

KERICHO COUNTY ASSEMBLY

THE HANSARD

Third Assembly

First Session

Wednesday 7th December, 2022

(The House met at 11.35 a .m.)

[Speaker (Hon. Dr. Patrick Mutai) on the Chair]

PRAYERS

The Speaker (Hon. Dr. Patrick Mutai): Honorable Members welcome to this morning session. Clerk, Order number one!

COMMUNICATION FROM THE CHAIR.

The Speaker (Hon. Dr. Patrick Mutai): Honorable Members I have two communications;

Honorable members as you are aware that we are proceeding on a long recess up to February, we had a meeting with the leadership and we have agreed that members to retreat for a *Kamukunji* and discuss a number of issues of course the first one being the welfare of the honorable members.

We also have to plan ourselves this recess and I think that basically on various committees. We have also discuss on the aspect of the emerging issues for example the issue of committees and we have told that there are some members who are willing to swap committee or so. We agreed

with the membership that before proceedings for select committee or doing anything, we must sit as kamukunji and agreed on the same.

Secondly, we have supplementary budget one budget estimates for the FY 2022/2023. I hereby commit to the Budget and Appropriation Committee for deliberation. Honorable Chair please note that it is now here and we will liaise jointly on how to go about it, thank you very much. Those are the two communications that I had. Is there any other? Sorry Clerk, this is from? I thought this is from The Governor but it is from the County Secretary.

This forms our third communication of our session. So submission of the assumption of office of The Governor report. I think the Hon. Majority Leader had raised a statement yesterday and the report is with us sent by the County Secretary and it is committed also to the committee on Governance, Labour and Social Welfare. I am aware that there is another report on staff establishment so you need to work hard so that you can table all these reports in time. I don't want to give you two weeks, I wish may be you look at the time line and see whether we are within the time line. So please the honorable Gabriella note that. Next order!

NOTICES OF MOTION

The Speaker (Hon. Dr. Patrick Mutai): We have motion by the Chairman Budget and Appropriation Committee. Honorable members the Chairman Budget and Appropriation Committee please give notice of motion on the Annual Development Plan.

Hon. Kiprotich Rogony (Chairperson Budget and Appropriation Committee, Member for Sigowet Ward): Thank you Mr. Speaker Sir. I give a notice of the following motion, that this House approves the report of Budget and Appropriation Committee on the county Annual Development Plan for FY 2023/2024 submitted pursuant to Standing Order 201. Thank you.

The Speaker (Hon. Dr. Patrick Mutai): Honorable Majority Leader there is a motion on selection panel, give notice.

Hon. Paul Chirchir (Member for Kapsoit Ward): Thank you very much Mr. Speaker Sir, I wish to give a notice of the following motion for the approval hearing of the selection panel for the recruitment of the County Secretary and Head of County Public Service submitted pursuant to section 44 (2) (c) and 58(a) of the County Government Act 2012 section 17 of the Public Appointment Act, County Assemblies Approval Act no. 5 of 2017 and Standing Order 199. Thank you.

The Speaker (Hon. Dr. Patrick Mutai): Thank you the Hon. Majority, Clerk, next order!

**PROCEDURAL MOTION BY MAJORITY LEADER, HON.
PAUL CHIRCHIR.**

The Speaker (Hon. Dr. Patrick Mutai): The Hon. Majority Leader!

Hon. Paul Chirchir (Member for Kapsoit Ward): Thank you very much Mr. Speaker Sir, I wish to move the following procedural motion that, pursuant to the provision of standing order 33(3) (a), this House resolves to extend the sitting time for today's morning sitting until conclusion of business appearing on the Order Paper and the motion will be seconded by The Deputy Speaker, Hon. Eric Bett.

The Speaker (Hon. Dr. Patrick Mutai): Honorable Eric Bett!

(Hon. Eric Bett, Member for Kipchebor Ward bows in secondment)

The Speaker (Hon. Dr. Patrick Mutai): Thank you very much the Deputy Speaker.

(Question put and agreed to)

The Speaker (Hon. Dr. Patrick Mutai): Next order!

**THE KERICHO COUNTY FINANCE BILL 2022 (SECOND
READING).**

The Speaker (Hon. Dr. Patrick Mutai): The Honorable Noella Opile!

Hon. Noella Opile (Nominated Member representing Minority Group): Thank you Mr. Speaker Sir, I will read that the Kericho County Finance Bill 2022, Second Reading. Memorandum of objects and reasons.

The object of this Bill is to impose or vary various cess and other charges for various services provided by the county.

Part I of the Bill provides for preliminary provisions.

Part II of the Bill provides for the charges, licenses, plot or house rent, cess or market fee to be paid to the county for services. It also provides for amendment to the Act.

Part III of the Bill provides for the appointment and duties of an agent in respect to collection of revenue for the county. It also provides for the mode of payment of revenue to the county.

Part IV of this Bill provides for the general penalty for the offences committed under this Bill. It provides for the offences carried out by the staff of county and the penalty of the offenses.

Part V of this Bill provides of miscellaneous, savings and cessation of rates of fees, charges, licenses, cess or rent applicable before the commencement of this Bill.

I call up on the seconder Hon. Rogony. Thank you.

The Speaker (Hon. Dr. Patrick Mutai): The Hon. Rogony.

(Hon. Kiprotich Rogony bows in secondment)

**THE KERICHO COUNTY FINANCE BILL 2022
(COMMITTEE OF THE WHOLE HOUSE).**

The Speaker (Hon. Dr. Patrick Mutai): Honorable members committee of the Whole House.

(The Speaker leaves the chair)

(The Chairman takes the chair)

The Chairman (Hon. Erick Bett, Member for Kipchebor Ward): Thank you so much members, I now invite the clerk to give us opening remarks.

Part I

That clause 2 (1) of the Bill be amended by deleting the words “Ainamoi Town” ‘from “Zone B” and be further amended by adding the words Ainamoi town in “Zone C”.

Part II

That part II of the Bill on stock movement permit be amended by deleting the whole provisions on stock local movement permits.

That part II of the Bill on storage charge on impounded animals’ storage charge per day be amended by deleting the figures “120” and replacing with the figures “50”.

That part II of the Bill on certificate for keeping animals in urban areas be amended by deleting the figures “200” and replacing with the figures “500”.

Part III

That part III of the Bill be amended by deleting the figures “2,300” on salon and barber shop and replacing with the figures “2,000” and be further amended by deleting the figures “3,500” , “3,600” and “2.400” on blacksmith /workshop , garage / workshop and open air garage and replacing with figures “2,500” , “2,500” and “2,000” respectively .

Part IX

Part IX of the Bill be amended by deleting the figures “300” on monthly stickers on Boda boda (Kericho town /Zone A) and replacing with the figures “200” and be further amended by deleting the figures “1,300” on boda boda (half year) and replacing with the figures “1,000”.

That Part IX of the Bill be amended by deleting the figures “2,500” on Boda boda (Annual) and replacing with the figures “1,900”.

The Chairman (Hon. Erick Bett, Member for Kipchebor Ward): Thank you so much, I now call upon the Chairman Finance and Economic Planning to lead us in those amendments, or a member who will stand in for the Chairman Finance and Economic Planning.

Hon. Kiprotich Rogony (Member for Sigowet Ward, Standing in for Chairperson Finance and Economic Planning): Thank you Chairman.

The Chairman (Hon. Erick Bett, Deputy Speaker, and Member for Kipchebor Ward): We are giving you a chance to justify those amendments. You need to highlight those changes that the Clerk has just read so that members can react and give their contributions.

Hon. Kiprotich Rogony (Member for Sigowet Ward, Standing in for Chairperson Finance and Economic Planning): Thank you Chairman. Am standing in for the chairman and am a member of the committee. It is true the changes in this Finance Bill in part I if you can check the removal of Ainamoi town from “Zone B” to” Zone C” and this might have been necessitated by or the committee felt that the charges were way too high and doing the public participation ,majority of the people requested the changes. Part II, this is now new and we felt that in other counties traders are charged and when we come to our county we normally don’t. We introduced this particular part. So this is an introduction and we feel we were losing so much of our revenues if we didn’t use this particular part.

Part II

That part II of the Bill on stock movement permit be amended by deleting the whole provision on stock local movement permits. Again this is new; we introduced this because quite often we have not been getting revenue out of this and this is a revenue stream that could earn this county the much revenue needed. Chairman as a committee during the public participation part III, you will see this is a reduction on the initial charges levied on these businesses. The committee considered during the public participation. This country has been going through hard economic times lately and most of these traders felt they are being overcharged as many of them comes from urban centers they have an opportunity to pay their Bills and what have you. So Mr.,

chairman I am in total support and I want to commend the work of the committee on this Finance Bill and I support the review and the deductions in these areas that we've touched so that we make it affordable for the business men and women in our urban centres. So I support the report. Thank you.

(Question put and agreed to)

The Chairman (Hon. Erick Bett, Member for Kipchebor Ward): The mover of the motion, please come forward and reply.

Hon. Kiprotich Rogony (Member for Sigowet Ward, Standing in for Chairperson Finance and Economic Planning): I thank this House for accepting to support the report the way it is. I beg to move that the committee do report to the assembly the consideration of the Kericho County Assembly Finance Bill 2022 approved thereof with amendments. Thank you Chairman.

(Question put and agreed to)

(The Chairman leaves the Chair)

(The Speaker takes the Chair)

(The House Resumes)

The Speaker (Hon. Dr. Patrick Mutai): The Chairman, please proceed!

The Chairman (Hon. Erick Bett, Member for Kipchebor Ward): Thank you Mr. Speaker I beg to report that the Committee of the Whole House has considered the Kericho County Finance Bill 2022 and its approval thereof with amendments. Thank you.

The Speaker (Hon. Dr. Patrick Mutai): Thank you very much, the mover?

Hon. Kiprotich Rogony (Member for Sigowet Ward, Standing in for Chairperson Finance and Economic Planning): Thank you Mr. Speaker. I beg to move that the House do agree with

the committee on the said report. I will ask The Majority Leader who is a member of the committee to second.

The Speaker (Hon. Dr. Patrick Mutai): The Hon. Majority please second! The Majority Leader you seem to be amused by something or what is it?

(Hon. Paul Chirchir bows in secondment)

The Speaker (Hon. Dr. Patrick Mutai): You have already seconded the motion? Ok.

(Question proposed)

(Question put and agreed to)

**THE KERICHO COUNTY FINANCE BILL 2022 THIRD
READING**

The Speaker (Hon. Dr. Patrick Mutai): Yes Hon. Rogony?

Hon. Kiprotich Rogony (Chairperson Budget and Appropriations Committee, Member for Sigowet Ward): Thank you Mr. Speaker, I beg to move that The Kericho County Finance Bill 2022 be read the third time. I beg Hon. Noella who is a member of that committee to second.

(Hon. Noella bows in secondment)

The Speaker (Hon. Dr. Patrick Mutai): Thank you very much Hon. Noella for seconding.

(Question proposed)

(Question put and agreed to)

The Speaker (Hon. Dr. Patrick Mutai): Clerk please read the Long title.

THE KERICHO COUNTY FINANCE BILL, 2022

A Bill for

AN ACT of the County Assembly of Kericho to provide for the imposition or variation of various Permits, Fees, Cess, Licenses or Charges for services and for connected purposes

The Speaker (Hon. Dr. Patrick Mutai): All right. Thank you very much, next Order!

**MOTION BY THE CHAIRPERSON, BUDGET AND
APPROPRIATION COMMITTEE (HON. KIPROTICH ROGONY)**

The Speaker (Hon. Dr. Patrick Mutai): Yes Hon. Weldon Rogony!

Hon. Kiprotich Rogony (Chairperson Budget and Appropriations Committee, Member for Sigowet Ward): Thankyou Mr. Speaker, I am here to table the motion of the committee on Budget and Appropriations. The Report on Annual Development Plan (ADP)

1.0 Preface

1.1 Mandate of the Committee

The Committee on Budget and Appropriation is established pursuant to the Kericho County Assembly's Standing Order 201 which states:

'(1) The County Budget and Appropriations Committee is comprised of all the elected members of the County Assembly.

(2) The functions of the Committee shall be to-

- (a) investigate, inquire into and report on all matters related to coordination, control and monitoring of the county budget,*
- (b) discuss and review the estimates and make recommendations to the Assembly;*
- (c) examine the County Budget Policy Statement presented to the Assembly;*
- (d) examine Bills related to the county budget, including Appropriations Bills; and*

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(e) evaluate tax estimates, economic and budgetary policies and programmes with direct budget outlays. '

1.2 Membership of the Committee

The County Budget and Appropriation Committee was constituted in 24th October 2022 and the membership of the Committee is as follows:-

| | |
|--------------------------|-----------------|
| 1. Hon. Kiprotich Rogony | -MCA,Chairman |
| 2. Hon.Anita Mibey | -MCA,Vice Chair |
| 3. Hon.Vincent Korir | -MCA,Member |
| 4. Hon.Dr.Naaman Rop | -MCA,Member |
| 5. Hon.David Maritim | -MCA,Member |
| 6. Hon.Philip Rono | -MCA,Member |
| 7. Hon.Richard Langat | -MCA,Member |
| 8. Hon.Kipng'eno Kirui | -MCA,Member |
| 9. Hon.Vincent Kirui | -MCA,Member |
| 10. Hon.Martin Cheruiyot | -MCA,Member |
| 11. Hon.Simion Koskei | -MCA,Member |
| 12. Hon.Mathew Korir | -MCA,Member |
| 13. Hon.Francis Terer | -MCA,Member |
| 14. Hon.Paul Bii | -MCA,Member |
| 15. Hon.Amos Birir | -MCA,Member |
| 16. Hon.Julius Siele | -MCA,Member |
| 17. Hon.Philip Mutai | -MCA,Member |
| 18. Hon. Moses Rotich | -MCA,Member |
| 19. Hon.Hillary Bosuben | -MCA,Member |
| 20. Hon.Albert Kipkoech | -MCA,Member |
| 21. Hon.Peter Kemoi | -MCA,Member |
| 22. Hon.Haron Rotich | -MCA,Member |

| | |
|--------------------------|-------------|
| 23. Hon.Hezron Kipngeno | -MCA,Member |
| 24. Hon. Paul Chirchir | -MCA,Member |
| 25. Hon. Antony Ruto | -MCA,Member |
| 26. Hon. Eric Bett | -MCA,Member |
| 27. Hon Vincent Kipngeno | -MCA,Member |
| 28. Hon.Vincent Kirui | -MCA,Member |
| 29. Hon Cheruiyot Bett | -MCA,Member |
| 30. Hon.Gilbert Ngetich | -MCA,Member |

2.0 The Legal framework on Kericho County Annual Development Plan for FY 2023/2024

Mr. Speaker Sir, the Kericho County Annual Development Plan, 2023/2024 was submitted to the County Assembly on 31st August 2022 and the same was committed to the Budget and Appropriation Committee.

Section 126 of the Public Finance Management Act, 2012 states that:

(1) Every county government shall prepare a development plan in accordance with Article 220(2) of the Constitution, that includes—

(a) Strategic priorities for the medium term that reflect the county government's priorities and plans;

(b) A description of how the county government is responding to changes in the financial and economic environment;

(c) Programmes to be delivered with details for each programme of—

(i) The strategic priorities to which the programme will contribute;

(ii) The services or goods to be provided;

(iii) Measurable indicators of performance where feasible; and

(iv) The budget allocated to the programme;

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- (d) Payments to be made on behalf of the county government, including details of any grants, benefits and subsidies that are to be paid;*
- (e) A description of significant capital developments;*
- (f) a detailed description of proposals with respect to the development of physical, intellectual, human and other resources of the county, including measurable indicators where those are feasible;*
- (g) A summary budget in the format required by regulations; and*
- (h) Such other matters as may be required by the Constitution or this Act.*
- (2) The County Executive Committee member responsible for planning shall prepare the development plan in accordance with the format prescribed by regulations.*
- (3) The County Executive Committee member responsible for planning shall, not later than the 1st September in each year, submit the development plan to the county assembly for its approval, and send a copy to the Commission on Revenue Allocation and the National Treasury.*
- (4) The County Executive Committee member responsible for planning shall publish and publicise the annual development plan within seven days after its submission to the county assembly’*

Mr. Speaker sir, the County Governments Act 2012 further provides that approval of county development plans is one of the mandates of the Members of County Assembly.

Mr. Speaker sir, No public funds shall be appropriated outside a planning framework developed by the county executive committee and approved by the county assembly as stipulated in Section 104 of the County Government Act.

Mr. Speaker sir, The Annual Development Plan of 2023/2024 was further discussed by all members of the County Assembly and the proposal submitted by sectoral committee chairpersons to the Budget and Appropriation Committee for deliberation and considerations.

3.0 Kericho County Annual Development Plan for FY 2023/2024

Mr. Speaker sir, the annual development plan is prepared annually to guide departments, non-governmental organizations, civil society organizations, private sectors and development partners

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on what the county government intends to do in each financial year. The plan forms the basis of preparing the budget for the same financial year. In addition, the plan is useful in tracking the achievements at the end of the financial year. It is in this light that the committee is mandated to scrutinize the annual development plan for all the departments and make recommendations for approval by this Honorable House.

3.1 Committee Observations on Kericho County Annual Development Plan for Financial Year 2023/2024

Mr. Speaker sir, the committee makes the following observations and recommendations on the Annual development Plan for Financial Year 2023/2024:-

1. The ADP 2023/2024 is a transition Development plan between the 2nd and 3rd Generation CIDP
2. That future public participation exercise be done at the Ward level.
3. That the projects proposed in the annual development plan for the financial year included new projects, on-going projects and multi –year funded projects;
4. That the activities in the annual development plan had not been prioritized per ward.
5. There were public interest lands that had not been captured in the county register.
6. That additional projects in order of priority have been proposed for consideration in the annual development plan for FY 2023/2024 after Submission of the ADP to the County Assembly
7. That the current County Assembly offices space was too small, there was need for construction of a modern office block and chambers.

3.2 Committee Recommendations on Kericho County Annual Development Plan for Financial Year 2023/2024

1. That the department of Finance and Economic Planning should merge the proposals in the ADP with the 3rd Generation CIDP.

2. That Public participation be must be done at the ward level for it to be effective.
3. That the department of Finance and Economic Planning develop clear strategic planning for each financial year to avoid duplication.
4. That programmes in the annual development plan should be prioritized in a systematic manner for ease of implementation, monitoring and evaluation i.e. each ward's projects be captured independently.
5. The department of Lands, Housing and Physical Planning undertake land surveys and mapping including boundaries and fences, valuation and administration of state and trust land across the county;
6. That the annual development plan for FY 2023/2024 be approved with the amendments of programmes and projects herein annexed in order of priority per ward.
7. That the construction of County Assembly Offices be phased.

4.0 Conclusion

Annual Development plan for FY 2023/2024 be approved with amendments.

5.0 Acknowledgement

The Committee wishes to thank the Offices of the Speaker and the Clerk of the Assembly for the necessary support extended to it in the execution of its mandate. Further the committee acknowledges the exemplary services rendered by the staff of the County Assembly and County Executive. Indeed their devotion and commitment to duty have made the work of the committee and production of this report successful.

Mr. Speaker Sir,

I wish to confirm that the recommendation in this report was unanimous.

Pursuant to Standing Order 201, I do present the Report on the Kericho County Annual Development Plan FY 2023/2024 for consideration by the House.

Thank you Mr. Speaker.

The Speaker (Hon. Dr. Patrick Mutai): Thank you very much Hon. Rogony, your seconder!

Hon. Kiprotich Rogony (Chairperson Budget and Appropriations Committee, Member for Sigowet Ward): Let me invite my good friend Hon. Richard Langat alias Sigilai to second.

The Speaker (Hon. Dr. Patrick Mutai): Hon. Richard Langat!

(Hon. Richard Langat bows in secondment)

(Question proposed)

The Speaker (Hon. Dr. Patrick Mutai): The floor is open for the Honorable members to contribute. Yes Chief Whip!

Hon. Gilbert Ngetich (Member for Kisiara Ward): Thank you very much Mr. Speaker. I also want to appreciate and join hands with the Honorable Rogony I supporting the ADP which we ourselves made. Remember that you gave us a chance to go per Sub County we sat in Litein at the Social hall and we really interacted with the members of the public who gave us what is supposed to be put in the ADP. It was therefore produced after public participation as the public was included. This ADP will be a very good one because members will not do their own things but what the electorates demanded after talking and agreeing with them. The opportunity that you gave us to meet the electorates in our sub counties was a well thought of move which allowed us to ventilate on the projects that need priority. Though it was a sub county thing, we sat as members from the wards therein and agreed on the projects. This ADP 2023/2024 is electorate centered.

The Speaker (Hon. Dr. Patrick Mutai): Thank you very much. Hon. Moses!

Hon. Moses Rotich (Member for Tendeno/Sorget): Thank you very much for giving me this opportunity to comment on this ADP. We had an opportunity to assemble in Londiani Sub county headquarters of Kipkelion East with all the MCAs, leadership and the entire people from

our wards who contributed their agenda towards the development of this document. It will be an opportunity to have the development projects implemented. We urge the committee on implementation in future that as we progress we will have to measure the adoption of this project and the rate at which they are implemented. I support. Thank you.

The Speaker (Hon. Dr. Patrick Mutai): Thank you very much Hon. Moses. Hon. Fancy, Deputy Majority Leader!

Hon. Fancy Korir (Nominated Member representing Women): Thank you very much Mr. Speaker for this chance. I also rise to support this ADP which is going to put Kericho County in a very good place because when we went for the same, people were talking about reducing the rates on revenue collection and that is what we have done now. I really support because many people lost their businesses during the corona period. We are going to support them to get back to their knees in their businesses. Again as gender, representative of women, I ask that we be included in the budget because there are many things that we are supposed to be doing but we do not have a budget. One being Gender Based Violence (GBV) campaign that we did in the recent past. We did not have enough resources. I therefore request that we are included in gender mainstreaming so that we also have something to do for the people of Kericho County. Thank you.

The Speaker (Hon. Dr. Patrick Mutai): Thank you very much. The Majority Leader I saw your hand.

Hon. Paul Chirchir (Member for Kapsoit Ward): Thank you Mr. Speaker. I rise to support the motion on the report on ADP 2023/2024 and I want to laud the committee for coming up with programmes that will be running in the financial year 2023/2024 because the Public Finance Management Act is very clear on ADP, County Fiscal Strategy Paper (CFSP) and the other programmes. With the approval of these, the department of Finance will be able to do their procurement plan in conjunction with the ADP. So if ever they will do things outside what is in this ADP, they will be going against the law. If it was possible that all the 30 wards' programmes

are highlighted then it becomes long. We don't want a situation where new projects that are not in the ADP finds their way herein that will be against the law. I urge this House that once we approve the ADP for the FY 2023/2024 the department will not be able to bring anything new as is the practice. I support the approval of this ADP and with the approval of the new Chief Officers, projects, programmes and the procurement plans will be rolled out in good time. Thank you.

The Speaker (Hon. Dr. Patrick Mutai): Thank you so much. Honorable Ngetich!

Hon. Gilbert Ngetich (Member for Kisiara Ward): Thank you very much Mr. Speaker. I just want to inform the Honorable member from Kapsoit that we can pass the ADP with amendments and when we do that, it means we can go over sometime and check the CIDP. Whatever does not appear in the ADP we can slot in to salvage a situation. It however depends on how we pass the ADP. If with amendments, it will not close the inclusion of projects in the CIDP

The Speaker (Hon. Dr. Patrick Mutai): The Honorable Majority!

Hon. Paul Chirchir (Member for Kapsoit Ward): Mr. Speaker Sir that is why we have the Hansard Reports where resolutions once passed by this House are binding, we don't want even if this House approves Annual Development Plans with amendments, anything that has been amended is binding and forms part of Annual Development Plan. A situation where may be the Executive sits somewhere and introduces an item or something that is not in the ADP that is where I want to be very clear and go on record that anything that is not in the ADP should never see the light of the day. The wisdom of the framers of this constitution was very clear and that is why they said once the House approves County Integrated Development Plan that is a program which runs for five years, public participation is done members of public approves it gets to the house then it is approved and becomes binding. Once approved there is County Fiscal Strategy Paper (CFSP) which sets the sealing for each department then now the ADP which picks programs from the CIDP that is why I was explaining such that when amendment is made it gets in to the annual development plan, but where the executives introduces things that are not in the

ADP that is illegal that is why I was saying this thing once is approved, it is public document it goes to the public so that nothing new is introduced. If there will be amendments which the House approves them it forms part of ADP.

The Speaker (Hon. Dr. Patrick Mutai): Alright thank you very much, The Hon. Martin!

Hon. Martin Cheruiyot (Member for Kapkugerwet Ward): Thank you Mr. Speaker while I applaud this ADP, I want to raise a concern and maybe I need also to be informed, because as Hon Paul Chirchir has said once it is approved we may not have any other projects coming in .I have a concern for my ward, the list of some of the projects that I am seeing here are not the projects that were forwarded. Most of them actually are the projects that were not forwarded when we did our sub county public participation .So maybe I will need also to be informed by honorable Speaker on these projects because some of the projects here that I have seen are already done, so if possible give some room of slotting in some new projects that will be incorporated in the ADP.

The Speaker (Hon. Dr. Patrick Mutai): Yes Honorable Majority!

Hon. Paul Chirchir (Member for Kapsoit Ward): Thank you Mr. Speaker Sir, for the Hon. Martin Cheruiyot we will give him that benefit of doubt because he is a new member, his primary role is representation he sits here on behalf of the thousands of Kapkugerwet ward members who went and participated in a public participation. What his members proposed, he is at liberty to make amendments to move an amendment and request a member to second his amendments and list what he thinks should be in 2023/2024 financial year.

The Speaker (Hon. Dr. Patrick Mutai): Thank you very much Honorable Majority. First Hon. Martin even before we proceed I want to take you back to the report on page No.8. This report by Hon. Kiprotich Rogony who is the Chairman County Budget and Appropriation Committee and may be just to quote, I wish to confirm that the recommendations in this report were unanimous. If you go the composition of this committee, Hon. Martin you are part of this committee, so the question is because when you say the things that are here are not the right

things or the right projects or programs in your ward. So perhaps even before I give to the Hon. Rogony to make comments on the same, I want to first of all talk about this Annual Development Plan. Of course I have heard the Hon. Chief Whip and Majority making their case here before this House. But one thing that is very important honorable members and we have the senior members here as well as the former Chairman Budget Hon. Albert, one whatever is in the ADP should also be in the CIDP, so even as you propose for any amendment honorable members the amendments that you want to be amended should be confirmation again that it is in the CIDP because if it is not in the County Integrated Development Plan then there is no way it can be here. So those are some of the issues and matters that you need to note so that even as we speak I agree with Majority Leader as well as the Majority Whip on the aspects of amendments of course all the amendments will be brought to the floor of the House, these documents are not static be it CIDP, Annual Development Plan and all those things but I'm particularly concerned at this stage in time. Hon Chairman Budget and Appropriation, please what is your take on this and given that we can't be so sure of the amendment that Hon member for Kapkugerwet want to table in this House whether it is in CIDP or not so please.

Hon. Kiprotich Rogony (Chairman Budget and Appropriation Committee, Member for Sigowet Ward): Thank you Mr. Speaker, first of all let me inform the member, one in our engagement first there was a template that we gave to each and every member. We gave them an opportunity to submit the list of their projects to be included in this ADP in order of their priority, I wish to maybe the member should come and probably inform the House on what might have happened because one the projects captured was part of what was given out during the public participation. So this report and I have read page 8 in conclusion and I requested the House to pass this report with amendments that means should there be anything new it can still be incorporated as long as it is derived from CIDP there. In the observation we made a raft of changes one we intend to merge this ADP with the CIDP that is generation three, so maybe the member had a different view but I think most of the things that we have here pertaining to Kapkugerwet ward is what was submitted to the staff who participated in the public participation

and even the member himself. We gave him the template to submit the projects that he wanted done in in this financial year in order of priority. Thank you Mr. Speaker.

The Speaker (Hon. Dr. Patrick Mutai): Thank you very much, Hon Albert!

Hon. Albert Kipkoech (Member for Soliat Ward): Thank you Mr. Speaker for this opportunity, maybe I will inform members not to worry, let this document be approved with amendments because you know next year things may change along the way priorities may change and you know this document is only used for the purposes of requisition during procurement process. So we can allow it to be approved with amendment so that in case there is anything that must be included it should be included and maybe so that at least we capture the sentiments of Majority Leader we can that any procurement plan that is prepared on the executive side should be approved in this Assembly so that all of us can see all the priorities and projects that are in that document. Thank you Mr. Speaker.

The Speaker (Hon. Dr. Patrick Mutai): Yes may be I give to Hon Martin to finish first then I will give to Hon. Anita.

Hon. Martin Cheruiyot (Member for Kapkugerwet Ward): Thank you Mr. Speaker, now I'm reliably informed on this document that we can pass it with amendment and as Hon. Albert has said, I think I have been informed that for purposes of procurement, maybe we can pass and then we can slot it in if there is that room for the projects that are of priority especially in my ward. Otherwise what I was saying is that the projects that are listed some of two or three projects are already done with amendments. I am informed and I support the motion. Thank you.

The Speaker (Hon. Dr. Patrick Mutai): Thank you very much, Hon Anita Mibei!

Hon. Anita Mibey (Member for Chemosot Ward): Thank you Mr. Speaker, I would like to support the approval of the Annual development Plan especially with amendment. I was worried a little bit when Hon. Paul Chirchir *Fuata Sheria* was saying that anything else that comes after will not be approved in this House. My worry goes to my neighbor Hon. Birir from Kapkatet

Ward. If you go to page 14 you will realize that he has nothing it is all blank and I don't know what happened but I am worried if there is no amendment, how will he survive the whole of next year because it is not indicated that he wants to do. So I don't know what will happen but because of that I want to request that we actually pass this with amendment. If this is not done today, my neighbor Hon. Birir will be in trouble. Thank you.

The Speaker (Hon. Dr. Patrick Mutai): Hon. Anita thank you very much. Order honorable members, I think the Hon. Chairman Kiprotich Rogony maybe this should apply to all committees unless this is incomplete report then if that is the case, I have also seen even the one for Kunyak. There is an attachment unless we have seen some of this appendixes having one or two issues but I want to believe that either way again maybe the honorable members have no programs as Hon. Anita has noted which can also be okay because this is really a serious anomaly. Hon. Rogony please respond to that.

Hon. Kiprotich Rogony (Chairman Budget and Appropriation Committee, Member for Sigowet Ward): Thank you Mr. Speaker and I must thank Hon. Anita for noting this. I actually received information from the Clerk that Kapkatet and Kunyak were yet to submit their list of priority projects, you can note even when I was proposing that we pass this report we will be inviting amendments but we have projects from Kapkatet and Kunyak its only that the member for Kunyak was not around when report was being compiled because his template is yet to be returned for consideration. I don't know for Hon. Amos Birir because we were here maybe he is yet to submit but we will consider.

The Speaker (Hon. Dr. Patrick Mutai): Order Hon. Majority! Hon. Albert you are the immediate Chairman Budget and Appropriation, even before I give a ruling as the chair what is your take on such a document

Hon. Albert Kipkoech (Member for Soliat Ward): Thank you Mr. Speaker, I would request that you allow to be approved because also of the timelines and remember that we are going for

recess up to February next year and you know that immediately after recess we will be receiving CFSP and CFSP will also take projects from this document.

The Speaker (Hon. Dr. Patrick Mutai): Yes I agree with you before then what is your take on some of the Wards that are missing.

Hon. Albert Kipkoech (Member for Soliat Ward): Members what I will request is that maybe members prepare that list then we come and incorporate, but request is, let us approve this thing today before we go on recess. Thank you.

The Speaker (Hon. Dr. Patrick Mutai): Thank you, Hon. Chief Whip before I give directions and then I will put the question.

Hon. Gilbert Ngetich (Member for Kisiara Ward): Thank you Mr. Speaker sir I'm also perturbed and surprised a bit on ADP which is very blank. Mine is to request an adjournment of about twenty minutes such that we may reach the honorable members, I know it has a timeline but I feel bad especially when I see honorable member from Kapkatet having blank projects and if it is already made I think even ten minutes can make us have it fixed. My request Mr. Speaker thank you.

The Speaker (Hon. Dr. Patrick Mutai): Hon. Albert!

Hon. Albert Kipkoech (Member for Soliat Ward): You know Mr. Speaker I believe all these projects were not ready which means for the benefit of doubt, we will request honorable members to give us the list we attach, because I am sure all these projects were not ready because it will be the same thing, Mr. speaker we have been doing that for the last nine years approving the report with amendments, because you know this is budget for 2023/2024 which will start next year October so along the way things may change. Thank you.

The Speaker (Hon. Dr. Patrick Mutai): Thank you Hon. Albert, but can we hear from Hon. Amos Birir whether he submitted any programs or will he still submit them? Let's give to Hon. Birir to say something.

Hon. Amos Birir (Member for Kapkatet Ward): Thank you Mr. Speaker for this chance, I became astonished when I saw my people from Kapkatet attend public participation. They were waiting to be given all the projects which has been done. I want to request the House to give me a chance to bring the list of all the projects to be done in my ward.

The Speaker (Hon. Dr. Patrick Mutai): Thank you very much Hon. Member for Kapkatet and I think that is a bit, okay.

Hon. Albert Kipkoech (Member for Soliat Ward): Thank you Mr. Speaker, what we will do also is that in the afternoon we can table those projects under papers only under papers. Thank you.

The Speaker (Hon. Dr. Patrick Mutai): Alright I will give direction on the same, yes of course having listened to the Chairman and comments from the honorable members, the Hon. Amos Birir I think he has confirmed that the list of the projects of course he has them and I think the Clerk has also confirmed and they have it. So I want to believe that this was just a small error but going forward Chairman and maybe the Clerk and relevant committee clerks should be serious in doing their work so that the report doesn't come before this House when incomplete. It is still open, if there is any honorable member who wants to contribute on the same, so Hon. Rogony maybe you can reply now to the motion.

Hon. Kiprotich Rogony (Chairman Budget and Appropriation Committee, Member for Sigowet Ward): Thank you Mr. Speaker. I must also appreciate the House for adopting the report with amendments. I urge my colleagues who are members of the committee, this is a report with strict timelines that failure to comply with it will have serious consequences, because this is what is expected for this county to run. So Mr. Speaker I thank you and I thank the members for adopting the report with amendment. Thank you Mr. Speaker

The Speaker (Hon Dr. Patrick Mutai): Alright thank you very much Chairman, maybe just to make a clarification that we will not be having an afternoon session we did move a procedural motion. We want to complete everything in the Order Paper and after this we shall be proceeding

to our long recess. The direction here is that before I put the question it should be noted that the Annual Development Plan will be approved with amendments and the Chairman should ensure that the amendments are captured in the County Integrated Development Plan and I still agree that of course there will be County Fiscal Strategy Paper to be laid before this House on or before February 28th and at that time if anything had not been done, then I will propose that the CFSP can be approved and if you still feel that ADP needs to be amended, I know there is a way it can be done.

(Question put and agreed to)

**MOTION BY THE MAJORITY LEADER (REPORT ON
APPROVAL HEARING OF THE PANEL FOR THE SELECTION
OF THE COUNTY SECRETARY AND HEAD OF COUNTY
PUBLIC SERVICE)**

The Speaker (Hon. Dr. Patrick Mutai): Majority Leader!

Hon. Paul Chirchir (Majority Leader, Member for Kapsoit Ward): Thank you very much Mr. Speaker Sir. I rise to move the following motion; Report on approval hearing of the panel for the selection of the county secretary and head of county public service

(Submitted pursuant to Section 44 (2C) & 58A of the County Government Act No.17 of 2012, Section 4 of the Public Appointments (County Assemblies Approval) Act No.5 of 2017 and Standing Order 199)

LIST OF ABBREVIATIONS/ACRONYMS

| | |
|-------|---|
| ICPAK | Institute of Certified Public Accountants |
| LSK | Law Society of Kenya |

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| | |
|------|---------------------------------------|
| EACC | Ethics and Anti-Corruption Commission |
| CRB | Credit Reference |
| DCI | Director of Criminal Investigation |

ANNEXURES

| | |
|------------|--|
| Annexure 1 | letter of notification from H.E The Governor nominating panel members who will be selecting the County Secretary and Head of County Public Service |
| Annexure 2 | Advertisement inviting submission of memoranda from the public and notifying the public and the nominees of their approval hearings |
| Annexure 3 | Doris Ngeno's Certificate of Admission to the bar |
| Annexure 4 | Report's Adoption list |

1.0 PREFACE

Establishment and Mandate of the Committee

1. Section 4 of the Public Appointments (County Assemblies Approval) Act No.5 of 2017 provides that an appointment under the Constitution or any other law for which the approval of a County Assembly is required shall not be made unless the appointment is approved by the relevant County Assembly.

2. The Committee on Appointments is established under Standing Order 199. Standing Order 199 provides that *the Committee on Appointments shall consider for approval by the Assembly, appointments under Article 179 (2) of the Constitution of Kenya (County Executive Committee Members).*

1.1 MEMBERSHIP OF THE COMMITTEE

3. The Committee on Appointments was established and approved by the Kericho County Assembly on 5th October 2022 by following the laid down procedures provided for by the Kericho County Assembly Standing Orders. The committee members are as follows:

- | | | |
|----|---------------------------------|--|
| 1. | Hon. Dr. Patrick C. Mutai (PhD) | Speaker of the County Assembly/Chairperson |
| 2. | Hon. Paul Chirchir | Leader of the Majority Party |
| 3. | Hon. Cheruiyot Bett | Member |
| 4. | Hon. Paul Chirchir | Member |
| 5. | Hon. Rogony Kiprotich | Member |
| 6. | Hon. Anthony Rutto | Member |
| 7. | Hon. David Maritim | Member |
| 8. | Hon. Anita Mibey | Member |
| 9. | Hon. Dominic Mutai | Member |

2.0 BACKGROUND OF THE VETTING PROCESS

2.1 Notification of the Nominations

4. Pursuant to Article 179 (2) (b) of the Constitution of Kenya as read together with Section 44 (2C), (2F) of the County Governments Act, Section 4 of the Public Appointments (County Assemblies Approval) Act No.5 of 2017 and Standing Order 199, His Excellency the Governor forwarded to the Speaker the letter dated 28th October 2022, reference number KEC/GVN/CA (*Annexure 1a*) forwarding the names of the following five (5) persons nominated for appointment as panel members that will be selecting the County Secretary and Head of County Public Service:

- 1) Reuben Yegon, (Chairperson-not a public officer) ;
- 2) Doris Ngeno (Advocate and Member of LSK)
- 3) CPA Kipkemoi Cheruiyot (Accountant/Member of ICPAK)
- 4) Eunice Kirui (Private Sector)
- 5) Wesley Siele (representative from an Association representing Workers)

5. The notification contained the nominee's curriculum vitae.

2.2 Notification to the Assembly and Referral to the Committee on Appointments.

6. Pursuant to the provisions of Standing Order 45(1) the Speaker, vide a communication dated 15th November 2022 informed the House of the Governor's message to the House on submission of the panel for selection of the County Secretary /Head of County Public Service.

7. Pursuant to Section 7 (1) of the Public Appointments (County Assemblies Approval) Act No.5 of 2017 and Standing Order 199 the names and curriculum Vitae were referred to the Committee on Appointments.

2.3 Notification to the Public and Nominees

8. Section 7 (4) of the Public Appointments (County Assemblies Approval) Act provides that the Clerk shall notify a candidate of the time and place for the holding of an approval hearing by notice in at least two newspapers of national circulation and by writing and by such other form of communication as the Clerk may consider appropriate.

9. Section 7 (5) of the Public Appointments (County Assemblies Approval) Act the committee shall by notice in at least one newspaper of national circulation notify the public of the time and place for holding an approval hearing at least 7 days prior to the hearing.

10. Pursuant to Section 7 (4) & (5) of the Public Appointments (County Assemblies Approval) Act, the Clerk of the County Assembly placed an advertisement in the print media on 16th November 2022 (*Annexure 2*) inviting the members of the public to submit memoranda by way of written statement on oath (affidavit on the suitability or otherwise of the nominees). The advertisement indicated that the submissions were to be received by 21st November 2022 at 4.00pm.

11. The same advertisement invited the nominees to appear before the Committee on Appointments at the Assembly Chambers. The Nominees were required to bring their original copies of their national identity cards, academic and professional certificates and other relevant testimonials and clearance certificates from the following institutions:

- a) Ethics and Anti-Corruption Commission;
- b) Kenya Revenue Authority;
- c) Higher Education Loans Board;
- d) Criminal Investigation Department; and
- e) Credit Reference Bureau.

2.5 Issues for consideration during the Approval Hearings/Constitutional and Statutory Requirements

13. Section 8 of the Public Appointments (County Assemblies Approval) Act outlines issues that need to be considered by the committee in relations to nominations. They are as follows:

- a) The procedure used to arrive at the nominee including the criteria for the short listing of the nominees;
- 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 credentials, abilities, experience and qualities meet the needs of the body to which the nomination is being made.

(a) Procedure for nomination

Section 44 (2 A) of the County Government Act requires the Governor to constitute a selection panel that will competitively recruit the County Secretary and the Public Appointments

(b) Constitutional and Statutory Requirements

- i. The Constitution of Kenya 2010 read together with the County Government Act in addition gives guidelines on how to appoint persons who will be appointed to serve in the selection panel that would appoint the County Secretary/Head of County Public Service.

- ii. *Composition of the Selection Panel*

Section 44 (2B) provides for composition of the Selection panel which is as follows:-

- a) A chairperson ,not being a public officer
-

- b) One person from the private sector
- c) An Advocate of the High Court of Kenya ,who is a member of the Law Society of Kenya
- d) An accountant who is a member of the Institute of Certified Public Accountants of Kenya; and
- e) One person from an association representing workers.

iii. *Leadership and Integrity*

14. The committee, in determining the suitability of the nominees was also guided by the provisions on Leadership and Integrity as outlined under Chapter 6 of the Constitution. In Particular, Article 73 (2) of the Constitution provides that the guiding principle of Leadership and Integrity include:

- a) Selection on the basis of personal integrity, competence and suitability, or election in a free and fair election;
- b) Objectivity and impartiality in decision making, and in ensuring that decisions are not influenced by nepotism, favoritism, other improper motives or corrupt practices;
- c) Selfless service based solely on the public interest, demonstrated by –
 - i. Honesty in the execution of public duties; and
 - ii. The declaration of any personal interest that may conflict with public duties;
- d) Accountability to the public for decisions and action; and
- e) Discipline and commitment in service to the people.

15. In addition, the committee considered section 10 of the Leadership and Integrity Act 2012 in particular which provides that –

A state officer shall to the best of their ability-

- a) Carry out the duties of the office efficiently and honestly;
- b) Carry out the duties in a transparent and accountable manner;
- c) Keep accurate records and documents relating to the functions of the office; and
- d) Report truthfully on all matters of the organization which they represent.

The committee noted that all the nominees complied with the provision of chapter 6 of the constitution of Kenya 2010 on leadership and integrity and that the nominees submitted clearances from EACC, CRB, HELB and DCI.

16. The Committee while conducting the vetting hearings was guided on the **qualifications of Suitability of the nominees for the proposed appointment having regard to whether the nominees met the threshold as stipulated in the County Government Act.**
17. The Suitability of the nominees was assessed after scrutiny of the nominees' academic credentials, professional training and experience, personal integrity, background and qualities as well as their performance during the approval hearing conducted on Friday November 25, 2022.

3.0 APPROVAL HEARING OF THE NOMINEES

18. The committee held a sitting on Wednesday 24th November 2022 to deliberate on the Approval hearings and noted the following-
 - i. That the nominees had not notified the Clerk of the County Assembly of their withdrawal from the approval process as outlined under Section 7 (12) of the Public Appointments (County Assemblies Approval) Act No.5 of 2017.
 - ii. Pursuant to Section 44(2 A) and 2(b) and 58 A the Governor constituted a selection panel that would competitively recruit the County Secretary/Head of County Public Service and that the same ought to be approved by the County Assembly.

3.1 REUBEN YEGON-CHAIRMAN

19. Reuben Yegon, the nominee for the position of Chairperson of the Selection panel appeared before the Committee on 25th November 2022 at 9.30am whose approval hearing was taken under oath pursuant to Article 179 (2) of the Constitution, the Public Appointments (County Assemblies Approval) Act, 2017 and the Kericho County Assembly Standing Orders.

20. The committee having considered the nominees' curriculum vitae and having heard his oral submissions during the approval hearing made the following observations on his suitability for appointment as chairperson of the Selection Panel:

- a) THAT, in accordance with Section 44 (2B) (a) the nominee is required not to be a public officer.
- b) The nominee confirmed under oath that he is not a public officer and that he currently is a farmer.
- c) That the nominee meets the requirements of Chapter Six of the Constitution on leadership and integrity having obtained clearance from the following statutory bodies: EACC, KRA, DCI, CRB and HELB.
- d) That the nominee demonstrated the capability of serving as the Chairperson of the Selection Panel.

3.2 DORIS NGENO-MEMBER

21. Doris Ngeno, the nominee for the position of Member of the Selection panel appeared before the Committee on Appointments on 25th November 2022 at 10.20am whose approval hearing was taken under oath pursuant to Article 179 (2) of the Constitution, the Public Appointments (County Assemblies Approval) Act, 2017 and the Kericho County Assembly Standing Orders.

- a) The committee having considered the nominees' curriculum vitae and having heard her oral submissions during the approval hearing made the following observations on his suitability for appointment as a member of the selection panel
- b) THAT, in accordance with Section 44 (2B) (c), the nominee is required to be an Advocate of the High Court of Kenya and a member of the Law Society of Kenya.
- c) The nominee provided evidence to the fact that she is an Advocate of the High Court of Kenya (*See Annexure 3*)
- d) That the nominee meets the requirements of Chapter Six of the Constitution on leadership and integrity having obtained clearance from the following statutory bodies: EACC, KRA, DCI, CRB and HELB.

- e) That the nominee demonstrated the capability of serving as a member of the Selection Panel.

3.3 CPA KIPKEMOI CHERUIYOT

22. CPA Kipkemoi Cheruiyot, the nominee for the position of Member of the Selection panel appeared before the Committee on 25th November 2022 at 11.00am whose approval hearing was taken under oath pursuant to Article 179 (2) of the Constitution, the Public Appointments (County Assemblies Approval) Act, 2017 and the Kericho County Assembly Standing Orders.

23. The committee having considered the nominees' curriculum vitae and having heard his oral submissions during the approval hearing made the following observations on his suitability for appointment as a member of the selection panel

- a) THAT, in accordance with Section 44 (2B) (d), the nominee is required to be an Accountant and a member of Institute of Certified Public Accountants.
- b) The nominee provided evidence to the fact that he is an Accountant and a member of the ICPAK(See Annexure 4)
- c) That the nominee meets the requirements of Chapter Six of the Constitution on leadership and integrity having obtained clearance from the following statutory bodies: EACC, KRA, DCI, CRB and HELB.
- d) That the nominee demonstrated the capability of serving as a member of the Selection Panel.

3.4 Eunice Kirui

24. Eunice Kirui, the nominee for the position of Member of the Selection panel appeared before the Committee on 25th November 2022 at 12.00pm whose approval hearing was taken under oath pursuant to Article 179 (2) of the Constitution, the Public Appointments (County Assemblies Approval) Act, 2017 and the Kericho County Assembly Standing Orders.

- a) The committee having considered the nominees' curriculum vitae and having heard her oral submissions during the approval hearing made the following observations on his suitability for appointment as a member of the selection panel
- b) THAT, in accordance with Section 44 (2B) (b), the nominee is required to be a person from the private sector.
- c) The nominee confirmed under oath that she works for a private school and hence represents the private sector.
- d) That the nominee meets the requirements of Chapter Six of the Constitution on leadership and integrity having obtained clearance from the following statutory bodies: EACC, KRA, DCI, CRB and HELB.
- e) That the nominee demonstrated the capability of serving as a member of the Selection Panel.

3.5 WESLEY SIELE

25. Wesley Siele, the nominee for the position of Member of the Selection panel appeared before the Committee on 25th November 2022 at 1.00pm whose approval hearing was taken under oath pursuant to Article 179 (2) of the Constitution, the Public Appointments (County Assemblies Approval) Act, 2017 and the Kericho County Assembly Standing Orders.
26. The committee having considered the nominees' curriculum vitae and having heard his oral submissions during the approval hearing made the following observations on his suitability for appointment as a member of the selection panel
- a) THAT, in accordance with Section 44 (2B) (d), the nominee is required to be representative of workers.

- b) The nominee provided evidence to the fact that he is a representative of workers being the current CEO of the Agricultural Employees Association and also sits in the Agricultural and Floricultural Wages Council.
- c) That the nominee meets the requirements of Chapter Six of the Constitution on leadership and integrity having obtained clearance from the following statutory bodies: EACC, KRA, DCI, CRB and HELB.
- d) That the nominee demonstrated the capability of serving as a member of the Selection Panel.

5.0 COMMITTEE OBSERVATION AND RECOMMENDATIONS

The Committee approves the nomination of Reuben Yegon and the following four persons as Chairperson and members respectively of the Selection Panel for the recruitment of the County Secretary/Head of County Public Service:

- a) Doris Ngeno,
- b) Kipkemoi Cheruiyot,
- c) Eunice Kirui and
- d) Wesly Siele

Signed.....

RT. HON. DR. PATRICK MUTAI

SPEAKER OF THE COUNTY ASSEMBLY AND CHAIRPERSON COMMITTEE ON APPOINTMENTS

DATE 6th December 2022

Mr. Speaker I want to ask Hon. Weldon Rogony who is a member of the Appointment Committee to second.

(Hon. Kiprotich Rogony bows in secondment)

The Speaker (Hon. Dr. Patrick Mutai): Thank you very much Hon. Rogony for seconding.

(Question proposed)

The Speaker (Hon. Dr. Patrick Mutai): I now open the floor for debate before I put the question. Hon. Erick!

Hon. Erick Bii (Member for Kaplelartet Ward): Thank you very much Mr. Speaker for this opportunity you have given unto me to comment. First of all I would like to thank the committee chaired by you on a very good report for the selection panel which plays a very big role in putting in place a County Secretary and Head of Public Service. The requirement put in place is that there are five members and all have the qualifications to be in this position. I want to comment on their qualification. These are Kenyan citizens and most of them have passed the requirements of Chapter six of the Constitution on leadership and integrity.

I have seen Doris Ngeno who is an advocate and a member of Law Society of Kenya. She qualifies because she has knowledge in laws with five years practicing experience.

Reuben Yegon I have seen is a farmer who comes from this county and the nation of Kenya and he has the qualification to be the Chairperson.

Wesley Siele is a member of this committee and a representative of private sector. He is a CEO of the Agricultural Employees Association and also sits in the Agricultural and Floriculture Council.

All these members have met the qualification. These are the people who are going to give us the right person that fits to be the County Secretary and Head of County Public Service. I support the report of the Appointment committee. Thank you.

The Speaker (Hon. Dr. Patrick Mutai): Thank you Hon. Erick. Any other member who wants to contribute? Yes Hon. Gilbert, Majority Whip?

Hon. Gilbert Ngetich (Member for Kisiara Ward): Thank you Mr. Speaker Sir for giving me this opportunity to thank the Appointment Committee chaired by you. It was a requirement that we have this panel in place so that they give us the County Secretary and Head of Public Service. I believe this is where the slogan ‘*Fuata Sheria*’ came from as coined by Hon. Chirchir. It was true and all other rules must also be followed. Not this one alone because adhering to the rules is two way that is both the positive and the negative side. You have done a very good thing and actually this was the right procedure and this is what we are supposed to be doing. Thank you for leading this House to follow the law as a House of order. Thank you.

The Speaker (Hon. Dr. Patrick Mutai): Thank you very much Majority Whip.

(Question put and agreed to)

(Adjournment)

The Speaker (Hon. Dr. Patrick Mutai): Thank you very much Honorable members. As you are all aware as per our calendar, we are now proceeding on a long recess until Tuesday 7th February 2023 at 9.30 am. I want to take this opportunity to thank you for your contribution and to wish you a merry Christmas and a happy new year 2023. Thank you so much, God bless.

(The House rose at 1. 35p.m)