economy & Fisheries.

On **Friday, 4th November, 2022**, the Clerk of the National Assembly notified the nominees and the general public of the time and place of holding the **approval hearings** by placing an advert in daily newspapers of national circulation and the Parliamentary Website.

The vetting hearings was scheduled to commence on Monday, 14th November 2022 and end by Friday, 18th November, 2022. The Committee on Blue Economy and Irrigation is scheduled to vet on Tuesday 15th November, 2022 from 11.30am and table its report in the House by Tuesday, 22nd November, 2022.

a. Procedure for appointment of a Principal Secretary

Article 155(1) of the Constitution establishes the office of Principal Secretary and provides that the President shall:-

1. Nominate a person for appointment as Principal Secretary from among persons recommended by the Public Service Commission;
2. Appoint a Principal Secretary with the approval of the National Assembly.

Section 47 of the Public Service Commission Act, no. 10 of 2017 provides that a person is eligible for appointment as a Principal Secretary if the person:-

1. Is a citizen of Kenya;
2. Holds a degree from a university recognized in Kenya;
3. Has at least ten years relevant professional experience, five years of which should have been in a leadership position or at a top management level in the public service or private sector;
4. Possesses general knowledge of the organization and functions of Government;
5. demonstrates an understanding of the goals, policies and developmental objectives of the nation;
6. Has demonstrable leadership and management capacity including knowledge of financial management and strategic people management; and
7. Meets the requirements of Chapter Six of the Constitution.

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.

Section 47 (3) of the Public Service Commission Act, no. 10 of 2017 provides that the Commission shall, in making the recommendations for a person is eligible for appointment as a Principal Secretary, submit to the President a list of nominees for appointment that shall pay attention to **inclusiveness** in terms of gender, Kenya's diverse communities, persons with disabilities and the youth.

b. Issues for consideration by the National Assembly in relation to the nomination

Section 7 of the Public Appointments (Parliamentary Approval) Act, Chapter 136 (PAPAA), provides that the issues which the National Assembly consider in relation to a nomination are:

1. The procedure used to arrive at the nominee;
2. Any constitutional or statutory requirements relating to the office in question; and
3. 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.

The Committee may establish this information by way of a report from the Public Service Commission.

c. Issues for consideration in conducting the Approval hearing

Section 6 of the Public Appointments (Parliamentary Approval) Act provides that:

1. An **approval hearing** shall focus on *academic credentials, professional training and experience, personal integrity and background* of the nominee. (s.6(7), PAPAA).
2. The committee may pose **questions** that relate to *academic credentials, professional training and experience, personal integrity and background* of the nominee.
3. The Committee may evaluate matters relating to *academic credentials, professional training and experience, personal integrity and background* of the nominee by considering clearance certificates from

-
- (i) The Higher Education Loans Board;
 - (ii) The Kenya Revenue Authority;
 - (iii) The Directorate of Criminal Investigations;
 - (iv) The Office of the Registrar of Political Parties; and
 - (v) The Ethics and Anti-Corruption Commission.

4. The criteria specified in the Schedule shall be used by a Committee during an approval hearing for the purposes of vetting a candidate that include matters relating to:
 - i) Education, employment record;
 - ii) Public office, political activities and affiliations;
 - iii) Deferred income or future benefits;
 - iv) Sources of income, tax status, statement of net worth;
 - v) Potential conflicts of interest;
 - vi) Pro bono or charity work;
 - vii) Whether the nominee has been charged in a court of law or convicted;
 - viii) Adverse mention in an investigatory report of a parliamentary committee or commission. (s.6(8), PAPAA)

d. Stages for conducting the approval hearing

The Committee shall (a) administer an oath to the nominee, (b) verify the original documents of the nominee and (c) ask the nominee questions it considers relevant that relate to *academic credentials, professional training and experience, personal integrity and background* of the nominee.

e. Decisions that the Committee can make

The Committee can make three decisions after vetting the nominees, that is, (a) to approve the nominees; (b) to reject the nominees or (c) where the committee fails to act on the nomination, which shall be deemed as an approval.

MIN.NO.DC/ BE&I/009/2022: BRIEF OVERVIEW OF THE COMMITTEE MANDATE AND FY 2022/23 BUDGET FOR THE MINISTRIES, DEPARTMENTS AND AGENCIES (MDAS)

The Parliamentary Budget office took Members through an overview of the FY 2022/23 budget for the Ministries, Departments and Agencies (MDAs) under the purview of the Committee. This information will assist the Members in developing sector questions for the vetting process of the Principal Secretaries.

The Committee deliberated on the matters related to MDAs budget allocations and their performance and concerns were raised under each State Department as follows:-

a. State Department for Water and Sanitation

Below is a summary of key issues of concern under this State Department:

1. Inadequate budget allocation, Delays in exchequer releases and mid-year budget cuts
2. Historical Pending Bills
3. Limited/ Untimely allocation for last mile connectivity of water projects
4. Challenges in acquisition of land and delays in finalization of resettlement action
5. Stalled Projects – The State Department has one recurring number of stalled projects due to various challenges
6. Adoption of Public Private Partnership in Large Water Projects

b. State Department for Irrigation

The following are some of the key issues of concern under this State Department:

1. Slow implementation of small-scale irrigation projects
2. Accrual of Pending Bills
3. Developing the Turkana Aquifer through Public Private Partnership – PPP for desalination projects have been successful in many emerging countries including the Middle East, China, Mexico and Brazil. The biggest challenge will be to organize farmers to meet their obligations to ensure full utilization of the installed water capacity since the water has to purchase at a fixed amount even if it is not needed immediately.

c. State Department for Blue Economy and Blue Economy

The following are some of the key issues of concern under this State Department:

1. Decline in Fisheries stocks in In-land water bodies
2. Slow pace in construction of fish landing sites
3. Slow progress in construction of the Liwatoni Ultra-Modern Fish Hub

MIN.NO.DC/ BE&I/010/2022: ANY OTHER BUSINESS

The Secretariat informed the Committee that, there was a proposed report writing retreat to conclude on the Vetting Report scheduled for Wednesday 16th – Saturday 19th November, 2022 in Kiambu or Machakos County.

MIN.NO.DC/ BE&I/011/2022: ADJOURNEMENT

There being no other business, the Chairperson adjourned the meeting at twenty-four minutes past four o'clock. The next meeting will be held on Tuesday, 15th November, 2022 at 9:30 am.

Signed.....

**HON. BOWEN DAVID KANGOGO, MP
(CHAIRPERSON)**

Date.....