

REPUBLIC OF KENYA



KIAMBU COUNTY ASSEMBLY

FIRST ASSEMBLY – SECOND SESSION - 2014

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REPORT OF THE  
SECTORAL COMMITTEE ON LABOUR, SOCIAL WELFARE,  
CULTURE & COMMUNITY SERVICES ON THE VETTING OF MS.  
MARIE WANJERI MUGO, NOMINEE FOR APPOINTMENT TO THE  
POSITION OF CHIEF OFFICER, SPORTS YOUTH & SME  
DEVELOPMENT

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## PREFACE

Mr. Speaker, Sir,

The Kiambu County Assembly Sectoral Committee on Finance, Planning, Trade and Cooperatives was constituted pursuant to the provisions of Interim Standing Order No. 191 and has executed its mandate in accordance with the provisions of the said Standing Order 191(5), which mandates the Committee to, inter alia;

- a) investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned departments; and,*
- b) to vet and report on all appointments where the constitution or any law requires the County Assembly to approve*

Mr. Speaker,

According to Schedule II of the Standing Orders, the Committee examines the following subjects:

- i) all matters related to county planning and development
- ii) trade development and regulations
- iii) local tourism and Cooperatives societies

Mr. Speaker, Sir,

The following are the Members of the Committee: -

**The Hon. Mberere, Evan Mwithukia, MCA - Chairperson**

**The Hon. Lawrence Mwaura, MCA - Vice Chairperson**

**The Hon. Gakobo Fred M, MCA**

**The Hon. Charles Mwaura, MCA**

**The Hon. John Kaniaru Kariuki, MCA**

**The Hon. Gitagia Hannah Muthoni, MCA**

**The Hon. Gachema Caroline, MCA**

The Hon. Kamau Lucy Nduta, MCA

The Hon. Kimata Salome Wanjiku, MCA

The Hon. Murugami Joseph Njenga, MCA

The Hon. Ngigi Grison Thuo, MCA

The Hon. Nyambura Samuel Ng'ang'a, MCA

The Hon. Ngeru Florence Njeri, MCA

The Hon. Paul Kihoro Kimani, MCA

The Hon. Muthoni Elizabeth Hussein, MCA

The Hon. Kaboro Joel Ng'ang'a, MCA

The Hon. Lydia Naomi Nyakio, MCA

**Mr. Speaker,**

Section 45 (1) of the County Government Act provides that there is established the Office of Chief Officer, which is an office in the county public service. The Chief Officer, Finance and Economic Planning shall be nominated and, with the approval of the County Assembly, appointed by the Governor. The duties of the Chief Officer, Finance and Economic Planning shall be A county chief officer shall be responsible to the respective county executive committee member for the administration of a county department as provided under section 46 of the County Government Act, 2012; The County Chief Officers shall be authorized officer in respect of exercise of delegated power.

**Mr. Speaker, Sir,**

After receiving the name of the nominee to the position of Secretary to the Cabinet on April 17, 2014, the Committee commenced its sittings on Thursday April 24<sup>th</sup>, 2014. In conducting the vetting exercise, the Committee made reference to the Constitution, the Public Appointments (Parliamentary Approval) Act No. 33 of 2011), and the Kiambu County Assembly Interim Standing Orders.

The Committee complied with the Constitutional and legal requirements and established procedures for vetting. It ensured public participation and openness in carrying out the proceedings was adhered to. Notifications inviting the public to

submit memoranda were placed in the mainstream print media, in tandem with the law.

**Mr. Speaker,**

The Committee wishes to thank the Offices of the Speaker and the Clerk of the National Assembly for the logistical support accorded to it during the vetting exercise. The Committee is also thankful to the media for their coverage of the proceedings of the Committee, thus enhancing accountability and transparency of the vetting exercise.

**Mr. Speaker, Sir,**

The Committee made several findings during the vetting exercise. These findings guided the Committee in making its final recommendation. The Committee's recommendation was also solely based on the evidence and information from the proceedings of the Committee during the vetting exercise. This recommendation was unanimously agreed upon by the Committee Members during the adoption of the Report on Monday 28<sup>th</sup> April, 2014.

**Mr. Speaker,**

On behalf of the Committee, and pursuant to Section 45(1) (b) of the County Government Act, 2012, Section 8(1) of the Schedule to the Public Appointments (Parliamentary Approval) Act No. 33 of 2011, and Kiambu County Assembly Interim Standing Order no. 42 (4), it is my pleasant duty to table the Report of the Sectoral Committee on Finance, Planning, Trade and Cooperatives, on the nomination of Mr. Marie Wanjeri Mugo to the post of Chief Officer, Finance and Economic Planning, for debate and adoption by the Assembly.

**Signed:**

**Hon. Mberere Evan Mwithukia, MCA**

**Chairman, Sectoral Committee on Finance, Planning, Trade and Cooperatives**

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**Date: 29<sup>th</sup> April 2014**

**SIGN:.....**

## **1.0 BACKGROUND**

### **1.2 Establishment of the Office of Chief Officer, Sports, Youth & SME Development and nomination**

Section 45 of the County Government Act, 2012 provides that;

The Governor shall;

- (1) Nominate qualified and experienced county chief officers from among persons competitively sourced and recommended by the County Public Service Board; and
- (2) With the approval of the county assembly, appoint county chief officers

### **1.3 Functions of the Chief Officer Sports, Youth & SME Development**

(3) A county chief officer shall be responsible to the respective county executive committee member for the administration of a county department as provided under section 46 of the County Government Act, 2012

(4) The County Chief Officers shall be authorized officer in respect of exercise of delegated power.

### **1.4 Issues for consideration in conducting the Approval hearing**

In conducting the Approval hearing, the Committee was guided by Article 73 (2) (a) (b)(c) and (e) of the Constitution, and the provisions of Section 7 of the Public Appointments (Parliamentary Approval) Act No. 33 of 2011.

### **1.5 Message from H.E. the Governor**

On 7<sup>th</sup> April, 2014, pursuant to Standing Order 39 (1) the Speaker of the Kiambu County Assembly conveyed a message to the Assembly from H.E. the Governor that Ms. Marie Wanjeri Mugo had been nominated to serve in the position of Chief Officer, Sports, Youth & SME Development. Article 45 (1)(a) confers upon the Governor the power to nominate, and subject to approval by the County Assembly, appoint county chief officers.

The name of the nominee and her curriculum vitae was thereafter forwarded to the sectoral Committee on Sectoral Committee on Labour, Social Welfare, Culture & Community Services to conduct approval hearings.

### **1.6 Clearance requirements**

On 17<sup>th</sup> April 2014, the Clerk of the Kiambu County Assembly wrote to the nominee informing him to furnish the committee with clearance Certificates from Kenya Revenue Authority (KRA), and the Higher Education Loans Board (HELB) requesting information on whether the nominee was tax compliant and whether he owed any loans to the Board, respectively. The Clerk also requested for clearance certificate from Ethics and Anti-Corruption Commission seeking information on the integrity of the nominee. The nominee was also required to present her Certificate of Good Conduct.

### **1.7 Notification to the nominee**

On 17<sup>th</sup> April, 2014, the Clerk of Kiambu County Assembly, pursuant to Section 6(3) of the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011), notified the nominee of the time and place for holding the approval hearing.

### **1.8 Notification to the public**

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”*.

On 18<sup>th</sup> April, 2014, the Committee, through the Clerk, placed notifications in the print media informing the general public of the intention of the County Assembly to conduct an approval hearing, as provided for by Article 118 (1) (a) (b) and (2) of the Constitution, Interim County Assembly Standing Order 42 (3) and Section 6(4) of the Public Appointments (Parliamentary Approval) Act, 2011, which allow public participation in Committee proceedings. The Clerk of the County Assembly gave provision for the submission of memoranda to his office, on the suitability or otherwise of the nominee, by Thursday, 24<sup>th</sup> April, 2014, at 5.00 pm.

### **1.9 Committee meetings**

The Committee commenced the vetting process on Tuesday, 22<sup>th</sup> April, 2014. A total of two sittings were held. The Committee’s first business was to formulate questions on the vetting in line with the Public Appointments (Parliamentary Approval) Act No.33 2011, and examine Memoranda so far received.

### **1.10 Submission of memoranda**

By close of business on Thursday 24<sup>th</sup> April 2014 the Committee had not received any memoranda from the public challenging the suitability of the nominee.

### **1.11 Clearance letters**

Further, the Committee received clearance Certificates from the Kenya Revenue Authority, indicating that the nominee was tax compliant, and the Higher Education Loans Board, stating that the nominee was not a beneficiary of HELB. The nominee also presented before the Committee his Certificate of Good Conduct indicating that he had no criminal records.

The nominee further presented self declaration form from the Ethics and Anti-Corruption Commission as required by the law.

### **1.12 The Vetting Process**

On Friday 25<sup>th</sup> April 2014, the Committee held a session with the nominee to the post of Secretary to the Cabinet. In conducting the vetting exercise, the Committee was guided by, among other documents, the Constitution, the Public Appointments (Parliamentary Approval) Act No. 33 of 2011 and the National Assembly Standing Orders.

## **2.0 VETTING OF MS. MARIE WANJERI MUGO GICACI GITURWA FOR THE POSITION OF CHIEF OFFICER, SPORTS YOUTH & SME DEVELOPMENT**

1. The Sectoral Committee on Labour, Social Welfare, Culture & Community Services examined the nominee following the guidelines provided for in the Public Appointments (Parliamentary Approval) Act No. 33 of 2011. The Committee also followed the following criteria in vetting the nominee: -

- (i) Academic qualifications
- (ii) Employment record and work experience
- (iii) Professional association
- (iv) Public office, political activities and affiliations
- (v) Potential conflict of interest
- (vi) Suitability to the position
- (vii) Tax compliance
- (viii) Integrity

### **Personal Background**

2. Ms. Marie Wanjari Mugo appeared before the Committee on Friday 25<sup>th</sup> April 2014 and informed the Members that he was born in Muranga, Thika, on 17<sup>th</sup> June 1967.



### **Educational Background**

3. She is currently undertaking her PHD in Gender and Development in Kenyatta University. She holds a masters of Arts in Gender and Development Studies and a Bachelor of Arts in Gender and Development Studies all from Kenyatta University.

### **Work Experience**

4. Currently she is a part-time lecturer in Nairobi University and St. Paul University on Gender issues in Development as well as advisory personnel Nyumba Kumi Initiative Muguga Ward, Kiambu County.
5. She is also doing consultancy in gender and child protection with Save the Children, Kenya Care International, Kikuyu Deanery-Child Protection and PCEA Muguga Parish as well.
6. Further to this, she is doing a number of charity works on leadership and voluntary services on boy child empowerment across the county.
7. Previously she has been an educationist in a number of secondary schools.
8. She has published writings on prevalence of gender-based violence in Nairobi and Nyanza, The Boy Child in Central Province, a Product of Father Deprivation and Impact of Free Primary Education on Kenyan Children amongst others.

## **5.0 COMMITTEE FINDINGS**

After conducting the vetting exercise, the Committee made the following observations and findings: -

1. Ms. Marie Wanjeri Mugo has the requisite qualifications and experience in the education and gender issues which qualifies him for position of Chief Officer, Sports, Youth and SME Development.
2. She meets the requirements of Chapter Six of the Constitution of Kenya, tax compliant and also has been cleared by the Ethics and Anti-Corruption Commission (EACC).
3. Ms. Mugo has never been implicated in any known scandal during her official capacity.
4. The candidate's educational background and work experience has prepared her for task ahead through interactions with the youth and experience with community services.
5. She has a clear understanding of how the job relates with the overall national aspirations and goals

6. She understands the functions, responsibilities and the statutory powers, vested in the office of the chief officer
7. The nominee has professional background in gender issues and development, child protection and community services.

## **6.0 RECOMMENDATION OF THE COMMITTEE**

After the vetting process, the Committee made the following recommendation:-

**That; having considered the suitability, capacity and integrity of the nominee, and pursuant to Article 45 (1) (a) of the County Government Act, 2012 and Section 8 (2) of the Schedule to the Public Appointments (Parliamentary Approval) Act No. 33 of 2011, the Committee recommends that the County Assembly approves the nomination and subsequent appointment of Ms. Marie Wanjeri Mugo to the post of Chief Officer, Sports, Youth and SME Development.**