



REPUBLIC OF KENYA

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1st Dec. 2022

THE NATIONAL ASSEMBLY
THIRTEENTH PARLIAMENT – FIRST SESSION – 2022

DIRECTORATE OF DEPARTMENTAL COMMITTEES
DEPARTMENTAL COMMITTEE ON SOCIAL PROTECTION

REPORT ON THE APPROVAL HEARINGS OF:

1. MS. VERONICA MUENI NDUVA, NOMINEE FOR APPOINTMENT AS PRINCIPAL SECRETARY, STATE DEPARTMENT FOR GENDER & AFFIRMATIVE ACTION;
2. MR. MOGOSI JOSEPH MOTARI, NOMINEE FOR APPOINTMENT AS PRINCIPAL SECRETARY, STATE DEPARTMENT FOR SOCIAL PROTECTION & SENIOR CITIZENS AFFAIRS; AND
3. MR. ISMAIL MAALIM MADEY, NOMINEE FOR APPOINTMENT AS PRINCIPAL SECRETARY, STATE DEPARTMENT FOR YOUTH AFFAIRS.

CLERK'S CHAMBERS
DIRECTORATE OF DEPARTMENTAL COMMITTEES
PARLIAMENT BUILDINGS
NAIROBI

NOVEMBER 2022

THE NATIONAL ASSEMBLY	
DATE: 01 DEC 2022	
DAY: THURSDAY	
TABLED BY:	CHAIR, DC - SOCIAL PROTECTION
	HON. ALICE WAMBUI, MP
	Benson Inzofu

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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

ANNEXURES

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CHAIRPERSON'S FOREWORD

This report contains proceedings of the Departmental Committee on Social Protection during the approval hearings of Ms. Veronica Mueni Nduva, nominee for appointment as Principal Secretary, State Department for Gender & Affirmative Action; Mr. Mogosi Joseph Motari, nominee for appointment as Principal Secretary, State Department for Social Protection & Senior Citizen Affairs and Mr. Ismail Maalim Madey, nominee for appointment as Principal Secretary, State Department for Youth as requested by H.E. the President and communicated to the House by the Speaker on Thursday, 3rd November 2022.

Pursuant to Article 155(3) (b) of the Constitution, Section 5 of the PAPAA and Standing Order 45(1), H.E. the President notified the National Assembly of the nomination of fifty-one (51) Principal Secretaries to various State Departments vide a letter 2nd November, 2022. The Hon. Speaker vide a communication made on Thursday, 3rd November, 2022 conveyed to the House the Message from H.E. the President and subsequently referred names of the nominees, curricula vitae, and the report of the selection panel on their recruitment on Departmental Committees for approval hearings. While referring the matter to the Committees, the Speaker directed that the Committees undertake the vetting exercise within twenty-eight days (28) 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 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 nominees.

The nominees appeared before the Committee on Friday, 18th 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 Recommendations

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:

- (i) Ms. Veronica Mueni Nduva, nominee for appointment as Principal Secretary, State Department for Gender & Affirmative Action;
- (ii) Mr. Mogosi Joseph Motari, nominee for appointment as Principal Secretary, State Department for Social Protection & Senior Citizen Affairs; and
- (iii) Mr. Ismail Maalim Madey, nominee for appointment as Principal Secretary, State Department for Youth.

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 Social Protection, 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. Veronica Mueni Nduva, nominee for appointment as Principal Secretary, State Department for Gender & Affirmative Action; Mr. Mogosi Joseph Motari, nominee for appointment as Principal Secretary, State Department for Social Protection & Senior Citizen Affairs and Mr. Ismail Maalim Madey, nominee for appointment as Principal Secretary, State Department for Youth for debate and adoption by the House.

Hon. Alice Wambui Nga'nga', MP.
Chairperson, Departmental Committee on Social Protection

CHAPTER ONE

1 PREFACE

1.1 Establishment and Mandate of the Committee

1. The Departmental Committee on Social Protection 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) (f)** 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 analyse 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 social welfare and security, pension matters, gender affairs, equality and affirmative action, affairs of children, youth, persons with disability and senior citizens.
3. In executing its mandate, the Committee oversees the Ministry of Labour and Social Protection, Ministry of Youth, Sports and the Arts and Ministry of Public Service, Gender and Affirmative Action.

1.3 Committee Membership

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

Chairperson

Hon. Alice Wambui Ngángá, MP
Thika Town Constituency
UDA Party

Vice-Chairperson

Hon. Hillary Kiplang'at Koskei, MP
Kipkelion West Constituency
UDA Party

Members

Hon. (Dr.) James Wambura Nyikal, M.P.
Seme Constituency
ODM PARTY

Hon. Timothy Wanyonyi Wetangula, M.P.
Westlands Constituency
ODM PARTY

Hon. (Dr.) Lilian Achieng Gogo, M.P.
Rangwe Constituency
ODM PARTY

Hon. Mark Ogolla Nyamita, M.P.
Uriri Constituency
ODM PARTY

Hon. Edith Vethi Nyenze, M.P.
Kitui West Constituency
WDM-K PARTY

Hon. Betty Njeri Maina, M.P.
Murang'a County
UDA PARTY

Hon. Michael Wambugu Wainaina, M.P.
Othaya Constituency
UDA PARTY

Hon. Sulekha Hulbale Harun, M.P.
Nominated Member
UDM PARTY

Hon. Amina Abdullahi Dika, M.P.
Tana River County
KANU PARTY

Hon. Hussein Abdi Barre, M.P.
Tarbaj Constituency
UDA PARTY

Hon. Susan Nduyo Ngugi, M.P.
Tharaka Nithi County
TSP PARTY

Hon. Agnes Mantaine Pareiyo, M.P.
Narok North Constituency
JUBILEE PARTY

Hon. Linet Chepkorir, M.P.
Bomet Constituency
UDA PARTY

1.4 Committee Secretariat

5. The Committee is facilitated by the following staff:

Ms. Hellen L. Ekadeli
First Clerk Assistant /Head of Secretariat

Ms. Jemimah Waigwa
Senior Legal Counsel

Mr. Sakana Saoli
Clerk Assistant III

Mr. Abdikafar Abdi Sheikh
Clerk Assistant III

Mr. Adan Ahmed Abdi
Fiscal Analyst II

Ms. Grace Maneno
Researcher III

Mr. Boniface Mugambi
Serjeant-At-Arms

Mr. Geoffrey Kwatamba
Media Relations Officer III

Noel Amutabi
Legal Counsel II

Mr. Moses Mwangi
Legal Counsel II

Ms. Fiona Musili
Research 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 has nominated the following persons for appointment as Principal Secretaries :

- i. Ms. Veronica Mueni Nduva: Nominee for Principal Secretary, State Department for Gender & Affirmative Action;
- ii. Mr. Mogosi Joseph Motari: Nominee for State Department for Social Protection & Senior Citizens Affairs; and
- iii. Mr. Ismail Maalim Madey, Nominee for Principal Secretary, State Department for Youth Affairs.

8. The Departmental Committee on Social Protection 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 Commission Act (No.10. of 2007) on recommendation for appointment of Principal Secretaries;
- iii. Article 10 of the Constitution on 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 supposed 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. Section 6 of the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011) provides, that:

- 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 Commission Act (No. 10 of 2017)

12. Section 47 (2) of the Public Service Commission Act (No. 10 of 2017) provides qualifications that one must have so as to be eligible for appointment as 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 governance

13. Article 10(2) of the Constitutional 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 defense forces shall not hold dual citizenship.

Article 118 of the Constitution on public access and participation

18. Article 118 of the Constitution provides that: Parliament shall conduct its business in an open manner, and its sittings and those of its committees shall be in public; and facilitate public participation and involvement in the legislative and other business of Parliament and its Committees. 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, 2012 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 e.t.c.

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

21. Section 5 of the Public Service (Values and Principles) Act, 2015 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, 2003 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 hearing, the Committee was guided by Article 155(3)(b) of the Constitution, section 47(2) of the Public Service Commission Act, 2017 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 Secretary for State Department for Gender and Affirmative Action; State Department for Social Protection and Senior Citizens Affairs and State Department for Youth Affairs to the Speaker for approval by the National Assembly pursuant to Article 155(3) of the Constitution. 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 Social Protection 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 the State Departments of Social Protection. 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 Social Protection 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.

2.5 Notification to the Public

29. 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"*.

30. 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*) contesting the suitability of any 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

31. The Clerk of the National Assembly vide an advert placed in the print media on Friday, 4th November 2022 and letters Ref. NA/DDC/SP/VETT/2022/001 and Ref. NA/DDC/SP/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 Social Protection on **Friday, 18th November 2022 Mini Chamber, Parliament Buildings Nairobi**. However a Petition was filed at the High Court of Kenya thus **EX-PARTE CONSERVATORY ORDERS** temporarily staying the approval hearings on the 15th November 2022. The said orders were **vacated on 29th November 2022** by the Courts and the Committee carried out approval hearings on the **30th November 2022 at Panari Sky Hotel, Nairobi County**. 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

32. 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); and 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 Secretary

33. 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.

34. 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.

35. 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.

36. 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

37. 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).

38. 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

39. The Committee conducted approval hearings for the nominees on **Wednesday, 30th November, 2022**. In conducting the vetting exercise, the Committee was guided by the Constitution, the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011) and the Standing Orders.
40. 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. Veronica Mueni Nduva

Ms. Veronica Mueni Nduva, the nominee to the position of the Principal Secretary, State Department for Gender and Affirmative Action appeared before the Departmental Committee on Social Protection at 9.00 am and was vetted under oath pursuant to Article 155(3) of the Constitution, the Public Appointments (Parliamentary approvals) Act (No. 33 of 2011) and the Standing Orders of the National Assembly. The nominee was orally interviewed by the Committee and responded to questions during vetting. The Committee noted the following:

3.1.1 Personal Background

41. Ms. Veronica Mueni Nduva is a female Kenyan citizen of identity card number 13826361 and was born on 3rd October, 1975 in Nairobi County and her home town is Makueni County and does not hold any other citizenship. She is married and currently lives in Nairobi.

3.1.2 Educational Background

42. Ms. Veronica holds a Master of Arts Degree in Communication Studies from the University of Nairobi from (2007 to 2008); a Bachelor of Arts Degree in Political Science and Public Administration from the University of Nairobi from (1996 to 2000); a Diploma in Human Resource Management (Kenya Institute of Management) (2019); National Foreign Affairs Training Centre in Certified Assistance Professional (2016); Public Procurement and Disposal Act & Regulations (KISM)(2009); and a Certificate in Strategic Management in Eastern and Southern Africa Management Institute (ESAMI) (2011).

43. She attended Donholm Estate Primary School and State House Girls High School where she sat for her 'O' level examinations.

3.1.3 Work experience/career progression

44. Ms. Veronica Nduva has worked in the following capacities:

- i. She is currently a Senior Political Specialist/Special Advisor, US Embassy of Nairobi Department of State. A position she has held since 2014 up to date;
- ii. East African Community Associate/Consultant from 2010 to 2013;
- iii. Deputy Director, Committee of Experts on Constitutional Review from 2009 to 2010;
- iv. National Co-ordinator, Development of the Kenya National Policy and Action Plan on Human Rights – Ministry of Justice/Kenya National Commission on Human Rights from 2006 to 2009;
- v. Programmes Co-ordinator, Institute for Civic Affairs and Development from 2003 to 2006;
- vi. Researcher, Strategic Public Relations and Research Limited from 2001 to 2003; and
- vii. Consultant, Centre for Multiparty Democracy, County Government of Machakos.

3.1.4 Published Writings:

45. The nominee has published the following publications:

- i. **Media Portrayal of Women Leaders in Kenya: An intersection of female politicians and newspaper narratives**, University of Nairobi (2016) Thesis;
- ii. **The Development of a Good Governance Review Mechanism for East African Community**, 2012 (2nd Series of EAC Occasional Papers Pg. 71 – 109;
- iii. **A Civic Educator's Guide** (2012) Ministry of Justice, National Cohesion and Constitutional Affairs;
- iv. **Role of Women in the making of the Constitution – The break of dawn** (2010) – Women in Law and Development in Africa (WILDAF) Documentary, the chronological journey and women's input to the journey of seeking a new Constitution for Kenya;
- v. **Compendium of the Experiences of Civic Education in Kenya** (2010) Oxfam GB;
- vi. **Disaster Management: How Kenya needs to respond** (2009) Kenya Alliance of Residents Association bi-monthly publication;
- vii. **Uncontrollable Developments: Why I accuse regulatory agencies** (2009) Kenya Alliance of Residents Association bi-monthly publication;
- viii. **The Constituency Development Fund: An overview of overarching issues** (2005) Transparency International – Adili Publication; and
- ix. **Land Tenure, local authorities, public funds, succession, inheritance, judiciary poverty eradication, governance structures** (2004-2006) *The Link*, a publication of Institute of Civic Affairs and Development.

3.1.5 Honors and Awards

46. The nominee has received several awards including:

- i. Eagle Award (2021) citation; Strengthening U.S – Kenya ties in the areas of government-to-government relations, trade, youth and women's empowerment;
- ii. Meritorious Honour Award (2017) citation; Exceptional Leadership and Support of U.S Mission Kenya's election observation effort and diplomatic engagement for General Election in Kenya, 2017;
- iii. Certificate of Service (2010) Citation; Deputy Director – Civic Education, Mobilization and Outreach Committee of Experts on the Constitutional Review during the completion of the review of the Constitution of Kenya;

- iv. Mission Honour Awards – US Embassy, 2022, 2021 and 2018 Conferred for Staff Service Exemplary Performance; and
- v. Staff of the Quarter 2018 for Sustained Outstanding Performance.

3.1.6 Memberships

47. The nominee is a member of Machakos Golf Club.

3.1.7 Public Office, Political Activities and Affiliations:

48. Ms. Veronica Nduva was a Deputy Director, Committee of Experts on Experts on Constitutional Review (2009-2010).

3.1.8 Clearance Requirements

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

3.1.9 Pro-bono/Charity Work/donation to charity

50. The nominee provided masks to schools and communities in Machakos and Makueni during COVID-19 period.

Other issues under consideration

51. To examine suitability or otherwise of the nominee, the Committee posed questions to the nominee on her knowledge on matters relating to Gender and Affirmative Action. The nominee responded as follows: -

On Financial Net worth

- a) The nominee informed the Committee that she was worth Kshs. 65 million which comprised of land in Makueni, a residential home and commercial land.

On the Application of National Values and Principles of Governance

- b) The nominee stated that she will uphold the law at all times and further observed that the Constitution binds and obligates her as a State Officer to apply high standards of professionalism, integrity, transparency, honesty and accountability in performance of her functions.

On creating and maintaining synergy between Parliament and the State Department

- c) The nominee noted that Parliament represents the people of Kenya and hence stated that if approved, she will maintain a cordial relationship with Parliament, constantly consult and engage with the Committee on Social Protection to ensure that there is synergy in addressing and resolving the issues of concern to the people.
- d) The nominee stated that if approved, she will also work closely with the Members of the Committee in order to facilitate the Committee to discharge its mandate effectively.

On Use of Public Resources

- e) The nominee stated that she will take it as her responsibility to ensure the prudent use of public resources. The nominee further stated that she will create checks and balances systems to monitor leakages of public funds in order to ensure the prudent use of resources.

On Achieving Efficiency in the State Department as it aligns with the Kenya Kwanza Manifesto

- f) The nominee pointed out that the Kenya Kwanza Manifesto is focused on addressing gender issues and women empowerment. The nominee informed the committee that she will first apprise herself with the documents, plans and programmes in place in the department. She further stated that she will examine the existing policy framework in particular the implementation status of the policy framework in seeking to identify any gaps in legislation and budgeting to ensure proper implementation of policies in place.

On Affirmative Action Funds for Women and Marginalized groups

- g) The nominee noted that there are many affirmative action initiatives in place which seek to improve on the lives of women in the country. However, the nominee noted that the biggest challenge is on implementation and uptake of the affirmative action funds. To resolve the challenges, if approved, the nominee stated that she will work closely with the communities and stakeholders to monitor the performance and utilization of the funds.

On Forced Early Marriages

- h) The nominee observed that forced early marriages are caused by societal issues including the culture and economical status of the affected people. The nominee stated that she intends to examine the issues of forced early marriages together with all stakeholders and the society to address the root causes of the problem. She also stated that there was need to amplify the voices of the people to share their experiences and sensitize the society on the issue of forced early marriages and further mobilize resource allocation to address the issues.

On Gender Equality and Representation being perceived to refer to the Women

- i) The nominee informed the Committee that the law relating to gender refers to both male and female. The nominee observed that that the issue of the *boychild* feeling neglected, was a perception issue by the society. She however noted that there is a positive discrimination towards women empowerment and she will encourage more men to take up mentorship roles to bridge the gap in mentorship of men.

On eradicating Female Genital Mutilation (FGM) and Implementation of Anti-FGM laws

- j) The nominee noted that although there is an incremental decrease in cases of FGM there is still much that need to be done to eradicate and curb the FGM practices. To this end, the nominee stated that there was need for full implementation of existing policies and laws on FGM. She

stated that she will collaborate with the relevant stakeholders to ensure that there is no duplication of efforts in curbing FGM in the society.

- k) The nominee further underscored the need for the government to allocate funds towards curbing FGM practices. She further observed that the government ought to spearhead the process and allocate adequate funds towards eradicating FGM unlike the current practice where it is the development partners that give grants towards eradicating FGM.
- l) The nominee further stated that the prosecution of cases of FGM have been made impossible due to victimization of witnesses. The nominee stated that there was need to ensure proper reporting and successful prosecution of the cases.

On Affirmative Action Funds and Women Enterprise Fund in Muslim Population

- m) The nominee stated that the Funds established for empowerment of marginalized persons are paid back with interest which is against the Sharia Law. In this regard, she stated that she will examine the ensuing issues relating to the requirements of sharia law so as to ensure that the Muslim population can also access the Funds

On Equal Employment opportunities

- n) The nominee stated that she will ensure that government agencies comply and implement policies on equal employment opportunities.

On the two-thirds Gender Rule

- o) The nominee stated that although a number of women have taken up appointive and elective positions in the public service, there was need to ensure the full implementation of the two-thirds gender rule.

Closing Remarks

- p) The nominee thanked the committee and pledged to adopt a consultative approach in executing her mandate. She further stated that she will ensure allocation of resources to projects and programmes under the State Department to achieve seamless implementation of policies and programmes aimed at achieving Women Empowerment.

3.1.8 Committee observations on the suitability of the Nominee

The Committee having considered the nominees filled questionnaire pursuant to section 6(8) of the Public Appointments (Parliamentary Approval) Act, 2011, her curriculum vitae and having heard her oral submissions during the approval hearing, made the following observations on her suitability for appointment as Principal Secretary:

- (i) In accordance with Article 78(1) and (2) of the Constitution, the nominee is eligible for appointment to State Office since she is a Kenyan citizen born in Nairobi, Kenya and does not hold dual citizenship.

- (ii) The nominee holds a Master of Arts Degree in Communication Studies from the University of Nairobi; a Bachelor of Arts Degree in Political Science and Public Administration from the University of Nairobi; a Diploma in Human Resource Management (Kenya Institute of Management) ; A certificate from the National Foreign Affairs Training Centre in Certified Assistance Professional; a certificate in Public Procurement and Disposal Act & Regulations (KISM) and a Certificate in Strategic Management in Eastern and Southern Africa Management Institute (ESAMI) (2011). In terms of work experience, the nominee has worked in various capacities including currently as a Senior Political Specialist/Special Advisor, US Embassy of Nairobi Department of State, a position she has held since 2014 up to date; East African Community Associate/Consultant from 2010 to 2013; Deputy Director, Committee of Experts on Constitutional Review from 2009 to 2010; National Co-ordinator, Development of the Kenya National Policy and Action Plan on Human Rights – Ministry of Justice/Kenya National Commission on Human Rights from 2006 to 2009; Programmes Co-ordinator, Institute for Civic Affairs and Development from 2003 to 2006; Researcher, Strategic Public Relations and Research Limited from 2001 to 2003; and as a Consultant, Centre for Multiparty Democracy, County Government of Machakos. In this regard, her academic credentials, professional training and experience thus comply with section 47(2) of the Public Service Commission Act, 2017.
- (iii) The nominee meets the requirements of Chapter 6 of the Constitution on leadership and integrity having obtained clearance from the following statutory bodies: 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).
- (iv) The nominee has not been charged in a court of law in the past three years.
- (v) The nominee does not hold office in any political party.
- (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 government and has the requisite abilities, qualifications and experience to serve as a Principal Secretary.

3.2 Mr. Joseph Mogosi Motari, MBS

The nominee to the position of the Principal Secretary, State Department for Social Protection and Senior Citizens Affairs appeared before the Departmental Committee on Social Protection at 11.30 am and was vetted under oath pursuant to Article 155(3) of the Constitution, the Public Appointments (Parliamentary approvals) Act (No. 33 of 2011) and the Standing Orders of the National Assembly. Mr. Mogosi Motari, was orally interviewed by the Committee and responded to questions during vetting. The Committee noted the following:

3.2.1 Personal Background

53. Mr. Joseph Mogosi Motari is a male Kenyan citizen of identity card number 1538898, was born in Kuria East, Migori County in 1965, and does not hold any other citizenship. He is married and currently lives in Nairobi.

3.2.2 Educational Background

54. The nominee holds a Masters in Public Administration (2007-2009) from Moi University; and a Bachelor of Arts Degree (1998-1991) from Kenyatta University.

55. He sat for his 'A' level examinations at Taranganya Boys Secondary School in 1987, his 'O' level examinations at Isibania Boys Secondary School in 1985 and his Certificate of Primary Education at Taranganya Primary School in 1981.

3.2.3 Work experience/career progression

56. Mr. Joseph Mogosi is currently the Director Administration in the Ministry of Public Service and Gender and a position he has held since May 2022.

57. The nominee has also worked in the following capacities:

- i. Senior Deputy Secretary, Ministry of Education from 2019 to May 2022;
- ii. Deputy Secretary, Gender Affairs from November, 2017 to 2019;
- iii. County Secretary and Head of Public Service, Nakuru County from January 2013 to December 2017;
- iv. District Commissioner, Rongai District from 2011 to January 2013;
- v. District Commissioner, Pokot North from 2007 to 2010;
- vi. Provincial Administrator/Provincial Commissioner in Central Province in 2007;
- vii. Senior District Commissioner from 2005 to 2006; and
- viii. District Officer from 1992 to 2002.

3.2.4 Professional Associations & Affiliations

58. Mr. Joseph Mogosi Motari, MBS is not affiliated to any professional association.

3.2.5 Honors and Awards

60. Mr. Joseph Mogosi Motari, MBS was awarded the Order of the Burning Spear (MBS), Government of Kenya (GoK); and commendation for the Rapid Results Initiative Achievement (RRI).

3.2.6 Public Office, Political Activities and Affiliations:

The nominee has held the following public offices:

61. He is a Director Administration from May, 2022 to date; a Deputy Secretary – from 2019 to 2022; a Deputy Secretary – Ministry of Public Service and Gender in 2019; an Under Secretary – Ministry of Public Service and Gender from 2017 to 2018; County Secretary – County Government of Nakuru from 2013 to 2017; District Commissioner deployed to various stations in the Country from 2007 to 2013; and District Officer from 1992 to 2007.

3.2.7 Pro-Bono/Charity Work/donation to charity:

62. The nominee pays school fees to unfortunate children of amount to Kshs. 350,000, builds semi-permanent homes for homeless people in 2010, participates in church building activities in

2016, he is a champion of ending early marriages in His village and provided sanitary towels to girls in North Pokot from 2007 to 2010.

3.2.8 Clearance Requirements

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

Other issues under consideration

To examine suitability or otherwise of the nominee, the Committee posed questions to the nominee on her knowledge on matters relating to Gender and Affirmative Action. The nominee responded as follows: -

On Financial Net worth

- q) The nominee informed the Committee that he is worth Kshs. 82.5 million which comprises of House in Nakuru worth Kshs 20 million, rental houses in Nakuru worth Kshs, 30 million, a house in Imaara Daima worth Kshs. 9 million and motor-vehicles.

On the Vision of the nominee for the State Department

- r) The nominee stated that he intended to make the State Department, Social Protection and Senior Citizen Affairs effective and efficient in the discharge of its functions including on matters relating to senior citizens and social protection of vulnerable persons in the society.

On Pending court cases against the nominee

- s) The nominee informed the Committee that there was no pending court case against him. The nominee however stated that in 2020, the nominee had been charged in the Chief Magistrate Court in Nakuru in Anti-Corruption Case Number 1 of 2020. The nominee further informed the Committee that the case related to alleged charges of abuse of office contrary to sections 46 and 48 of the Anti-Corruption and Economic Crimes Act, 2003. The nominee stated that the particulars of the charges related to his former engagement as the County Secretary for Nakuru County where it is alleged that he used his office improperly promote an officer to the position of Director of Water without following the recruitment procedures. The nominee stated that the Court determined that the prosecution had not proved the case beyond reasonable doubt and hence the Court found that the nominee was not guilty and acquitted him from all charges.

On Creating Synergy between Parliament and the State Department

- t) The nominee stated that he intends to work together with the Committee and Members of Parliament in promoting the mandate of the State Department and the Committee. The nominee further stated that he will seek the support of the Members of the Committee in creating a linkage with other Committees of the House and all Members of Parliament.

On prudent use of public resources

- u) The nominee stated that he would abide and be guided by the principles of public finance including by ensuring openness and accountability through facilitating public participation in

financial matters under the State Department. The nominee further stated that he will work closely with the officers in the State Department and examine the work plans in determining the key priority projects and programmes.

On Older Persons Cash Transfer

- v) The nominee stated that he intends to make the fund more effective for the older persons by exploring the use of mobile banks that go closer to the Senior Citizens. He further stated that, he will make a fresh registration of all potential beneficiaries of the fund so that all Senior Citizens can benefit from the Fund. The nominee further observed that he will work with officers of the State Department to process the cash transfer to the senior citizens and further develop consent forms for use by the elderly in instances where other persons are receiving money on their behalf.

On the issue of processing of pension

- w) The nominee stated that, if approved he will put in place systems and mechanisms that shall ensure that the process of payment of pension to all retired persons would be affected in a timely manner.

On the issue of plans to eradicate malnutrition

- x) The nominee stated that he plans to work closely with the National Drought and Management Authority to deal with issues of hunger through distribution of relief food and exploring ways of mitigating the effects of drought in affected areas in seeking to protect the vulnerable persons in the society. The nominee further observed that there was need to formulate long term plans in seeking to deal with the issues of hunger which may include the construction of dams for irrigation of farms in order to promote food security.

On the issue of the Street Families

- y) The nominee informed the Committee that he will take into consideration the dignity of the homeless, destitute and vulnerable persons. The nominee further stated that he will engage all relevant stakeholders with a view of ensuring that all street families have access to adequate housing and reasonable standards of living.

Closing remarks

- z) The nominee thanked the Committee and averred his commitment towards ensuring that the State Department and the Committee achieve their respective mandates.

3.2.9 Committee observations on the suitability of the Nominee

The Committee having considered the nominees filled questionnaire pursuant to section 6(8) of the Public Appointments (Parliamentary Approval) Act, 2011, his curriculum vitae and having heard his oral submissions during the approval hearing, made the following observations on his suitability for appointment as Principal Secretary:

- (i) 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 Kuria East, Migori County, Kenya and does not hold dual citizenship.
- (vii) The nominee holds a Masters in Public Administration from Moi University; and a Bachelor of Arts Degree from Kenyatta University. In terms of work experience, the nominee is currently the Director Administration in the Ministry of Public Service and Gender a position he has held since May, 2022. The nominee has also worked in the various capacities including as a Senior Deputy Secretary, Ministry of Education; Deputy Secretary, Gender Affairs from November; County Secretary and Head of Public Service, Nakuru County; District Commissioner, Rongai District; District Commissioner, Pokot North; Provincial Administrator/Provincial Commissioner in Central Province; Senior District Commissioner ; and District Officer. In this regard, his academic credentials, professional training and experience thus comply with section 47(2) of the Public Service Commission Act, 2017.
- (ii) The nominee meets the requirements of Chapter 6 of the Constitution on leadership and integrity having obtained clearance from the following statutory bodies; 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).
- (iii) The nominee was charged in a court of law in 2020 for alleged abuse of office charges but had since been acquitted and consequently, there was no pending court case against him.
- (iv) The nominee does not hold office in any political party.
- (v) 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.
- (vi) The nominee demonstrated knowledge of topical, administrative and technical issues touching on government and has the requisite abilities, qualifications and experience to serve as a Principal Secretary.

3.3 Mr. Ismail Maalim Madey

64. Mr. Ismail Maalim Madey, the nominee to the position of the Principal Secretary, State Department for Youth Affairs appeared before the Departmental Committee on Social Protection at 2.30 pm and was vetted under oath pursuant to Article 155(3) of the Constitution, the Public Appointments (Parliamentary approvals) Act (No. 33 of 2011) and the Standing Orders of the National Assembly. Mr. Ismail Maalim Madey was orally interviewed by the Committee and responded to questions during vetting. The Committee noted the following:

3.3.1 Personal Background

65. Mr. Ismail Maalim Madey is a male Kenyan citizen of identity card number 24695490 and was born in Mandera on 22th March, 1986 and does not hold any other citizenship. He is married and currently lives in Nairobi.

3.3.2 Educational Background

66 The nominee holds a Master of Arts Degree in Global Business Management (USIU) from September, 2021 to September, 2022; a Bachelor of Arts in Criminology and Security Management at Mt. Kenya University from September, 2012 to July 2016; a Diploma in Military Science at Egerton University from May, 2006 to May, 2007; a Pay Masters Course at Kenya Army Pay and Clerical School from February, 2010 to November, 2010; a Troop Commanders Course at School of Armour from February, 2008 to August, 2008; a Leadership and Management Course at Mt. Kenya School of Leadership and Adventure (KESAL) from March, 2006 to April, 2006; and Officer Cadet Course at Kenya Military Academy from September, 2005 to July, 2007.

67 He sat his Kenya Certificate of Secondary Education at Wajir High School in 2004 and his Kenya Certificate of Primary Education at Bute Primary School in 2000.

3.3.3 Work experience/career progression

68 Mr. Ismail Madey is currently the Director & Executive Chairman of Ismax Security Ltd. a position he has held since November, 2020.

69 Mr. Ismail Madey has also worked in the following capacities:

- i. Principal Administrative Secretary, County Government of West Pokot from November 2017 to November, 2020;
- ii. Field Security Advisor, Newport Africa/Tullow Oil, Lokichar Basin from November, 2014 to January, 2016;
- iii. Field Security Advisor, Africa Oil Sala Basin from November, 2013 to October, 2014;
- iv. Company Second in Command, Isiolo, Kenya from December, 2012 to October, 2013;
- v. Force Protection Officer, United Nations Mission in South Sudan (UNMISS) Wau, South Sudan from February 2011 to November, 2012
- vi. Security Intelligence Officer, Kenya Army, Nakuru, Kenya from November, 2010 to January, 2011;
- vii. Operations Officer, Kenya Army, Nakuru, Kenya from May, 2010 to November, 2010; and
- viii. Troop Commander, Kenya Army, Nakuru, Kenya from July 2007 to April, 2010.

3.3.4 Professional Associations & Affiliations

70 Mr. Ismail Madey is a member and affiliate of Association of Corporate and Industrial Security Management Professionals – (ACISMP).

3.3.5 Honors and Awards

71 Mr. Ismail Madey has been awarded the United Nations Medal in recognition of the duties and the services of peace as a Military Member of the United Nations Mission in Southern Sudan (UNMISS) on 18th February, 2012.

3.3.6 Pro-Bono/Charity Work/donation to charity

72. The nominee is involved in charitable activities in Mandera and Wajir Counties. He provides water trucking services to the public in drought stricken areas to amount of Kshs. 3 million and also provides grass for the communities at a cost of Kshs, 1.2 million.

3.3.7 Clearance Requirements

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

3.3.8 Other issues under consideration

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

On Financial Net worth

- a) The nominee informed the Committee that he is worth Kshs. 191.5 Million which comprises of shares in companies worth Kshs. 120 Million and land and rentals in Mandera worth Kshs. 50 Million among other sources of income.

On the Vision of the nominee for the State Department

- b) The nominee stated that he intends to promote the representation of the youth in all spheres of the public service. The nominee further stated that in creating employment opportunities for the youth, he will formulate strategies of identifying, harnessing and nurturing the talent of the youth at an early age.

On Creating Synergy between Parliament and the State Department

- c) The nominee stated that he intends to work together with the Committee and Members of Parliament and conduct their mutual relations on the basis of consultation and cooperation. The nominee further informed the Committee that he will involve Parliament in the workings and discharge of the functions of the State Department.

On the structure of the National Youth Service

- d) The nominee stated that there is need to realign and reorganize the National Youth Service to achieve the intended objectives of the Service. The nominee further stated that there was need to rethink the training programme, curb corruption and address the issue of pending bills, decentralize the Service and explore ways of absorbing the NYS recruits into the national security organs as an exit strategy for the recruits.

On the issue of unemployment

- e) The nominee stated that there is a link between unemployment and the rate of economic growth of a country. To this end, the nominee observed that he will focus on economic growth by tapping into technical innovations and value chain processes in order to create more employment opportunities.

On the issue of inclusion of the female youth

- f) The nominee stated that he will ensure that there is adequate policy framework to promote representation of the female youth in the relevant agencies that implement the Youth Fund. The nominee further stated that he intends to apply civic education programmes in seeking to sensitize the female youth to take up more leadership roles.

On the issue of Youth Empowerment Centers

- g) The nominee informed the Committee that there are one hundred and fifty-two youth empowerment centers which are not fully utilized and equipped for training of the youth on essential skills that shall prepare them for the job market. The nominee stated that he intends to undertake a thorough audit and assessment of the training centers and restructure the centers to National Innovation Centers so as to benefit the youth.
- h) Additionally, the nominee stated that he will work closely with the Members of Parliament in obtaining additional allocations of funds for construction of colleges that specialize in training the youth on teaching practice noting the shortage of teachers in the northern part of the country.

On the issue of mentorship and role modelling for the youth

- i) The nominee stated that there are no structured mentorship programmes for the youth and in this regard, he observed that he intends to formulate policies and establish institutions that shall assist in the mentorship of the youth and youth empowerment.

On the issue of access of the Youth Enterprise Fund by the Muslim population

- j) The nominee stated that there was need to review the existing framework governing the Youth Enterprise Fund to ensure compliance with the Sharia Law in light of the requirements of payment of interest so as to ensure that all youths benefit from the Fund.

Closing remarks

- k) The nominee thanked the Committee and the appointing authority for his nomination to the position of Principal Secretary for the State Department for Youth Affairs and stated that he looked forward to working with the Committee, if approved.

3.3.9 Committee observations on the suitability of the Nominee

The Committee having considered the nominees filled questionnaire pursuant to section 6(8) of the Public Appointments (Parliamentary Approval) Act, 2011, his curriculum vitae and having heard his oral submissions during the approval hearing, made the following observations on his suitability for appointment as Principal Secretary:

- (i) 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 26th March, 1986 in Mandera, Kenya and does not hold dual citizenship.
- (viii) The nominee holds a Master of Arts Degree in Global Business Management (USIU); a Bachelor of Arts in Criminology and Security Management at Mt. Kenya University; a Diploma in Military Science at Egerton University; a Pay Masters certificate obtained from the Kenya Army Pay and Clerical School; a Troop Commanders certificate from the School of Armour; a Leadership and Management Certificate from Mt. Kenya School of Leadership and Adventure (KESAL); and Officer Cadet certificate obtained from the Kenya Military Academy. In terms of work experience, the nominee is currently the Director & Executive Chairman of Ismax Security Ltd. a position he has held since November, 2020. The nominee has also worked as Principal Administrative Secretary, County Government of West Pokot; as Field Security Advisor, Newport Africa/Tullow Oil, Lokichar Basin, Field Security Advisor, Africa Oil Sala Basin, Company Second in Command, Force Protection Officer, United Nations Mission in South Sudan (UNMISS) Wau, South Sudan, Security Intelligence Officer, Kenya Army, Operations Officer, Kenya Army, Nakuru,; and Troop Commander, Kenya Army. In this regard, his academic credentials, professional training and experience thus comply with section 47(2) of the Public Service Commission Act, 2017.
- (ii) The nominee meets the requirements of Chapter 6 of the Constitution on leadership and integrity having obtained clearance from the following statutory bodies; 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).
- (iii) The nominee has not been charged in a court of law in the past three years.
- (iv) The nominee does not hold office in any political party.
- (v) 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.
- (vi) The nominee demonstrated knowledge and understanding of topical, administrative and technical issues touching on government and has the requisite abilities, qualifications and experience to serve as a Principal Secretary.

CHAPTER FOUR

4 OBSERVATIONS AND FINDINGS

The Committee observations were guided by Article 155 of the Constitution, section 47 of the Public Service Commission Act, 2017 and 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.

The Committee made the following observations:

4.1 Ms. Veronica Mueni Nduva

75. The Committee having considered the nominees filled questionnaire pursuant to section 6(8) of the Public Appointments (Parliamentary Approval) Act, 2011, her curriculum vitae and having heard her oral submissions during the approval hearing, made the following observations on her suitability for appointment as Principal Secretary:

- (i) In accordance with Article 78(1) and (2) of the Constitution, the nominee is eligible for appointment to State Office since she is a Kenyan citizen born in Nairobi, Kenya and does not hold dual citizenship.
- (ii) The nominee holds a Master of Arts Degree in Communication Studies from the University of Nairobi; a Bachelor of Arts Degree in Political Science and Public Administration from the University of Nairobi; a Diploma in Human Resource Management (Kenya Institute of Management) ; A certificate from the National Foreign Affairs Training Centre in Certified Assistance Professional; a certificate in Public Procurement and Disposal Act & Regulations (KISM) and a Certificate in Strategic Management in Eastern and Southern Africa Management Institute (ESAMI) (2011). In terms of work experience, the nominee has worked in various capacities including currently as a Senior Political Specialist/Special Advisor, US Embassy of Nairobi Department of State, a position she has held since 2014 up to date; East African Community Associate/Consultant from 2010 to 2013; Deputy Director, Committee of Experts on Constitutional Review from 2009 to 2010; National Co-ordinator, Development of the Kenya National Policy and Action Plan on Human Rights – Ministry of Justice/Kenya National Commission on Human Rights from 2006 to 2009; Programmes Co-ordinator, Institute for Civic Affairs and Development from 2003 to 2006; Researcher, Strategic Public Relations and Research Limited from 2001 to 2003; and as a Consultant, Centre for Multiparty

Democracy, County Government of Machakos. In this regard, her academic credentials, professional training and experience thus comply with section 47(2) of the Public Service Commission Act, 2017.

- (iii) The nominee meets the requirements of Chapter 6 of the Constitution.
- (iv) The nominee meets the requirements of Chapter 6 of the Constitution on leadership and integrity having obtained clearance from the following statutory bodies; 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).
- (v) The nominee has not been charged in a court of law in the past three years.
- (vi) The nominee does not hold office in any political party.
- (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 government and has the requisite abilities, qualifications and experience to serve as a Principal Secretary.

4.2 Mr. Joseph Mugosi Mutavi, MBS

76. The Committee having considered the nominees filled questionnaire pursuant to section 6(8) of the Public Appointments (Parliamentary Approval) Act, 2011, his curriculum vitae and having heard his oral submissions during the approval hearing, made the following observations on his suitability for appointment as Principal Secretary:

- (i) 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 Kuria East, Migori County, Kenya and does not hold dual citizenship.
- (ix) The nominee holds a Masters in Public Administration from Moi University; and a Bachelor of Arts Degree from Kenyatta University. In terms of work experience, the nominee is currently the Director Administration in the Ministry of Public Service and Gender a position he has held since May, 2022. In terms of work experience, the nominee has worked in various capacities including as a Senior Deputy Secretary, Ministry of Education; Deputy Secretary, Gender Affairs from November; County Secretary and Head of Public Service, Nakuru County; District Commissioner, Rongai District; District Commissioner, Pokot North; Provincial Administrator/Provincial Commissioner in Central Province; Senior District Commissioner ; and District Officer. In this regard, his academic credentials, professional training and experience thus comply with section 47(2) of the Public Service Commission Act, 2017.

- (ii) The nominee meets the requirements of Chapter 6 of the Constitution on leadership and integrity having obtained clearance from the following statutory bodies; 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).
- (iii) The nominee was charged in a court of law in 2020 for alleged abuse of office charges but had since been acquitted and consequently, there was no pending court case against him.
- (iv) The nominee does not hold office in any political party.
- (v) 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.
- (vi) The nominee demonstrated knowledge of topical, administrative and technical issues touching on government and has the requisite abilities, qualifications and experience to serve as a Principal Secretary.

4.3 Mr. Ismail Maalim Madey

77. The Committee having considered the nominees filled questionnaire pursuant to section 6(8) of the Public Appointments (Parliamentary Approval) Act, 2011, his curriculum vitae and having heard his oral submissions during the approval hearing, made the following observations on his suitability for appointment as Principal Secretary:

- (i) 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 26th March, 1986 in Mandera, Kenya and does not hold dual citizenship.
- (vii) The nominee holds a Master of Arts Degree in Global Business Management (USIU); a Bachelor of Arts in Criminology and Security Management at Mt. Kenya University; a Diploma in Military Science at Egerton University; a Pay Masters certificate obtained from the Kenya Army Pay and Clerical School; a Troop Commanders certificate from the School of Armour; a Leadership and Management Certificate from Mt. Kenya School of Leadership and Adventure (KESAL); and Officer Cadet certificate obtained from the Kenya Military Academy. In terms of work experience, the nominee is currently the Director & Executive Chairman of Ismax Security Ltd. a position he has held since November, 2020. The nominee has also worked as Principal Administrative Secretary, County Government of West Pokot; as Field Security Advisor, Newport Africa/Tullow Oil, Lokichar Basin, Field Security Advisor, Africa Oil Sala Basin, Company Second in Command, Force Protection Officer, United Nations Mission in South Sudan (UNMISS) Wau, South Sudan , Security

Intelligence Officer, Kenya Army, Operations Officer, Kenya Army, Nakuru; and Troop Commander, Kenya Army. In this regard, his academic credentials, professional training and experience thus comply with section 47(2) of the Public Service Commission Act, 2017.

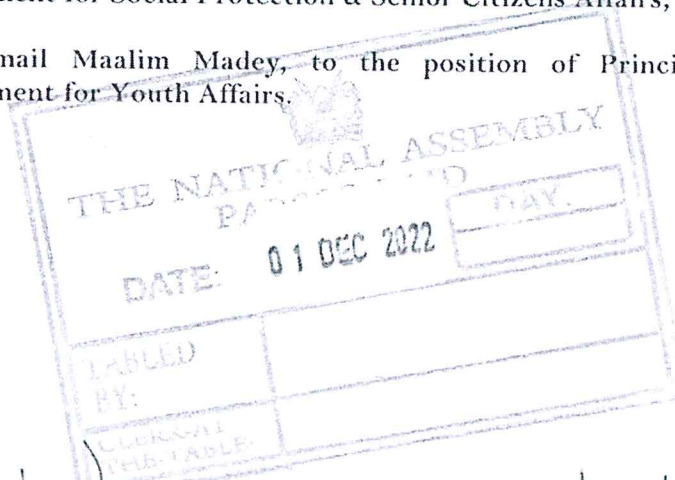
- (ii) The nominee meets the requirements of Chapter 6 of the Constitution on leadership and integrity having obtained clearance from the following statutory bodies; the Ethics and Anti-Corruption Commission (EACC), the Kenya Revenue Authority (KRA), the Directorate of Criminal Investigations (DCI), Office of the Registrar of Political Parties (ORPP) and the Higher Educations Loan Board (HELB).
- (iii) The nominee has not been charged in a court of law in the past three years.
- (iv) The nominee does not hold office in any political party.
- (v) 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.
- (vi) The nominee demonstrated knowledge and understanding of topical, administrative and technical issues touching on Youth Affairs and the State Department in General. Is passionate about the Department and has the requisite abilities, qualifications and experience to serve as a Principal Secretary.

CHAPTER FIVE

5 RECOMMENDATIONS

78. Having conducted the approval hearing for the nominees pursuant to Article 155(3)(b) of the Constitution, Sections 3 and 8(2) of the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011) and Standing Orders 45 and 216, the Committee recommends that the National Assembly APPROVES the appointment of:

- (i) Ms. Veronica Mueni Nduva, to the position of Principal Secretary, State Department for Gender & Affirmative Action;
- (ii) Mr. Joseph Mogosi Motari, MBS to the position as Principal Secretary, State Department for Social Protection & Senior Citizens Affairs; and
- (iii) Mr. Ismail Maalim Madey, to the position of Principal Secretary, State Department for Youth Affairs.



SIGNED..... Wambui DATE..... 01/12/2022

HON. ALICE WAMBUI NGA'NGA, MP
CHAIRPERSON
DEPARTMENTAL COMMITTEE ON SOCIAL PROTECTION

ANNEXTURE 1

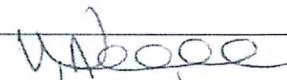
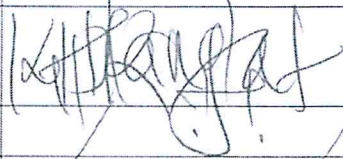
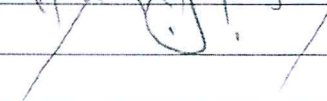

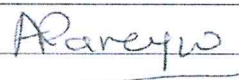

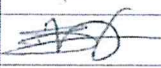
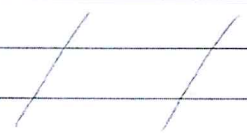

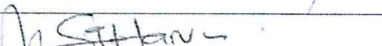
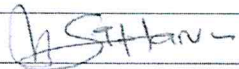
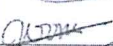

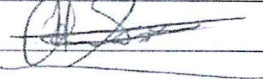

Adoption List

DEPARTMENTAL COMMITTEE ON SOCIAL PROTECTION
ADOPTION SCHEDULE

We, the undersigned Members of Departmental Committee on Social Protection, today 30th/11/2022 do hereby affix our signatures to this Report on the Approval hearings for the nominees to position of Principal Secretaries to State Departments:-

- i) Ms. Veronica Mueni Nduva - Gender & Affirmative Action
- ii) Mr. Mogosi Joseph Motari, MBS - Social Protection & Senior Citizens Affairs
- iii) Mr. Ismail Maalim Madey- Youth Affairs

to affirm our approval and confirm accuracy, validity and authenticity:-

	NAME	SIGNATURE
1	Hon. Ng'ang'a Alice Wambui, MP. - Chairperson	
2	Hon. Kosgei Hilary Kiplangat, MP. - Vice Chairperson	
3	Hon. Wetangula Timothy Wanyonyi, MP.	
4	Hon. (Dr.) James Wambura Nyikal, MP.	
5	Hon. Pareyio, Agnes Mantaine, MP.	
6	Hon. Nyenze Edith Vethi, MP.	
7	Hon. (Dr.) Gogo Lilian Achieng', MP.	
8	Hon. Maina Betty Njeri, MP.	
9	Hon. Mark Ogolla Nyamita, MP.	
10	Hon. Linet Chepkorir, MP.	
11	Hon. Suleka Hulbale Harun, MP.	
12	Hon. Wainaina Michael, Wambugu, MP.	
13	Hon. Barre Hussein Abdi, MP.	
14	Hon. Nduyo Susan Ngugi, MP.	
15	Hon. Abdullahi Amina Dika, MP.	

ANNEXTURE 2

Minutes

MINUTES OF THE 2ND SITTING OF THE DEPARTMENTAL COMMITTEE ON SOCIAL PROTECTION HELD ON WEDNESDAY, 9TH NOVEMBER, 2022 IN COMMITTEE ROOM 7, MAIN PARLIAMENT BUILDINGS AT 2.00PM.

PRESENT

1. Hon. Alice Ng'ang'a Wambui, M.P. - Chairperson
2. Hon. Hilary Kiplangat Koskei, M.P. – Vice Chairperson
3. Hon. Betty Njeri, M.P.
4. Hon. Suleka Hulbale Harun, M.P.
5. Hon. Micheal Wambugu, M.P.
6. Hon. Timothy Wanyonyi, M.P.
7. Hon. George Aladwa, M.P.
8. Hon. Edith Nyenze, M.P.
9. Hon. (Dr.) Lilian Gogo, M.P.

APOLOGIES

1. Hon. Hiribae Said Buya, M.P.
2. Hon. Agnes Pareyio, M.P.
3. Hon. Linet Chepkorir, M.P.
4. Hon. Mohamed Abdi Abdirahman, M.P.
5. Hon. Susan Ngugi, M.P.
6. Hon. Barre Hussein Abdi, M.P.

COMMITTEE SECRETARIAT

1. Ms. Hellen L. Ekadeli - First Clerk Assistant
2. Mr. Sakana Saoli - Clerk Assistant III
3. Mr. Abdikafar Abdi - Clerk Assistant III
4. Ms. Grace Maneno - Research Officer III
5. Mr. Geoffrey Kwatamba - Media Relation Officer III
6. Mr. Moses Mwariri - Legal Counsel II
7. Ms. Jemimah Waigwa - Senior Legal Counsel
8. Mr. Adan Ahmed Abdi - Fiscal Analyst

MIN. NO. NA/DC-SP/2022/008: PRELIMINARIES

The meeting was called to order at 2.30 p.m. and prayers said by the Chairperson. Thereafter, the Chairperson called upon the Members to introduce themselves.

MIN. NO. NA/DC-SP/2022/009: ADOPTION OF THE AGENDA

The agenda of the meeting was adopted after being proposed by the Hon. (Dr.) Lilian Gogo, M.P. and seconded by the Hon. Sulekha Hulbale Harun, M.P. respectively.

MIN.NO.NA/DC-SP/2022/010: CONFIRMATION OF MINUTES OF THE PREVIOUS MEETING

Minutes of the 1st sitting held on Wednesday, 2nd November, 2022 were adopted as a true reflection of the sitting having been proposed by Hon. (Dr.) Lilian Gogo, M.P. and seconded by Hon. Sulekha Hulbale Harun, M.P.

MIN. NO. NA/DC-SP/2022/011: BRIEF BY THE LEGAL COUNSEL

The Legal Counsel presented a legal brief to the Committee on its mandate and the highlights of the vetting process as follows:

Procedure for conduct of approval hearings

1. The procedure for conduct of approval hearings of constitutional appointments is provided for in the Public Appointments (Parliamentary Approval) Act No. 33 of 2011 (hereinafter referred to as "the Act"). Additionally, the Committee shall also be guided by other statutes including the Public Officer Ethics Act (No. 4 of 2003); the Leadership and Integrity Act (No. 19 Of 2012) and the Public Service (Values and Principles) Act (No. 1A of 2015).

Issues for consideration by the Committee

2. In conducting the approval hearings, the Committee shall be guided by the provisions of section 6(7) and (8) of the Act which provides that:

(7) An approval hearing shall focus on a candidate's academic credentials, professional training and experience, personal integrity and background.

(8) The criteria specified in the Schedule shall be used by a Committee during an approval hearing for the purposes of vetting a candidate.

3. Additionally, section 7 of the Act provides that the issues for consideration by the relevant House of Parliament in relation to any nomination shall be—

- (a) the procedure used to arrive at the nominee;*
- (b) any constitutional or statutory requirements relating to the office in question; and*
- (c) 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.*

5. The parameters espoused in section 6(7) and (8) and section 7 of the Act shall hence form the basis through which the Committee shall conduct the approval hearings.

Procedure for Nomination

6. On the first issue for consideration by the Committee under section 7 of the Act which is the procedure used to arrive at the nominee, we note that Article 132(2)(d) of the Constitution provides that the President shall nominate and, with the approval of the National Assembly, appoint, Principal Secretaries in accordance with Article 155 of the Constitution.
7. Article 155(3) of the Constitution further provides that 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.*
8. 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.*
9. Section 47(3) of the Public Service Commission Act further provides that the Commission shall, in making the recommendations under the section, submit to the President a list of nominees for appointment, paying attention to inclusiveness in terms of gender, Kenya's diverse communities, persons with disabilities and the youth.
10. In view of the provisions of Article 155(3) of the Constitution as read with sections 46(1) and 47(3) of the Public Service Commission Act, 2017, the Committee may make reference to the Report of the Public Service Commission on the nomination of the candidates in determining the procedure used to arrive at the nominees in terms of section 7(a) of the Act.

Compliance Certificates

11. The Committee shall also be required to examine and consider the reports of the following relevant bodies in determining the suitability of the candidates:
 - (1) *The Higher Education Loans Board;*
 - (2) *The Kenya Revenue Authority;*
 - (3) *The Directorate of Criminal Investigations;*
 - (4) *The Office of the Registrar of Political Parties;*
 - (5) *The Ethics and Anti-Corruption Commission.*

The Chair invited members with any question regarding the legal brief, thereafter Hon(Dr) Gogo informed the meeting that the presentation of the legal brief was precise and to the point.

MIN.NO.NA/DC-SP/2022/012: COMMITTEE RESOLUTIONS

The Committee resolved as follows, THAT —

- (a) The Secretariat prepares guiding questions focusing on each nominee's academic credentials, professional qualifications and competence to guide Members during the vetting process;
- (b) The Committee proposes to retreat for Report Writing from Sunday, 19th to Tuesday, 22nd November, 2022 in Machakos County.
- (c) Members asked whether there was any invitation from Ministries for foreign travels.
- (d) The Vice-Chair proposed to have another meeting on Tuesday 15th November, 2022 to arrange on how members should conduct themselves during the vetting.

MIN. NO. NA/DC-SP/2022/013: ADJOURNMENT/ DATE OF NEXT MEETING

There being no other business, the meeting was adjourned at 3.30 p.m. The next meeting will be held on Tuesday, 15th November, 2022 at 10.00 a.m.

Signed..........Date.....15/11/2022.....

HON. ALICE WAMBUI NGÁNGÁ, M.P.
(Chairperson)

MINUTES OF THE 3RD SITTING OF THE DEPARTMENTAL COMMITTEE ON SOCIAL PROTECTION HELD ON TUESDAY, 15TH NOVEMBER, 2022 IN 4TH FLOOR BOARDROOM, CONTINENTAL BUILDING AT 10.00 AM.

PRESENT

1. Hon. Alice Ng'ang'a Wambui, M.P. - Chairperson
2. Hon. Hilary Kiplang'at Koskei, M.P. - Vice Chairperson
3. Hon. Betty Njeri, M.P.
4. Hon. Suleka Hulbale Harun, M.P.
5. Hon. Michael Wambugu, M.P.
6. Hon. Amina Abdullahi Dika, M.P.
7. Hon. Barre Hussein Abdi, M.P.
8. Hon. Edith Nyenze, M.P.
9. Hon. (Dr.) Lilian Gogo, M.P.

APOLOGIES

1. Hon. Timothy Wanyonyi, M.P.
2. Hon. Agnes Pareyio, M.P.
3. Hon. Linet Chepkorir, M.P.
4. Hon. Mark Nyamita, M.P.
5. Hon. Susan Ngugi, M.P.
6. Hon. (Dr.) James Nyikal, M.P.

COMMITTEE SECRETARIAT

1. Ms. Hellen L. Ekadeli - First Clerk Assistant
2. Mr. Sakana Saoli - Clerk Assistant III
3. Mr. Abdikafar Abdi - Clerk Assistant III
4. Ms. Grace Maneno - Research Officer III
5. Mr. James Macharia - Media Relation Officer III
6. Ms. Noel Amutabi - Legal Counsel II
7. Mr. Adan Ahmed Abdi - Fiscal Analyst
8. Mr. Boniface Mugambi - Sergeant-at-arms

MIN. NO. NA/DC-SP/2022/014: PRELIMINARIES

The meeting was called to order at 10.20 a.m. and prayers said by the Chairperson. Thereafter, the introduction was done by the Members and Secretariat.

MIN. NO. NA/DC-SP/2022/015: ADOPTION OF THE AGENDA

The agenda of the meeting was adopted after being proposed by the Hon. (Dr.) Lilian Gogo, M.P. and seconded by the Hon. Suleka Hulbale Harun, M.P. respectively.

MIN.NO.NA/DC-SP/2022/016: CONFIRMATION OF MINUTES OF THE PREVIOUS MEETING

Minutes of the 2nd sitting held on Wednesday, 9th November, 2022 were adopted as a true reflection of the sitting having been proposed by Hon. Edith Nyenze, M.P. and seconded by Hon. Michael Wainaina, M.P. respectively.

MIN.NO.NA/DC-SP/2022/017: MATTERS ARISING

There were no matters arising from the minutes.

MIN. NO. NA/DC-SP/2022/018: LEGAL BRIEF ON NOMINEES APPROVAL HEARINGS

The Chairperson informed the Members that the meeting was on the pre-vetting on the nominees and the manner in which the approval hearings will be conducted. Further, she confirmed that the Secretariat has compiled a series of sector-based questions for each respective nominee. The questions would touch on the:

- (i) integrity issues of the nominee;
- (ii) personal questions to the nominee; and
- (iii) sector specific questions on the particular State Department the nominee is to serve.

The questions raised will inform the suitability of the nominees for the positions of Principal Secretaries for the State Department of Youth Affairs; State Department for Gender and Affirmative Action and State Department for Social Protection and Senior Citizens Affairs.

In line with the above, the Members raised the issue of assigning questions and deliberated that no Member should be restricted to a particular question, and therefore agreed to interrogate the nominees at length and with decorum as honourable Members of the house but without compromise.

Members raised the issue of verifiability of the answers given by the nominees. The Legal Counsel briefed the Members that the nominees will be under oath and will be obliged to be truthful and lying under oath is deemed criminal and punishable.

MIN.NO.NA/DC-SP/2022/019: ANY OTHER BUSINESS

A member raised concerns and issues to do with the National Social Security Fund agency and that the Departmental Committee on Labour was claiming that it is under their jurisdiction. The Chairperson informed the Member that the Standing Orders guides the National Assembly, and

accordingly matters of pension and social security are well under the Departmental Committee on Social Protection.

MIN. NO. NA/DC-SP/2022/020: ADJOURNMENT/ DATE OF NEXT MEETING

There being no other business, the meeting was adjourned at 11.15 a.m. The next meeting will be held on notice.

Signed..........Date..........

HON. ALICE WAMBUI NGÁNGÁ, M.P.
(Chairperson)

MINUTES OF THE 5th SITTING OF THE DEPARTMENTAL COMMITTEE ON
SOCIAL PROTECTION HELD ON WEDNESDAY, 30th NOVEMBER, 2022 AT THE
PANARI HOTEL, MOMBASA ROAD IN NAIROBI AT 9.00 AM.

PRESENT

1. Hon. Alice Ng'ang'a Wambui, M.P. - Chairperson
2. Hon. Hilary Kiplang'at Koskei, M.P. - Vice Chairperson
3. Hon. (Dr.) Lilian Gogo, M.P.
4. Hon. Amina Abdullahi Dika, M.P.
5. Hon. Barre Hussein Abdi, M.P.
6. Hon. Agnes Pareyio, M.P.
7. Hon. Suleka Hulbale Harun, M.P.
8. Hon. Michael Wambugu, M.P.

APOLOGIES

1. Hon. Timothy Wanyonyi, M.P.
2. Hon. Linet Chepkorir, M.P.
3. Hon. Mark Nyamita, M.P.
4. Hon. Susan Ngugi, M.P.
5. Hon. Betty Njeri, M.P.
6. Hon. Edith Nyenze, M.P.
7. Hon. (Dr.) James Nyikal, M.P.

IN-ATTENDANCE

1. Ms. Veronica Mueni Nduva
2. Mr. Joseph Mogosi Motari, MBS

COMMITTEE SECRETARIAT

1. Ms. Hellen L. Ekadeli - First Clerk Assistant
 2. Ms. Jemimah Waigwa - Senior Legal Counsel
 3. Mr. Sakana Saoli - Clerk Assistant III
 4. Mr. Abdikafar Abdi - Clerk Assistant III
 5. Ms. Grace Maneno - Research Officer III
 6. Mr. Adan Ahmed Abdi - Fiscal Analyst
 7. Mr. Collins Mahamba - Audio Officer
-

MIN. NO. NA/DC-SP/2022/028: PRELIMINARIES

The meeting was called to order at 9.20 a.m. and prayers said by the Chairperson. Thereafter, the introduction was done by the Members and Secretariat.

MIN. NO. NA/DC-SP/2022/029: ADOPTION OF THE AGENDA

The agenda of the meeting was adopted after being proposed by the Hon. Suleka Hulbale Harun, M.P. and seconded by the Hon. Amina Abdullahi Dika, M.P. respectively.

MIN.NO.NA/DC-SP/2022/030: VETTING OF HON. VERONICA M. NDUVA:
NOMINEE FOR STATE DEPARTMENT FOR GENDER AND AFFIRMATIVE ACTION

The nominee, Ms. Veronica Mueni Nduva, appeared before the Committee on Wednesday, 30th November, 2022 at 9.00 am for approval hearing to the position of Principal Secretary for State Department of Gender and Affirmative Action and was vetted under oath pursuant to Article 155(5) of the Constitution, the Public Appointments (Parliamentary approvals) Act, 2011 and the Standing Orders of the National Assembly. The Committee noted the following:

A. General and Sector specific questions to Ms. Veronica Mueni Nduva

The Committee also examined the nominee by posing questions to examine suitability or otherwise of the nominee, the Committee posed questions to the nominee on her knowledge on matters relating to Gender and Affirmative Action. The nominee responded as follows: -

On Financial Net worth

1. The nominee informed the Committee that she was worth Kshs. 65 Million which comprised of land in Makueni, a residential home and commercial land.

On the Application of National Values and Principles of Governance

2. The nominee stated that she will uphold the law at all times and further observed that the Constitution binds and obligates her as a State Officer to apply high standards of professionalism, integrity, transparency, honesty and accountability in performance of her functions.

On creating and maintaining synergy between Parliament and the State Department

3. The nominee noted that Parliament represents the people of Kenya and hence stated that if approved, she will maintain a cordial relationship with the Parliament, constantly consult and engage with the Committee on Social Protection to ensure that there is synergy in addressing and resolving the issues of concern to the people
4. The nominee stated that if approved, she will also work closely with the Members of Parliament and pursue a cordial relationship with the Members and the Committee in order to facilitate the Committee to discharge its mandate effectively.

On Use of Public Resources

5. The nominee stated that will take it as her responsibility to ensure the prudent use of public resources. The nominee further stated that she will create checks and balances to monitor leakages in order to ensure the prudent use of resources.

On Achieving Efficiency in the State Department as it aligns with the Kenya Kwanza Manifesto

6. The nominee pointed out that the Kenya Kwanza Manifesto is focused on addressing gender issues and women empowerment. The nominee informed the committee that she will first apprise herself with the documents, plans and programmes in place in the department. She further stated that she will examine the existing policy framework in particular the implementation status of the policy framework in seeking to identify any gaps in legislation and budgeting to ensure proper implementation of policies in place.

On Affirmative Action Funds for Women and Marginalized groups

7. The nominee noted that there are many initiatives in place with very good intentions for the people. However, the nominee noted that the biggest challenge is on implementation and uptake of the same. To resolve the challenges, if approved, the nominee stated that she will work closely with the communities and stakeholders to monitor the performance of these funds.

On Forced Early Marriages

8. The nominee observed that forced early marriages are caused by societal issues including the culture and economical status of the affected people. The nominee stated that she intends to examine the issues of forced early marriages together with all stakeholders and the society to address the root causes of the problem. She also stated that there was need to amplify the voices of the people to share their experiences and sensitize the society on the issue of forced early marriages and further mobilize resource allocation to address the issue.

On Gender Equality and Representation being perceived to refer to the Women

9. The nominee informed the committee that the law relating to gender refers to both male and female. The nominee observed that that the issue of the *boychild* feeling neglected, was a perception issue by the society. She however noted that there is a positive discrimination towards women empowerment and she will encourage more men to take up mentorship roles to bridge the gap in mentorship of men.

On eradicating Female Genital Mutilation (FGM) and Implementation of Anti-FGM laws

10. The nominee noted that although there is an incremental decrease in cases of FGM there is still much that need to be done to eradicate and curb the FGM practices. To this end, the nominee stated that there was need for full implementation of existing policies and laws on FGM. She stated that she will collaborate with the relevant stakeholders to ensure that there is no duplication of efforts in curbing FGM in the society.

11. The nominee further underscored the need for the government to allocate funds towards curbing FGM practices. She further observed that the government ought to spearhead the process and allocate adequate funds towards eradicating FGM unlike the current practice where it is the development partners that give grants towards eradicating FGM.
12. The nominee further stated that the prosecution of cases of FGM have been made impossible due to victimization of witnesses. The nominee stated that there was need to ensure proper reporting and successful prosecution of the cases.

b. Committee observations on the suitability of the Nominee

The Committee having considered the nominees filled questionnaire pursuant to section 6(8) of the Public Appointments (Parliamentary Approval) Act, 2011, her curriculum vitae and having heard her oral submissions during the approval hearing, made the following observations on her suitability for appointment as Principal Secretary:

- (i) In accordance with Article 78(1) and (2) of the Constitution, the nominee is eligible for appointment to State Office since she is a Kenyan citizen born in Nairobi, Kenya and does not hold dual citizenship.
- (ii) The nominee holds a Master Degree in Communication, specializes in media and women affairs, and has previously served in various capacities in leadership. Her academic credentials, professional training and experience thus comply with section 6(7) of the Public Appointments (Parliamentary Approval) Act, No. 33 of 2011.
- (iii) The nominee meets the requirements of Chapter 6 of the Constitution on leadership and integrity having obtained clearance from the following statutory bodies; 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).
- (iv) The nominee has not been charged in a court of law in the past three years.
- (v) The nominee does not hold office in any political party.
- (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 government and has the requisite abilities, qualifications and experience to serve as a Principal Secretary.

MIN.NO.NA/DC-SP/2022/031: VETTING OF HON. JOSEPH MOGOSI
MOTARI, NOMINEE FOR THE STATE DEPARTMENT FOR SOCIAL PROTECTION
AND SENIOR CITIZENS AFFAIRS

The nominee, Mr. Joseph Mogosi Motari, MBS appeared before the Committee on Wednesday, 22nd November, 2022 at 11.30 am for approval hearing to the position of Principal Secretary for

State Department for Social Protection and Senior Citizens Affairs and was vetted under oath pursuant to Article 155(3) of the Constitution, the Public Appointments (Parliamentary approvals) Act (No. 33 of 2011) and the Standing Orders of the National Assembly.

The Committee also examined the nominee by posing questions to examine suitability or otherwise of the nominee, the Committee posed questions to the nominee on her knowledge on matters relating to Social Protection and Senior Citizen Affairs. The nominee responded as follows: -

On Financial Net worth

1. The nominee informed the Committee that he is worth Kshs. 82.5 million which comprises of House in Nakuru worth Kshs 20 million, rental houses in Nakuru worth Kshs, 30 million, a house in Imaara Daima worth Kshs. 9 Million and motor-vehicles.

On the Vision of the nominee for the State Department

2. The nominee stated that he intended to make the State Department, Social Protection and Senior Citizen Affairs effective and efficient in the discharge of its functions including on matters relating to senior citizens and social protection of vulnerable persons in the society.

On Pending court cases against the nominee

3. The nominee informed the Committee that there was no pending court case against him. The nominee however stated that in 2020, the nominee had been charged in the Chief Magistrate Court in Nakuru in Anti-Corruption Case Number 1 of 2020. The nominee further informed the Committee that the case related to charges of abuse of office contrary to sections 46 and 48 of the Anti-Corruption and Economic Crimes Act, 2003. The nominee stated that the particulars of the charges related to his former engagement as the County Secretary for Nakuru County where it is alleged that he used his office improperly to promote Johnson Njuguna for the position of Director of Water without following the recruitment procedures. The nominee stated that the Court determined that the prosecution had not proved the case beyond reasonable doubt and hence the Court found that the nominee was not guilty and acquitted him from all charges.

On Creating Synergy between Parliament and the State Department

4. The nominee stated that he intends to work together with the Committee and Members of Parliament in promoting the mandate of the State Department and the Committee. The nominee further stated that he will seek the support of the Members of the Committee in creating a linkage with other Committees of the House and all Members of Parliament.

On prudent use of public resources

5. The nominee stated that he would abide and be guided by the principles of public finance including being ensuring openness and accountability through public participation in financial matters under the State Department. The nominee further stated that he will

closely with the officers in the State Department and examine the work plans in determining the key priority projects and programmes.

On Older Persons Cash Transfer

6. The nominee stated that he intends to make the fund more effective for the older persons by exploring the use of mobile banks that go closer to the Senior Citizens. He further stated that, he will make a fresh registration of all potential beneficiaries of the fund so that all Senior Citizens can benefit from the Fund. The nominee further observed that he will work with officers of the State Department to process the cash transfer to the senior citizens and further develop consent forms for use by the elderly in instances where other persons are receiving money on their behalf.

On the issue of processing of pension

7. The nominee stated that, if approved he will put in place systems and mechanisms that shall ensure that the process of payment of pension to all retired persons would be effected in a timely manner.

On the issue of plans to eradicate malnutrition

8. The nominee stated that he plans to work closely with the National Drought and Management Authority to deal with issues of hunger through distribution of relief food and exploring ways of mitigating the effects of drought in affected areas in seeking to protect the vulnerable persons in the society. The nominee further observed that there was need to formulate long term plans in seeking to deal with issues of hunger which may include the construction of dams for irrigation of farms which shall in turn promote food security.

On the issue of the Street Families

9. The nominee informed the Committee that he will take into consideration the dignity of the homeless, destitute and vulnerable persons. The nominee further stated that he will engage all relevant stakeholders with a view of ensuring that all street families have access to adequate housing and reasonable standards of living.

Closing remarks

10. The nominee thanked the Committee and averred his commitment towards ensuring that the State Department and the Committee achieve their respective mandates.

(a) Committee observations on the suitability of the Nominee

The Committee having considered the nominees filled questionnaire pursuant to section 6(s) of the Public Appointments (Parliamentary Approval) Act, 2011, his curriculum vitae and having heard his oral submissions during the approval hearing, made the following observations on his suitability for appointment as Principal Secretary:

- (i) 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 Kuria East, Migori County, Kenya and does not hold dual citizenship.
- (ii) The nominee holds a Master Degree in Public Administration and has served as an Under Secretary, Deputy Secretary, Senior Deputy Secretary and Director of Administration in the Ministries of Public Service and Gender and Education respectively and as a County Secretary and Head of Public Service at the County Government of Nakuru and has previously served in various capacities in leadership. His academic credentials, professional training and experience thus comply with section 6(7) of the Public Appointments (Parliamentary Approval) Act, No. 33 of 2011.
- (iii) The nominee meets the requirements of Chapter 6 of the Constitution on leadership and integrity having obtained clearance from the following statutory bodies; 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).
- (iv) The nominee has been charged in a court of law in the past three years and later acquitted.
- (v) The nominee does not hold office in any political party.
- (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 government and has the requisite abilities, qualifications and experience to serve as a Principal Secretary.

MIN. NO. NA/DC-SP/2022/032: ADJOURNMENT OF THE MEETING

There being no other business, the meeting was adjourned at fifteen past one o'clock 1.15 p.m. The Committee resolved to re-convene at fifteen minutes past two o'clock 2.30 p.m. in the same venue.

Signed..........Date.....01/12/2022

HON. ALICE WAMBUI NGÁNGÁ, M.P.
DEPARTMENTAL COMMITTEE ON SOCIAL PROTECTION
(CHAIRPERSON)

MINUTES OF THE 6th SITTING OF THE DEPARTMENTAL COMMITTEE ON
SOCIAL PROTECTION HELD ON WEDNESDAY, 30th NOVEMBER, 2022 AT THE
PANARI HOTEL, MOMBASA ROAD IN NAIROBI AT 2.30 PM.

PRESENT

1. Hon. Alice Ng'ang'a Wambui, M.P. - Chairperson
2. Hon. Hilary Kiplang'at Koskei, M.P. - Vice Chairperson
3. Hon. (Dr.) Lilian Gogo, M.P.
4. Hon. Amina Abdullahi Dika, M.P.
5. Hon. Barre Hussein Abdi, M.P.
6. Hon. Agnes Pareyio, M.P.
7. Hon. Suleka Hulbale Harun, M.P.
8. Hon. Michael Wambugu, M.P.

APOLOGIES

1. Hon. Timothy Wanyonyi, M.P.
2. Hon. Linet Chepkorir, M.P.
3. Hon. Mark Nyamita, M.P.
4. Hon. Susan Ngugi, M.P.
5. Hon. Betty Njeri, M.P.
6. Hon. Edith Nyenze, M.P.
7. Hon. (Dr.) James Nyikal, M.P.

IN-ATTENDANCE

1. Mr. Ismail Maalim Madey

COMMITTEE SECRETARIAT

1. Ms. Hellen L. Ekadeli - First Clerk Assistant
2. Ms. Jemimah Waigwa - Senior Legal Counsel
3. Mr. Sakana Saoli - Clerk Assistant III
4. Mr. Abdikafar Abdi - Clerk Assistant III
5. Ms. Grace Maneno - Research Officer III
6. Mr. Adan Ahmed Abdi - Fiscal Analyst
7. Mr. Collins Mahamba - Audio Officer

MIN. NO. NA/DC-SP/2022/033: PRELIMINARIES

The meeting was called to order at twenty minutes past two o'clock (2.20p.m).

MIN. NO. NA/DC-SP/2022/034:

ADOPTION OF THE AGENDA

The agenda of the meeting was adopted after being proposed by the Hon. Suleka Hulbale Harun, M.P. and seconded by the Hon. Amina Abdullahi Dika, M.P. respectively.

MIN.NO.NA/DC-SP/2022/035:

VETTING OF HON. ISMAIL MAALIM

MADEY: NOMINEE FOR STATE DEPARTMENT FOR YOUTH AFFAIRS

The nominee, Mr. Ismail Maalim Madey, appeared before the Committee on Wednesday, 22nd November, 2022 at 2.30 pm for approval hearing to the position of Principal Secretary for State Department of Youth Affairs and was vetted under oath pursuant to Article 155(3) of the Constitution, the Public Appointments (Parliamentary approvals) Act (No. 33 of 2011) and the Standing Orders of the National Assembly.

(a) General and Sector specific questions to Mr. Ismail Maalim Madey

Mr. Ismail Maalim Madey was orally interviewed by the Committee and responded to questions during vetting. The Committee noted the following:

The Committee also examined the nominee by posing questions to examine suitability or otherwise of the nominee, the Committee posed questions to the nominee on her knowledge on matters relating to Youth Affairs. The nominee responded as follows: -

On Financial Net worth

1. The nominee informed the Committee that he is worth Kshs. 191 Million which comprises of shares in companies worth Kshs. 120 Million and land and rentals in Mandera worth Kshs. 50 Million among other sources of income.

On the Vision of the nominee for the State Department

2. The nominee stated that he intends to promote the representation of the youth in all spheres of the public service. The nominee further stated that in creating employment opportunities for the youth, he will formulate strategies of identifying, harnessing and nurturing the talent of the youth at an early age.

On Creating Synergy between Parliament and the State Department

3. The nominee stated that he intends to work together with the Committee and Members of Parliament and conduct their mutual relations on the basis of consultation and cooperation. The nominee further informed the Committee that he will involve Parliament in the workings and discharge of the functions of the State Department.

On prudent use of public resources

4. The nominee stated that he would abide and be guided by the principles of public finance including being ensuring openness and accountability through public participation in financial matters under the State Department. The nominee further stated that he will closely work with the officers in the State Department and examine the work plans in determining the key priority projects and programmes.

On the structure of the National Youth Service

5. The nominee stated that there is need to realign and reorganize the National Youth Service to achieve the intended objectives of the Service. The nominee further stated that there was need to rethink the training programme, curb corruption and address the issue of pending bills, decentralize the Service and explore ways of absorbing the NYS recruits into the national security organs as an exit strategy for the recruits.

On the issue of unemployment

6. The nominee stated that there is a link between unemployment and the rate of economic growth of a country. To this end, the nominee observed that he will focus on economic growth by tapping into technical innovations and value chain processes in order to create more employment opportunities.

On the issue of inclusion of the female youth

7. The nominee stated that he will ensure that there is adequate policy framework to promote representation of the female youth in the relevant agencies that implement the Youth Fund. The nominee further stated that he intends to apply civic education programmes in seeking to sensitize the female youth to take up more leadership roles.

On the issue of Youth Empowerment Centers

8. The nominee informed the Committee that there are one hundred and fifty-two youth empowerment centers which are not fully utilized and equipped for training of the youth to equip them with essential skills that shall prepare them for the job market. The nominee stated that he intends to do a thorough audit and assessment of centers and restructure the centers to National Innovation Centers so as to benefit the youth.
9. Additionally, the nominee stated that he will work closely with the Members of Parliament in obtaining additional allocations of funds for construction of colleges that specialize in training the youth on teaching practice noting the shortage of teachers in the northern part of the country.

On the issue of mentorship and role modelling for the youth

10. The nominee stated that there are no structured mentorship programmes for the youth and he observed that he intends to formulate policies and establish institutions that shall assist in the mentorship of the youth and put in place plans that shall promote youth empowerment.

On the issue of access of the Youth Enterprise Fund by the Muslim population

11. The nominee stated that there was need to review the existing framework governing the Youth Enterprise Fund to ensure compliance with the Sharia Law in light of the requirements of payment of interest so as to ensure that all youths benefit from the Fund.

Closing remarks

12. The nominee thanked the Committee and the appointing authority for his nomination to the position of Principal Secretary for the State Department for Youth Affairs and stated that he looks forward to working with the Committee, if approved.

(b) Committee observations on the suitability of the Nominee

The Committee having considered the nominees filled questionnaire pursuant to section 6(8) of the Public Appointments (Parliamentary Approval) Act, 2011, his curriculum vitae and having heard his oral submissions during the approval hearing, made the following observations on his suitability for appointment as Principal Secretary:

- (i) 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 26th March, 1986 in Mandera, Kenya and does not hold dual citizenship.
- (ii) The nominee holds a Masters Degree in Global Business Management at United States International University-Africa has served as principal administrative secretary at the County Government of Pokot, the United Nations Missions in South Sudan (UNMISS), the Director and Chairman of Security Limited Company and has previously served in various capacities in leadership. His academic credentials, professional training and experience thus comply with section 6(7) of the Public Appointments (Parliamentary Approval) Act, No. 33 of 2011.
- (iii) The nominee meets the requirements of Chapter 6 of the Constitution on leadership and integrity having obtained clearance from the following statutory bodies; 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).
- (iv) The nominee has not been charged in a court of law in the past three years.
- (v) The nominee does not hold office in any political party.
- (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 government and has the requisite abilities, qualifications and experience to serve as a Principal Secretary.

MIN. NO. NA/DC-SP/2022/036: ADJOURNMENT OF THE MEETING

There being no other business, the meeting was adjourned at 3.30 p.m. The Committee resolved to re-convene at 3.30p.m in the same venue.

Signed.....  Date..... 01/12/2022

HON. ALICE WAMBUI NGÁNGÁ, M.P.
(Chairperson)

MINUTES OF THE 7TH SITTING OF THE APPROVAL HEARING OF THE
DEPARTMENTAL COMMITTEE ON SOCIAL PROTECTION HELD ON
WEDNESDAY, 30TH NOVEMBER, 2022 IN PANARI HOTEL, MOMBASA ROAD, IN
NAIROBI AT 4.00 P.M.

PRESENT

1. Hon. Alice Ng'ang'a Wambui, M.P. - Chairperson
2. Hon. Hilary Kiplang'at Koskei, M.P. - Vice Chairperson
3. Hon. (Dr.) Lilian Gogo, M.P.
4. Hon. Suleka Hulbale Harun, M.P.
5. Hon. Michael Wambugu, M.P.
6. Hon. Amina Abdullahi Dika, M.P.
7. Hon. Barre Hussein Abdi, M.P.
8. Hon. Agnes Pareyio, M.P.

APOLOGIES

1. Hon. Linet Chepkorir, M.P.
2. Hon. Edith Nyenze, M.P.
3. Hon. Timothy Wanyonyi, M.P.
4. Hon. Mark Nyamita, M.P.
5. Hon. Susan Ngugi, M.P.
6. Hon. (Dr.) James Nyikal, M.P.
7. Hon. Betty Njeri, M.P.

IN-ATTENDANCE

COMMITTEE SECRETARIAT

1. Ms. Hellen L. Ekadeli - First Clerk Assistant
2. Mr. Sakana Saoli - Clerk Assistant III
3. Mr. Abdikafar Abdi - Clerk Assistant III
4. Ms. Jemimah Waigwa - Senior Legal Counsel
5. Ms. Grace Maneno - Research Officer III
6. Mr. Adan Ahmed Abdi - Fiscal Analyst II
7. Mr. Collins Mahamba - Audio Officer III

MIN. NO. NA/DC-SP/2022/037: PRELIMINARIES

The meeting was called to order at half past seven o'clock (7.30 p.m.)

MIN. NO. NA/DC-SP/2022/038:

ADOPTION OF THE AGENDA

The agenda of the meeting was adopted after being proposed by the Hon. Suleka Hulbale Harun, M.P. and seconded by the Hon. Abdullahi Amina Dika, M.P. respectively.

MIN. NO. NA/DC-SP/2022/039:

CONSIDERATION OF THE REPORT ON
THE APPROVAL HEARING OF THE
NOMINEES FOR APPOINTMENT TO THE
OFFICES OF PRINCIPAL SECRETARIES.

- I. The Chairperson informed the meeting that the report had two sections, the preliminary section and the body of the report containing the suitability of the nominees.
- II. Having considered the report, the Committee recommended that the House approves the following nominees who met the integrity threshold; demonstrated knowledge of topical, administrative and technical issues touching on the portfolios to which they had been nominated; and had the requisite abilities, academic qualifications and professional experience to be approved for appointment in accordance with the provisions of the Public Appointments (Parliamentary Approval) Act, 2011. That the House;
 1. Approves the nomination of **Ms. Veronica Mueni Nduva** for appointment as Principal Secretary for State Department for Gender and Affirmative Action by His Excellency the President of the Republic of Kenya after it was proposed and seconded by Hon. (Dr.) Lilian Gogo Achieng' M.P. and Hon. Hilary Koskei Kiplangat, M.P. respectively.
 2. Approves the nomination of **Mr. Joseph Mogosi Motari, MBS** for appointment as Principal Secretary for State Department for Social Protection and Senior Citizens Affair by His Excellency the President of the Republic of Kenya after it was proposed and seconded by Hon. Abdullahi Amina Dika, M.P. and Hon. Agnes Pareiyo Mantaine, M.P. respectively.
 3. Approves the nomination of **Mr. Ismail Maalim Madey** for appointment as Principal Secretary for State Department of Youth Affairs by His Excellency the President of the Republic of Kenya after it was proposed and seconded by Hon. Hussein Abdi Barre, M.P. and Hon. Michael Wainaina Wambugu, M.P. respectively.
 4. By way of acclamation, the Committee adopted the report on the approval hearing of the nominees for appointment to the offices of Principal Secretaries.

MIN.NO. NA/DC-SP/2022/040: ADJOURNMENT OF THE MEETING

There being no other business, the meeting was adjourned at 4.30 p.m.

Signed..........Date.....01 / 12 / 2022.....

HON. ALICE WAMBUI NGÁNGÁ, M.P.
DEPARTMENTAL COMMITTEE ON SOCIAL PROTECTION
(CHAIRPERSON)

