

**REPUBLIC OF KENYA**  
**MACHAKOS COUNTY ASSEMBLY**  
**OFFICIAL REPORT**

**Wednesday, 28th March, 2018**

The House met at 10.32 a.m.

*[The Speaker (Hon. (Mrs.) Mwangangi) in the Chair]*

PRAYERS

**Hon. Speaker:** Good morning, Hon. Members. I think you notice I am a bit tensed because I know I have so many people around me; that is normal. So, I welcome you to today's sitting and I will call upon Mr. Clerk to proceed.

**COMMUNICATIONS FROM THE CHAIR**  
**VISITORS FROM THE HIRSH ABEELE STATE OF SOMALIA**

**Hon. Speaker:** Hon. Members, ordinarily we normally introduce our visitors as the first opening word but because they are our equals, I chose it to come through the communication. So, today Hon. Members, we have visitors from the Hirsh Abeelee state of Somalia and they have come here---

*(Applause)*

Thank you. They have come here courtesy of the African Union Mission in Somalia (AMISOM) and they are going to be here up to 1.30 p.m; we welcome them. I have already had a small chat with them in my office, that is their leaders. The purpose of the group visiting us is to learn from us.

You remember the Somali is just building up from the civil war that has ravaged the country for quite a many years and as this Assembly continues to wish them quick recovery and to settle down so that we have a strong neighbor next door and so we would be able to assist them to learn what they want to learn.

They want to see some of our best practices; we have already promised that even after this sitting, we will continue engagements with them, even if it is on line. They have also welcomed you to Hirsh Abeelee state in Somali.

*(Applause)*

They are going to be with us in the plenary and also in some committees and we have split them into two groups because we appreciate we have a small sitting place for the public.

Some of them are already watching these proceedings in the members lounge. Again those who are going to be here will be able to see us, of course, live.

They will be alternating; a time you will find there will be some movement up there so that some who will come because they want to have the feel. However, under Standing Order 1, I have allowed the presence of some of the visitors into this chamber. They comprise their Speaker, they comprise an interpreter, and they comprise their Deputy Speaker, the lady seated up on my left.

*(Applause)*

For the information of this House, she is a very first Speaker in Somali; she has made history and I was told by the Speaker, he promised that when he is done with the leadership there she is the one who will take over. We also have Hon. Members in the House, a representative of the AMISOM the head of the delegation Dr. Opiyo, the one who has managed and planned the visit.

They visited Nairobi as the two counties in Kenya, Machakos is the second one and the Speaker, was in a lot of praise of Machakos County and generally the community here, they said they have not seen a dance like the one they saw outside here for a long time. They commended the Kamba community for keeping their tradition and culture. We promised them that they have not yet seen yet because they are yet to eat *muthokoi* and carry some of it home.

*(Laughter)*

They said they will be happy to do that. So, Hon. Members, make them comfortable; let us interact with them at some point or another when we are having lunch and even as we are conducting our businesses.

#### KAMUKUNJI

Second communication Hon. Members, is a Kamukunji that I requested. This is a Speakers' Kamukunji that I want to have a chat with the members in the informal meeting after the afternoon plenary and this is about just the usual order of the business.

So that I do not let you wait in anxiety, it is about the how we need to deal with the County Fiscal Strategy Paper; it is urgently needed to be approved by this House and also the supplementary budget. So, we will discuss that in the Kamukunji after the afternoon plenary, please remain behind. Mr. Clerk, proceed.

#### MOTION

**Hon. Speaker:** Hon. Members under this Order, we have one business and I am calling upon Hon. Caleb to bring the business to the House.

#### REPORT ON APPOINTMENT FOR POSITIONS OF MEMBER OF MACHAKOS COUNTY ASSEMBLY SERVICE BOARD

**Hon. Mule:** Madam Speaker;

Aware that section 12 of the County Government Acts No. 17 of 2012 read together with Section 4(1), 8, 9 and 46 of County Assembly Services Act No. 24 of 2017 provides for the establishment of a board consisting of;

- a. The Speaker of County Assembly as the Chairperson;
- b. Two members of County Assembly nominated by political parties represented in the County Assembly according to the proposition of members in the County Assembly;
- c. One man and one woman appointed by the County Assembly from amongst persons who are experienced in public affairs but are not members of the County Assembly.

Aware that the First Schedule of the County Assembly Services Act provides that the secretary of the board shall within 14 days of the first sitting of the occurrence of a vacancy or within such time as would be reasonable by notice in the gazette and in at least two daily newspapers of national circulation declare a vacancy and invite interested candidates to apply;

Further aware that Machakos County Assembly Service Board advertised vacancies for the position of two members' male and female of the County Assembly Board on the 12th September, 2017 in the Standard newspaper and the advertisement attracted 19 applicants;

Madam Speaker, I wish to move the motion that this House discusses and approves the report on appointment for positions of member of Machakos County Assembly Service Board.

Thank you, Madam Speaker. I call upon Hon. Francis Ngunga to second my motion.

**Hon. Speaker:** Thank you, Hon. Caleb. Hon. Francis Ngunga.

**Hon. Ngunga:** Thank you, Madam Speaker. I stand to second the motion. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Ngunga. Hon. Members, I now propose the question. Hold on Hon. Caleb I think you need to read the report?

**Hon. Mule:** Thank you, Madam Speaker. The report on appointment of position of member of Machakos County Assembly Service Board; there is a table of content Madam Speaker, list of abbreviations/acronyms. There is the preface, the background, face to face and interview of all the candidates.

There is recommendation for the appointment Machakos County Assembly Service Board, recommendation and conclusion, adoption of the report by the committee and appendices. There is a list of abbreviation/acronyms; CASB meaning County Assembly Service Board, there is CRB Credit Reference Bureau, there is CV for curriculum vitae. The EACC for Ethics and Anti-Corruption Commission, HELB for Higher Education Loans Board and KRA for Kenya Revenue Authority.

### **Machakos County Assembly Service Board**

The Machakos County Assembly Service Board is established pursuant to Section 12 of the County Government Act No. 17 of 2012 read together with Sections 4(1), 8, 9 and 46 of the

County Assembly Services Act No. 24 of 2017; which provides for the establishment of the Board consisting of:-

- a. The Speaker of the county assembly, as the chairperson;
- b. A vice-chairperson elected by the Board from the members appointed under paragraph (c);
- c. Two members of the County Assembly nominated by the political parties represented in the county assembly according to their proportion of members in the County Assembly; and
- d. One man and one woman appointed by the county assembly from amongst persons who are experienced in public affairs, but are not members of the County Assembly.

### ***Mandate of the Board***

The mandate of the Board is provided for under Section 12(7) of the County Governments Act No. 17 of 2012, that the Board shall;

- a. Provide services and facilities to ensure the efficient and effective functioning of the County Assembly;
- b. Constitute offices in the County Assembly service, and appointing and supervising office holders;
- c. Prepare annual estimates of expenditure of the county assembly service and submitting them to the county assembly for approval and exercising budgetary control over the service;
- d. Undertake, singly or jointly with other relevant organizations, programmes to promote the ideals of parliamentary democracy; and
- e. Perform other functions—
  - i. Necessary for the well-being of the members and staff of the county assembly; or
  - ii. Prescribed by national legislation.

### ***Current Membership of the Machakos County Assembly Service Board***

Madam Speaker, the Current membership of the Board is;

1. Hon. Florence Muoti Mwangangi - Speaker, Chairperson.
2. Hon. Caleb Mule -Representing Minority Party, Vice Chairperson.
3. Hon. Francis Mwaniki Ngunga - Representing Majority Party
4. Mr. Felix Mbiuki -Secretary to the County Assembly Service Board, Clerk to the Assembly.

### ***Advertisement for positions of Member of County Assembly Service Board***

Pursuant to the First Schedule of the County Assembly Services Act, 2017, upon the convening of the first sitting of the County Assembly or whenever a vacancy arises in the membership of the Board under section 12(3)(d) of the County Governments Act, 2012, the Secretary to the Board shall, within 14 days of that first sitting or the occurrence of the vacancy or within such time as would be reasonable, by notice in the Gazette and in at least two daily newspapers of national circulation, declare a vacancy and invite interested qualified persons to apply.

The Machakos County Assembly service Board advertised vacancies for the position of two members, male and female of County Assembly Service Board on 12th September, 2017 in the Standard Newspaper. The advertisement attracted the following nineteen applicants;

1. Ms. Janet Mwikali Kimeu of Mua Ward Machakos County
2. Ms. Margaret Mueni Kavilo of Mumbuni Ward Machakos County
3. Ms. Rosemary Mutheu Mulee of Kangundo Central ward, Machakos County
4. Ms. Rita Ndunge Ndunda of Kola ward Machakos County
5. Ms. Faith Muendi Katunga of Makueni County
6. Ms. Mary Ndinda Paul of Kathiani, Machakos County
7. Mr. Paul Mutua Wambua of Machakos County
8. Mr. Nathaniel Nganga Reuben of Ikombe ward Machacos County
9. Mr. Onesmus N. Mutua
10. Mr. Isaac Mutuku Muinde of Ekalakala Ward, Machakos County
11. Mr. Alex Nyamai Kitili of Kibauni Wars Machakos County
12. Mr. Gedion Mutuku Ndeti of Machakos County
13. Mr. Paul Mumo Mwangangi of Mutituni Ward Machakos County
14. Mr. Erick Mutiso of Mumbuni ward Machakos County
15. Mr. Alexander Nzambu Kathinzi of Masinga ward, Machakos County
16. Mr. Dee Mutisya Kivuva
17. Ms. Maureen Mwendu Maingi of Kathiani Ward MachaKOS County
18. Ms. Doris Ndinda Masila of Kauwi Ward Kitui County
19. Ms. Carolyn Kalekye Mutuku

#### *Disqualified Applicants*

##### **Disqualified during shortlisting**

Out of nineteen (19) applicants, the following seven (7) were disqualified during shortlisting;

1. Mr. Paul Mumo Mwangangi of Mutituni ward, Machakos County
2. Mr. Erick Mukeku Mutiso of Mumbuni Ward, Machakos County
3. Mr. Alexander Nzambu Kathinzi of Masinga ward, Machakos County
4. Mr. Dee Mutisya Kivuva
5. Ms. Maureen Mwendu Maingi of Kathiani Ward, Machakos
6. Ms. Kalekye Mutuku
7. Ms. Doris Ndinda Masila of Kauwi Ward, Kitui County

##### **Disqualified during selection interviews**

Out of 12 applicants, the following six were disqualified during the selection interviews

1. Ms. Mary Ndinda Paul of Ndithini ward, Machakos County
2. Ms. Faith Muendi Katunga of Mua Ward, Machakos County
3. Ms. Rita Ndunge Ndunda of Kola ward, Machakos County
4. Mr. Gedion Mutuku Ndeti of Kithimani Ward, Machakos County
5. Mr. Alex Nyamai Kitili of Kibauni Ward, Machakos County
6. Mr. Onesmus Mwanza Mutua of Machakos Central Machakos County.

#### *Committal to Consultants Services*

The County Assembly Service Board contracted the services of Rovans Management Consultants Limited, to undertake the selection process. The firm was contracted after competitive bidding which had attracted the following other firms;

- Great Focus Consultant.
- Platinum Blue Investments limited
- Reeds Africa Consultant

### *Acknowledgement*

May I take this opportunity to thank all the Members of the Board for their dedication, undivided attention and contributions during the entire selection process. On behalf of the Board and pursuant to the provisions of Section 4 of the First Schedule of the County Assembly Services Act No. 24 of 2017, it is my pleasure and duty to present to the House the County Assembly Service Board Report on the selection for position of members of Machakos County Assembly Service Board. Thank you, Madam Speaker.

### *Background*

#### **Establishment of the Machakos County Assembly Service Board**

The Machakos County Assembly Service Board is established pursuant to Section 12 of the County Governments Act No. 17 of 2012, read together with Sections 4, 8, 9 and 46 of the County Assembly Services Act No. 24 of 2017, which provides for the establishment of the Board.

The constitution of the Board consists of;

- a. The Speaker of the County Assembly, as the Chairperson;
- b. Vice-Chairperson elected by the Board from the members appointed under paragraph;
- c. Two members of the County Assembly nominated by the political parties represented in the County Assembly according to their proportion of members in the County Assembly;
- d. One man and one woman appointed by the County Assembly from amongst persons who are experienced in public affairs, but are not members of the County Assembly.

Madam Speaker, pursuant to First Schedule of the County Assemblies Services Act, 2017, upon the convening of the first sitting of the County Assembly or whenever a vacancy arises in the membership of the Board under section 12(3)(d) of the County Governments Act, the Secretary to the Board shall, within fourteen days of that first sitting or the occurrence of the vacancy or within such time as would be reasonable, by notice in the Gazette and in at least two daily newspapers of national circulation, declare a vacancy and invite interested qualified persons to apply.

Further, section 2 stipulates that any person qualified in accordance with this Act may make an application to the Secretary within fourteen days of the publication of the notice. Section 3 provides that the Board shall, within fourteen days after the last date of submission of applications under paragraph 2, consider the applications, shortlist, conduct interviews and recommend the name of one applicant qualified for the position.

### *Notification to the Public*

Madam Speaker, the Secretary of the County Assembly Service Board placed an advertisement in the Standard Newspaper on 12th September, 2017 inviting the qualified members of public to submit their applications for the vacancy of member of County Assembly

Service Board within fourteen days of the publication of the advertisement. The submissions were to be received on or before 26th September, 2017, latest by 5 p.m.

#### *Clearance Requirements*

Madam Speaker, the requirements for the applicants were as follows;

- i. ID/passport;
- ii. Curriculum Vitae, personal credentials and academic certificates;
- iii. Current Tax Compliance Certificate from the Kenya Revenue Authority (KRA);
- iv. Current Compliance Certificate from the Higher Education Loans Board (HELB);
- v. Current Clearance Certificate from the Credit Reference Bureau (CRB);
- vi. Current Valid Certificate of Good conduct from the Department of Criminal Investigation;
- vii. Current Clearance from Ethics and anti-Corruption Commission (EACC);
- viii. Current Clearance certificate from respective professional bodies;
- ix. Accreditation from Commission of University Education for foreign degrees (where applicable)

#### *Appointment of a consultant*

The County Assembly Service Board contracted the services of Rovans Management Consultants Limited, to undertake the selection process. The firm was contracted after competitive bidding which had attracted the following other firms;

- Great Focus Consultant.
- Platinum Blue Investment ltd
- Reeds Africa Consultant

#### *Selection process*

Madam Speaker, the consultant held a consultative meeting with the Service Board to agree on the terms of reference (ToRs) and were both guided by Section 8 and 9 of the County Assembly Services Act, 2017 which provides that in nominating or appointing any person as a member of the Board, the county assembly shall have regard to-

- a. The national values and principles set out in Article 10 of the Constitution; and
- b. Community and cultural diversity of the county.

Further Section 9 (1) of the County Assembly Services Act provides that a person shall not be qualified for appointment as a member of the Board under section 12(3)(d) of the County Governments Act unless such person;

- a. Is a citizen of Kenya;
- b. Holds a degree from a university recognized in Kenya;
- c. Has at least ten years' experience in public affairs; and
- d. Meets the requirements of leadership and integrity in Chapter Six of the Constitution.

Madam Speaker, the terms of reference (ToRs) agreed by both the Board and the Consultant were;

- i. The consultant to shortlist, interview and recommend the qualified candidates to the County Assembly Service Board for selection. The consultant to be responsible for;
  - a. doing the short listing of candidates from the analyzed report.
  - b. conducted the interviews of the shortlisted candidates.
  - c. give a report to the board as follows;

- a) Three candidates from the male category
- b) Three candidates from the female category
- c) Detailed report on those candidates who will be disqualified;
- iii. The client (County Assembly Service Board) shall provide the following
  - a. long listing of the 19 candidates.
  - b. all the curriculum vitae for all the candidates who applied.
  - c. any other assistance that the consultant may require.
- iv. The methodology of interview was face to face interviews.
- v. The duration for reporting was one week.

Madam Speaker, the consultant analyzed the long list prepared by the Board and the documents submitted by the applicants and shortlisted six female and six male candidates who met the basic requirements for the interview. A list of the 12 shortlisted candidates was submitted to the board. A report of the seven 7 disqualified candidates was also submitted to the board.

The County Assembly Service Board then notified the shortlisted candidates as per the basic requirements provided for in Section 9(1) of the County Assemblies Services Act, 2017, via an advertisement in local media, the Standard Newspaper of 15th November, 2017 and the Daily Nation of 16th November, 2017 specifying the venue, date and time for each candidate.

#### *Disqualified Candidates during shortlisting*

Madam Speaker, out of the 19 applicants, seven were disqualified.

Male applicants

#### **1. Mr. Paul Mumo Mwangangi from Mutituni Ward, Machakos County**

The applicant met two requirements for the post; that is he is a Kenyan citizen and holds a degree from a recognized University. He was disqualified because he did not provide any of the following clearance documents to confirm compliance with Chapter 6 of the constitution.

- Self declaration form (EACC).
- Police Clearance Certificate.
- Certificate of clearance from Credit Reference Bureau.
- KRA Tax compliance certificate. The candidate attached an expired document.
- HELB Clearance.

#### **2. Mr. Erick Mukeku Mutiso from Mumbuni ward, Machakos County**

Madam Speaker, the candidate met two requirements for the post, that is he is a Kenyan citizen and had at least 10 years' experience in public affairs as religious leader. He was disqualified because;

- a) The degree held was from a foreign university and therefore required Council for University Education recognition and Equation.
- b) He did not provide any evidence to confirm compliance with Chapter 6 of constitution, that is:-
  - Self declaration form (EACC).
  - Police Clearance Certificate.
  - Certificate of clearance from Credit Reference Bureau.
  - KRA Tax compliance certificate (the candidate attached an expired document).
  - Copy of KRA Pin Certificate.
  - HELB Clearance.

**3. Mr. Alexander Nzambu Kathinzi- from Masinga Ward, Machakos County**

Madam Speaker, the candidate met the following requirements;

- He is a Kenyan citizen
- He provided five of the required clearance documents to prove compliance with Chapter 6 of the Constitution.
- The candidate was disqualified because;
- He did not avail copy of degree held, hence no proof of a degree from a recognized University.
- He did not provide copy of KRA Tax compliance certificate.

**4. Mr. Dee Mutisya Kivuva**

Madam Speaker, the candidate did not specify his County and ward of residence. He was disqualified because;

- a) He did not provide evidence of citizenship. Neither the National identification card of passport was attached.
- b) He does not hold a degree.
- c) He did not attach documentary evidence to show compliance with requirements for leadership and integrity in Chapter 6 of Constitution that is;
  - Self declaration form (EACC).
  - Police Clearance Certificate.
  - Certificate of clearance from Credit Reference Bureau.
  - KRA Tax compliance certificate (the candidate attached an expired document).
  - Copy of KRA Pin Certificate.
  - HELB Clearance.

**Female applicants****1. Ms. Maureen Mwendu Maingi from Kathiani Ward, Machakos County**

Madam Speaker, the applicant met the following requirements

- a. She is a Kenyan citizen.
- b. She holds a degree from a recognized university.
- c. She provided all the clearance certificates.

The candidate was disqualified because she stated two years' experience in public affairs which was considered too low for consideration.

**2. Ms. Doris Ndinda Masila**

Madam speaker, the candidate met two requirements, that is:-

- a. She is a Kenyan citizen.
- b. She holds a degree from a recognized University.

The applicant did not meet the following requirements for the post

- a. She is not a resident of Machakos County.
- b. She did not attach the following clearance documents as evidence of compliance with Chapter 6 of the Constitution;
  - Self- declaration form (EACC).
  - Police Clearance Certificate.
  - Certificate of clearance from Credit Reference Bureau.
  - KRA Tax compliance certificate (the candidate attached an expired document).

- HELB Clearance.

### **3. Ms. Caroline Kalekye Mutuku**

Madam Speaker, the candidate did not specify her County and ward of residence. She met only one requirement, that is she held a degree from a recognized University. The candidate was disqualified because;

- a. She did not provide prove of citizenship and national identification/passport not attached.
- b. She did not attach CV and evidence of length of experience in public affairs.
- c. She did not attach the following clearance documents as evidence of compliance with chapter six of the constitution;
  - Self declaration form (EACC).
  - Police Clearance Certificate.
  - Certificate of clearance from Credit Reference Bureau.
  - KRA Tax compliance certificate (the candidate attached an expired document).
  - Copy of KRA Pin Certificate.
  - HELB Clearance.

#### ***Selection instrument for the shortlisted candidates***

Madam Speaker, the consultant developed an interview instrument, with appropriate parameters, weighting and scoring. The parameters were informed by the terms of reference and appropriate legislation. Each of the three panelists assessed and individually scored each candidate using the same instrument. The instrument had a total score of 100 per cent and the marks were distributed as follows;

#### ***Experience in Public affairs***

Madam Speaker, any nominee who had experience of ten years in public affairs was awarded 10 per cent. The candidate was awarded 1 per cent for each year, a maximum of 10 per cent. Relevant exposure to public affairs scored 5 per cent.

#### ***Academic and professional Qualifications***

Madam Speaker, any nominee who had Bachelors qualifications supported by authentic original documents scored 20 per cent.

#### ***Compliance with chapter six of the constitution***

Madam Speaker, any candidate who presented valid a clearance certificate from;

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

The candidate scored 15 per cent. The candidate scored 3 per cent for each valid document.

#### ***Knowledge of functions and management of County Assembly***

Madam Speaker, the candidate who demonstrated an understanding of the organization of the County Assembly and its role, and how he/she fitted in, scored a total 15 per cent.

***Leadership skills and competencies***

Madam Speaker, a candidate who demonstrated the following skills scored 15 per cent;

- a. Leadership skills and capability in challenging situations.
- b. Displayed analytical and problem solving skills.
- c. Experience in managerial practices, both sequencing and continuing functions.
- d. Competent in strategic business and operational planning.
- e. Demonstrate ability to communicate at interpersonal and corporate level.
- f. Working with teams.

***Knowledge of financial matters***

Madam Speaker, a nominee who exhibited little, average or sound knowledge of the financial integrity scored 5 per cent.

***General knowledge (how well informed the candidate is in critical issues globally)***

Madam Speaker, if the candidate demonstrated poor, fair or good knowledge of the happenings around him or her scored 5 per cent.

***Questions to the panelist by the candidate***

Madam Speaker, the candidates were given an opportunity to ask any question to the panelist and this did not have any score

***General impression***

The candidate who demonstrated personality, demeanor and respect scored 10 per cent.

**FACE TO FACE INTERVIEW**

Madam Speaker, the face to face interviews for the 12 shortlisted candidates took two days, 21st and 22nd November, 2017 and all the candidates turned up. The shortlisted candidates presented as follows;

**JANET MWIKALI KIMEU**

Madam Speaker, the candidate appeared before the panel on 21st November, 2017 at 8.00 a.m.

***Age***

The candidate is 43 years of age.

***Document of Identification***

The candidate possesses a National ID card No. 12524948

***Ward/County***

Madam Speaker: the nominee comes from Mua ward, Machakos County

***Academic Qualifications***

- i. The candidate acquired a first degree in Law (LLB).
- ii. The candidate also has a master's degree in business administration.
- iii. The candidate had a diploma in law.

***Experience in Public Affairs***

Madam Speaker, the candidate has 17 years' experience in public affairs

***Integrity***

Madam Speaker, the candidate has attached two documents.

***CV***

Madam Speaker, the candidate attached her CV.

***Candidate's overall Score***

Madam speaker, the candidate was awarded 87.7 per cent.

**ROSEMARY MUTHEU MULEE**

Madam Speaker, the candidate appeared before the panel on 21st November, 2017 at 9.00 a.m.

***Age***

The candidate was 50 years of age.

***Document of Identification***

The candidate possesses a National ID card No. 8557331

***Ward/County***

Madam Speaker: the nominee comes from Kangundo Central Ward, Machakos County

***Academic Qualifications***

- i. The candidate acquires a first degree in Arts.
- ii. The candidate also has a Master's degree in Gender and Development Studies.
- iii. The candidate has CPS(K).

***Experience in Public Affairs***

Madam Speaker, the candidate has 14 years' experience in public affairs.

***Integrity***

Madam speaker, the candidate has the six clearance documents attached and all are valid.

***CV***

Madam Speaker, the candidate has attached her CV.

***Candidates overall Score***

Madam speaker, the candidate was awarded 81.7 per cent.

**RITA NDUNGE NDUNDA**

Madam Speaker, the candidate appeared before the panel on 21st November, 2017 at 10.00 a.m.

***Age***

The candidate was 45 years of age.

***Document of Identification***

The candidate possesses a National ID card No. 11767355

***Ward/County***

The candidate comes from Kola Ward, Machakos County

***Qualifications***

Madam Speaker, the nominee comes from Kola ward, Machakos County

- i. The candidate also has a Bachelor's degree in Sociology and Psychology.
- ii. The candidate had a diploma in Crime management and prevention.
- iv. The candidate had a Certificate in Public Relations.

***Experience in Public Affairs***

Madam Speaker, the candidate has 21 years' experience in public affairs.

***Integrity***

Madam speaker, the candidate has attached four valid clearance documents; two are missing.

***CV***

Madam Speaker, the candidate has attached her CV.

***Candidate's overall Score***

Madam speaker, the candidate scored 78.0 per cent and was ranked fifth of the female candidates.

**FAITH MUENDI KATUNGA**

Madam Speaker, the candidate appeared before the panel on 21st November, 2017 at 11.00 a.m.

***Age***

The candidate was 38 years of age.

***Document of Identification***

The candidate possesses a National ID card No. 21591545

***Ward/County***

Madam Speaker, the nominee comes from Mua ward, Machakos County

***Qualifications***

- i. The candidate also has a Bachelor of Laws.
- ii. The candidate has a postgraduate Diploma in Law.

***Experience in Public Affairs***

Madam Speaker, the candidate has 13 years' experience in public affairs

***Integrity***

Madam speaker, the candidate has attached three documents and three are missing.

***CV***

Madam Speaker, the candidate has attached her CV

***Observation***

The candidate demonstrated possession of inadequate leadership skills and competencies and average knowledge of financial matters.

***Candidate's overall Score***

Madam speaker, the candidate scored 75.0 per cent and was ranked sixth of the six female candidates.

**MARY NDINDA PAUL**

Madam Speaker, the candidate appeared before the panel on 21st November, 2017 at 2.00 p.m.

***Age***

The candidate was 56 years of age.

***Document of Identification***

The candidate possesses a National ID card No. 4934243

***Ward/County***

Madam Speaker, the nominee comes from Ndithini ward, Machakos County.

***Qualifications***

The candidate also has a Bachelor of Arts in Leadership and Management.

***Experience in Public Affairs***

Madam Speaker, the candidate has 18 years' experience in public affairs.

***Integrity***

Madam speaker, the candidate has attached five valid clearance documents and one is missing.

**CV**

Madam Speaker, the candidate has attached her CV.

**Observation**

The candidate demonstrated possession of inadequate leadership skills and competencies.

**Candidate's overall Score**

Madam speaker, the candidate scored 81.3 per cent and was ranked fourth of the six female candidates.

**MARGARET MUENI KAVILO**

Madam Speaker, the candidate appeared before the panel on 21st November, 2017 at 3.00 p.m.

**Age**

The candidate was 41 years of age.

**Document of Identification**

The candidate possesses a National ID card No. 13713415

**Ward/County**

Madam Speaker, the nominee comes from Mumbuni ward, Machakos County

**Qualifications**

- i. The candidate has a Bachelor in project Planning and Management.
- ii. The candidate has a diploma in HRM.
- iii. The candidate has an advanced Certificate in Business Management.

**Experience in Public Affairs**

Madam Speaker, the candidate has nine years' experience in public affairs.

**Integrity**

Madam speaker, the candidate has not attached any document.

**CV**

Madam Speaker, the candidate has attached her CV

**Total score**

Madam Speaker, the candidate had an overall score of 83.7 per cent.

**PAUL MUTUA WAMBUA**

Madam Speaker, the candidate appeared before the panel on 22nd November, 2017 at 8.00 a.m.

**Age**

The candidate was 36 years of age.

**Document of Identification**

The candidate possesses a National ID card No. 22131709.

**Ward/County**

Madam Speaker, the nominee comes from Kibauni ward, Machakos County

**Qualifications**

The candidate has a Bachelor of Commerce.

**Experience in Public Affairs**

Madam Speaker, the candidate has 13 years' experience in public affairs.

**Integrity**

Madam speaker, the candidate has attached all the clearance documents.

***CV***

Madam Speaker, the candidate has attached his CV.

***Total score***

Madam Speaker, the candidate had an overall score of 82 per cent.

**NATHANIEL NGANGA REUBEN**

Madam Speaker, the candidate appeared before the panel on 22nd November, 2017 at 9.00 a.m.

***Age***

The candidate was 31 years of age.

***Document of Identification***

The candidate possesses a National ID card No. 25108181.

***Ward/County***

Madam Speaker, the nominee comes from Ikombe ward, Machakos County.

***Qualifications***

- i. The candidate has Bsc Mathematics (Statistics).
- ii. The candidate has a Master of Public policy and Administration (Certificate not attached).
- iii. The candidate has an Executive Masters of Public Administration (Certificate not attached).

***Experience in Public Affairs***

Madam Speaker, the candidate has 7 years' experience in public affairs.

***Integrity***

Madam speaker, the candidate has attached all clearance documents.

***CV***

Madam Speaker, the candidate has attached his CV

***Total score***

Madam Speaker, the candidate had an overall score of 88.3 per cent.

**ONESMAS MWANZA MUTUA**

Madam Speaker, the candidate appeared before the panel on 22nd November, 2017 at 10.00 a.m.

***Age***

The candidate was 62 years of age.

***Document of Identification***

The candidate possesses a National ID card No. 4828282

***Ward/County***

Madam Speaker, the nominee comes from Machakos Central ward, Machakos County

***Qualifications***

- i. The candidate has an Executive Masters degree of Public Policy and Administration.
- ii. The candidate has a Bachelor in Arts.
- iii. The candidate has advanced Diploma in Public Administration.

***Experience in Public Affairs***

Madam Speaker, the candidate has 35 years' experience in public affairs

***Integrity***

The candidate did not demonstrate compliance with requirements for chapter six of the constitution with exception of the valid HELB clearance certificate; the other clearance certificates presented by the candidate from EACC, DCI and CRB were not valid as they had expired. The Kenya Revenue Authority compliance certificate was not presented, but an acknowledgement of receipt for application of 2016 was presented.

***CV***

Madam Speaker, the candidate has attached his CV.

***Total score***

Madam Speaker, the candidate was awarded 74.7 per cent and was ranked 6th of the six male candidates.

**ISAAC MUTUKU MUINDE**

Madam Speaker, the candidate appeared before the panel on 22nd November, 2017 at 11.00 a.m.

***Age***

The candidate was 43 years of age.

***Document of Identification***

The candidate possesses a National ID card No. 116245520.

***Ward/County***

Madam Speaker, the nominee comes from Ekalakala ward, Machakos County.

***Qualifications***

- i. The candidate also has MSc in Finance.
- ii. The candidate has a BCom Finance.
- iii. The candidate has CPA section III.

***Experience in Public Affairs***

Madam Speaker, the candidate has 10 years' experience in public affairs.

***Integrity***

Madam speaker, the candidate has attached all the clearance documents.

***CV***

Madam Speaker, the candidate has attached his CV

***Total score***

Madam Speaker, the candidate had an overall score of 85.7 per cent.

**ALEX NYAMAI KITILI**

Madam Speaker, the candidate appeared before the panel on 22nd November, 2017 at 2.00 p.m.

***Age***

The candidate is 39 years of age.

***Document of Identification***

The candidate possesses a National ID card No. 21649294.

***Ward/County***

Madam Speaker, the nominee comes from Kibauni ward, Machakos County.

***Qualifications***

- i. The candidate also has BSc Horticulture.

***Experience in Public Affairs***

Madam Speaker, the candidate has 13 years' experience in public affairs.

***Integrity***

Madam Speaker, the candidate has attached all clearance documents.

***CV***

Madam Speaker, the candidate has attached his CV

***Observation***

Madam Speaker, it was observed that the nature of the candidates experience had accorded him little exposure to relevant areas of public affairs especially those of relevance to the post. The candidate demonstrated inadequate understanding and knowledge of the functions of the County Assembly, and the role of the County Assembly Service Board.

***Total score***

Madam Speaker, the candidate scored 77.5 per cent and was ranked 5th of the six male candidates.

**GEDION MUTUKU NDETI**

Madam Speaker, the candidate appeared before the panel on 22nd November, 2017 at 3.00 p.m.

***Age***

The candidate is 32 years of age.

***Document of Identification***

The candidate possesses a National ID card No. 24193247

***Ward/County***

Madam Speaker, the nominee comes from Kithimani ward, Machakos County

***Qualifications***

- i. The candidate has MBA Project management.  
ii. The candidate has Bsc in Hospitality and Tourism.

***Experience in Public Affairs***

Madam Speaker, the candidate has five years' experience in public affairs.

***Integrity***

Madam speaker, the candidate has attached all clearance documents.

***CV***

Madam Speaker, the candidate has attached his CV.

***Observations***

Madam Speaker, the candidate scored low in experience due to having five years' experience and exhibited little knowledge of financial management matters.

***Total score***

Madam Speaker, the candidate scored 78.0 per cent and was ranked 4th of the six male candidates

***RECOMMENDATION FOR APPOINTMENT***

Madam Speaker, all the shortlisted candidates met the basic requirements for the post. Scoring was based on candidate performance as per the selection instrument. The consultant presented to the County Assembly Service Board a list of top three scorers for both female and male candidates for consideration and appointment of one candidate from each category.

#### **Female candidates recommended for appointment**

S/NO	Name	County/Ward	Score %
1	Ms. Janet Mwikali Kimeu	Machakos, Mua	87.7
2	Ms. Margaret Mueni Kavilo	Machakos, Mumbuni	83.7
3	Ms. Rosemary Mutheu Mulee	Machakos, Kangundo Central	81.7

#### **Male candidate recommended for appointment.**

S/NO	Name	County/Ward	Score %
1	Mr. Nathaniel Nganga Reuben	Machakos, Ikombe	88.3
2	Mr. Isaac Mutuku Muinde	Machakos, Ekalakala	85.7
3	Mr. Paul Mutua Wambua	Machakos, Kibauni	82.0

#### **COUNTY ASSEMBLY SERVICE BOARD RECOMMENDATION**

Madam Speaker, the board recommends that the following candidates be admitted to the Board;

NAME	GENDER	ID. NO	POSTAL ADDRESS	COUNTY	WARD
Janet Mwikali Kimeu	Female	12334948	2261-90100	Machakos	Mua
Nathaniel Nganga Reuben	Male	25108181	58444-00200	Machakos	Ikombe

#### *Conclusion*

In conclusion, the decision on selection for position of members of Machakos County Assembly Service Board to each one of the applicants has been guided by:

- i. Section 12 of the County Governments Act No. 10 of 2012
- ii. Section 9 (1) of the County Assemblies Services Act provides that a person shall not be qualified for appointment as a member of the Board under section 12(3)(d) of the County Governments Act unless such person-
  - a. is a citizen of Kenya;
  - b. holds a degree from a university recognized in Kenya;
  - c. has at least ten years' experience in public affairs; and
  - d. Meets the requirements of leadership and integrity in Chapter Six of the Constitution.
- iii. Chapter six of the constitution of Kenya, 2010.
- v. Sections 8, 9 and 46 of the County Assembly services Act, 2017.

*Adoption of the Report by the Committee*

Madam Speaker, the undersigned members of the Machakos County Assembly Board have hereby appended their signatures to adopt the report.

1. Hon. Florence Muoti Mwangangi - Speaker (Chairperson)
2. Hon. Caleb Mule - Representative of the Minority Party (V/Chairperson)
3. Hon. Francis Mwaniki Ngunga - Representative of Majority Party

Thank you, Madam Speaker.

*(Applause)*

**Hon. Speaker:** Thank you, Hon. Caleb.

*(Question proposed)*

Hon. Members, I invite debate on the Motion. Hon. Cosmus Masesi.

**Hon. Masesi:** Thank you, Madam Speaker. First, I would like to appreciate the Board for a job well done conclusively although I have two concerns from the report. First, is how I wish we could have been given copies of the certificates in terms of the degrees to ascertain that experience?

*(Applause)*

It is the practice of this House to attach copies of the same when we are doing an exercise of the same. My last is on page number 32 that is on conclusion, number 2, says that section 9(1) of the County Assembly Service Act provides that a person shall not be qualified for appointment as a Member of the Board under section 12(3)(d) of the County Government Act unless such a person.....my concern is on number (c), has at least 10 years' experience.

*(Applause)*

Now when you come to the Board's recommended candidate, Nathaniel Nganga Reuben has an experience of seven years and it is clearly stated that, the Member should have at least 10 years' experience, Madam Speaker.

*(Applause)*

Madam Speaker, I rest my case.

**Hon. Speaker:** Thank you, Hon. Cosmus. Ordinarily, I deal with the right side and then I come to the left side. Let me just do the usual way. Hon. Mitaa.

**Hon. Mitaa:** Thank you, Madam Speaker for granting me this opportunity to contribute on the report. I wish to thank the Committee for having found time and come up with a report.

However, Madam Speaker, I have observed some issues which I would like to raise to this Hon. House starting with page 9 whereby we have disqualified during selection interviews.

Out of 12 applicants, the following six were disqualified during the selection interviews. We have the names and one of the names is Mr. Alex Nyamai Kitili, number 5 who also happens to have found himself up to the last stage. I do not know whether it is me who is not getting it right by disqualified during selection interviews....

*(Applause)*

I would like to seek clarification on that Madam Speaker. On the other issue is---

**Hon. Speaker:** Hon. Mitaa.

**Hon. Mitaa:** Yes.

**Hon. Speaker:** You are referring to page what? Page 9?

**Hon. Mitaa:** Yes, Madam Speaker.

**Hon. Speaker:** Number?

**Hon. Mitaa:** I am on number 9 sub title is 'disqualified during selection interviews.' That is the sub-title.

**Hon. Speaker:** Yes.

**Hon. Mitaa:** We have out of 12 applicants the following six were disqualified.

**Hon. Speaker:** I seem to have a different page myself. Because my page 9 reads 'disqualified during short listing out of 19 applicants the following seven were disqualified.' That is how mine is reading. What Hon. Mitaa wants to talk about is disqualified during selection which goes over to page 10.

**Hon. Mitaa:** Yes, Madam.

**Hon. Speaker:** So, just take us to page 10 straight away.

**Hon. Mitaa:** Okay.

**Hon. Speaker:** Alright, thank you.

**Hon. Mitaa:** The name of Mr. Alex Nyamai Kitili, is amongst the names which have been highlighted as disqualified during selection interviews. So, my question is, the same candidate has found himself up to the last stage. So, I assume if I get it right, he would have gone up to this stage.

Number two, Madam Speaker, is on page 20. Madam Speaker, I understand there were some qualifications which were needed for someone to go to stage two of the interviews but the candidate whose name is Janet Mwikali Kimeu, on the side of integrity, the candidate has attached two documents so, my question is, if she had two documents which were mandatory in the first stage, how come she went all the way to this stage?

*(Applause)*

The other issue my colleague has raised on one of the qualifications is that a candidate must have at least 10 years' experience in public affairs whereby I have seen the recommended candidate who is perceived to have come number one had only seven years. So, to me that was some sort of bending the law to have the candidate reach the stage which he reached.

*(Applause)*

I think also on page 22, one Rita Ndunge Ndunda, also did not give two documents. So, Madam Speaker, the same applies to page 23 on Faith Muendi Katunga who also did not give out three documents. So, Madam Speaker, in summary, I think the report to me does not qualify to find its way here because of the many errors.

*(Applause)*

.....which I have highlighted despite the fact I have just had the document for the last 15 minutes. So, I would also request this House that if we were to make any other follow up, to be given more time to go through the document. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Mitaa. Despite the caveat that you got the document only 15 minutes ago, you have done a lot of reading of it going by your submissions. So, you should not feel inadequate in any manner. Hon. Winnie.

**Hon. (Ms.) Mutua:** Thank you, Madam Speaker. I want to take this opportunity to thank the Committee, the Assembly Service Board for the good work they did, that was a commendable job. My problem is on regional balance, we have other places like Matungulu, we have Kangundo, we have many other places. Why do we always consider Machakos. Like for example we have Majority from Mua, we have a lady from Mua, why can't we have regional balancing? That is my question.

*(Applause)*

**Hon. Speaker:** Thank you, Hon. Winnie. Hon. Jeremiah.

**Hon. Munguti:** Thank you, Madam Speaker. My observation has been made by some of my colleagues but one observation that I have noted is that, on page number 12, according to the consultants who were doing the vetting of the Members who were shortlisted, 2(v), appointment of consultants when you read, 'the County Assembly Service Board contracted the services of Rovers Management Consultant Limited to undertake the selection process

The Firm was contracted after competitive bidding which had attracted the following firms; Great Focus Consultant, Platinum Blue Investment and Reeds which means that, even the consultant itself was actually not in the list of those who were vetting.

Secondly, it is about the number of years one should have in public affairs. I understand when I look at the Member who has been nominated to be number 1, the one named Nathaniel Nganga Reuben who has 31 years and has experience of seven years; I would like to know what are the parameters which were derived for him when he has seven years actually to be number one in the nominations of the candidates?

Through experience in this House, we had CECs who were nominated from the Executive and one of the parameters is that if one does not have a relevant degree of what is coming to actually attached in the department was a just direct disqualification.

At the same time we can have this Hon. Member who is called Nathaniel Nganga Reuben has an experience of seven years at the same time he finds his way even to the nominees who qualified.

On the same we have also Onesmus Mwanza Mutua, Madam Speaker, who did not have some of the documents which were needed during the interviews and also has found his way and had 74.7 per cent and was ranked number 6.

Actually, Madam Speaker, it looks queer to find some of these nominees who were presented before us. At the same time, it was my expectation that, after the interviews maybe this Hon. House could have given either three or five names so that we can deliberate on them and see what the pass mark was so that we can actually nominate a Member but not being nominated by the Board itself. Thank you, Madam Speaker.

*(Applause)*

**Hon. Speaker:** Thank you, Hon. Jeremiah. Hon. Muendo.

**Hon. Muendo:** Thank you, Madam Speaker. I would like to congratulate the Committee for a job well done although I have a problem with the way this was conducted by a contracted consultant firm knowing very clearly this is a House of laws and we follow the rules.

I was expecting maybe the committee to have given all these names to the Appointments Committee which belongs to this House because if we have done interviews of the CECs and we returned them because of experience, relevant degree, so, when we talk about Assembly Service Board, there is no way we can say the consultant is going to appoint for this House the Members of the Assembly Service Board. That will be bending the law.

*(Applause)*

The other ting when I look at it, this company Rovans, there is what they call selection instruments for the shortlisted candidates; these instruments look like they are skewed because, when we talk of ten years in public affairs, that must be it. 10 years.

When you look at the way they have awarded marks on that page; experience in public affairs- 10 marks, when you look down there, I don't want to read it; you look at academic and professional qualifications, they give the highest marks 20.

When you go to the last page were the Board is recommending what we should do, when you look at those rankings, number one actually to me should be the last because of what is required, even the advert was saying 10 years' experience. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Muendo. Hon. Steve Mwanthi.

**Hon. Mwanthi:** Thank you, Madam Speaker. I would like to correct some few things that have been said by some of the Hon. Members here; one is that when you turn to page 9, there you will find seven members were disqualified during shortlisting and other six were disqualified during the selection interviews. So, the name that we were given, number 5 of Nyamai Alex Kitili, the name was already disqualified.

**Hon. Speaker:** Hon. Steve, just resume your seat briefly. Hon. Maitha.

**Hon. Maitha:** Thank you, Madam Speaker. Is the Member in order to purport to correct when those who he is correcting have already contributed and sat down. Is he in order?

**Hon. Speaker:** Hon. Maitha, unless Hon. Steve is wrong, my understanding was that he wanted to say what the wordings mean. So, it is a way of expressing himself, maybe you can put it in a better way. What is your understanding of the reading? Explain.

**Hon. Mwanthi:** Thank you, Madam Speaker. My understanding of the reading is that we were just given reasons or the documents that one Alex Nyamai Kitili had given to the consultant because when you go to page 31 you will not find the name of Alex Kitili in the list of the recommended appointees.

So, it was in order for the committee to have the name of Nyamai Alex Kitili on the list of disqualified persons- we were only given details of the same in the document. Two---

**Hon. Speaker:** Point of information. Resume your seat Hon. Steve; point of information from Hon. Cosmus.

**Hon. Masesi:** Yes, Madam Speaker. I would like the Member to note that although the name appears on the disqualified members, when you open page 14 where they are giving reasons for disqualification, the name of Alex Nyamai Kitili is missing there for the reasons of disqualifying we have got only number one, two, three and four.

**Hon. Speaker:** Point of information taken. Hon. Steve Mwanthi, can you proceed and wind up your submissions.

**Hon. Mwanthi:** Thank you, Madam Speaker. The other issue was on page 12, we have county Assembly Service Board contracted the services of Rovans Management Consultant Limited to undertake the selection process. The firm was contracted after competitive bidding which had attracted the following other firms; so it means Rovans Management consultant Limited were also shortlisted. I think the Hon. Member who has said this was not shortlisted failed to read the word 'other firms.'

**Hon. Speaker:** Kizungu mingi.

*(Laughter)*

**Hon. Mwanthi:** Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Mwanthi. I will come back to you Hon. Francis Ngunga; I am leaving those who sat in the Board so that we hear the views of the other Members first. Hon. Grace.

**Hon. (Ms.) Mutwiwa:** Thank you, Madam Speaker. This is a commendable job which was done by that company. My concern is on page 26; qualifications-

- i. The candidate also has BSC Mathematics, statistics.
- ii. The candidate has Master of Public policy and Administration, certificate not attached.
- iii. The candidate has an Executive Masters of Public administration, certificate not attached.

We are talking about Nathaniel Nganga, a preferred candidate number one. Can it be clarified? Thank you.

**Hon. Speaker:** Thank you Hon. Grace. Hon. Mueni.

**Hon. (Ms.) Mueni:** Thank you, Madam Speaker. I think what we are concentrating on is not our work. We had hired committees which can do that work for us and they have been paid by the Assembly. So, I think every Member here can remember what is needed by his people at home and we forget about this thing and we employ the people, even if you say what or what, I think if we are told---

*(Laughter)*

**Hon. Speaker:** Order, Hon. Members.

**Hon. (Ms.) Mueni:** If we told everybody to bring somebody, you will go and bring your brother or your sister.

*(Laughter)*

So, we forget about this thing and we employ the people, if they can work. If they cannot work we take them home. So, it is on your own if you understand what we are doing, papers are nothing; you can remember that man---

**Hon. Speaker:** Hon. Mueni, hold on; please resume your seat, Hon. Mueni. Who has a point of order, Hon. Cosmos?

**Hon. Masesi:** Yes, Madam Speaker, is the Hon. Member in order to tell this House to forget the requirements of the member to the CASB?

**Hon. Speaker:** Hon. Mueni you are completely out of order. You can never tell the House to forget what the law requires it to do.

**Hon. (Ms.) Mueni:** Thank you, Madam Speaker. This House can remember that man who was brought by Uhuru in the House and he was a Standard seven Mheshimiwa and he went through.

*(Laughter)*

So we can continue and do whatever you want.

**Hon. Speaker:** Hon. Mueni, this is the County Assembly of Machakos. We hear you; you have finished your submissions. Hon. Mbevi.

**Hon. Mbevi:** Thank you, Madam Speaker. I want first to commend the committee that has done a wonderful job, detailed; my concern is on the qualifications. Page 29 where we have observations under Mr. Kitili ‘that it was observed that the nature of the candidate's experience had accorded him little exposure to relevant areas of public affairs especially those of relevance to the post.’

My concern is the measure, the way it was reached to know that or to gauge that this person with that experience, he cannot perform this duty.

*(Applause)*

My other concern on the same; how Mheshimiwa Winnie commented; in this Board we have our Majority Leader there and yet we can see in the same committee, a neighbor. I don't understand whether there will be conflict of interest or what. So, those are my two concerns. Thank you, Madam Speaker.

**Hon. Speaker:** Hon. Kisini.

**Hon. Kisini:** Thank you, Madam Speaker for granting me this opportunity. I want to congratulate the committee for the report which seems they burned the midnight oil to bring such a report. But it has some areas of concern; first, the appointment of that company which was vetting, we didn't see also how they fared to get number one.

Two, there are a lot of omissions maybe in terms of the candidates disqualifications before they come to settle to a certain candidate. To me, the report has some favoritism to some candidates while ignoring others.

*(Applause)*

**Hon. Speaker:** Point of information; Hon. Kisini please resume your seat briefly.

**Hon. Muendo:** Thank you, Madam Speaker. Let me inform the Member, the company looks like it is a briefcase company; it is registered in Mombasa and there are no directors. So, I think, Madam Speaker, this report should be taken back to the Board and we go and prepare new Members of those positions.

**Hon. Speaker:** Point of information taken but do you have evidence that the company is based in Mombasa, can you table it?

**Hon. Muendo:** Madam Speaker, nowadays we are in digital era; you can Google.

**Hon. Speaker:** Can you give us the website. If you don't have it you have to withdraw.

**Hon. Muendo:** Okay, I withdraw.

*(Laughter)*

**Hon. Speaker:** Hon. Kisini, continue and finalize.

**Hon. Kisini:** Thank you, Madam Speaker. I would say it was wrong to mislead the House in many aspects and I want to conclude and request---

**Hon. Speaker:** Order, Hon. Members.

**Hon. Kisini:** I want to request and use Kamba language which I will translate please which says, 'Mbui iisawa na kyaa kya mwene'. So, the goat is eaten according---

**Hon Speaker:** Hon. Kisini, I need to remind you the language of this House.

**Hon. Kisini:** I want to translate.

**Hon. Speaker:** Say it straight away without referring to the Kikamba language.

**Hon. Kisini:** How do I translate it?

**Hon. Speaker:** If you can't, leave it. You have to withdraw it.

**Hon. Kisini:** That a goat is eaten with one's finger.

*(Laughter)*

But, finally I want to say, let the will of the Hon. Members prevail.

**Hon. Speaker:** Order Hon. Members. If I may ask the Hon. Members, did you hear how the Member finalized his submissions? Alright, Hon. Museku.

**Hon. Museku:** Thank you, Madam Speaker. I would like to start by thanking the team, the CASB and the entire team which went into great lengths in the process trying to get the fourth and fifth Member of the CASB. We can see you have done a good job; a detailed report is in front of us with full details on how the process was done.

My question is on procedure; when it comes to appointing any officers whose mandate is supposed to be given by the county Assembly, the procedure is normally simple and as follows. For example, when the Governor is appointing CECs, he goes to the public, he shortlists, he nominates, he brings to the County Assembly, it goes to the Appointments Committee they are vetted, the Committee of appointment brings a report to the House and it is adopted.

*(Applause)*

When COs are being done the same, the Governor does the same. In this case, the CASB contracted instead of going to the public, they contracted a consultant to go and do the shortlisting for them and they brought three males and three female candidates who were shortlisted as being as the ones viable.

It was up to them, at that juncture to appoint two, if they are the appointing authority and present them to the Appointments Committee and request the Appointments Committee to vet those people and bring them to the Assembly for the Assembly to be able to approve them.

**Hon. Speaker:** Hon. Museku let me just inform you a little. Look at the First Schedule to the Act and it was read in the report. It is on page five, there is a schedule we call them regulations, look at regulation number 3 'the Board shall within 14 days after the last date of submission of the applications under paragraph two consider the applications, shortlist, conduct interviews and recommend the name of one applicant qualified for the position.' Alright? Thank you.

**Hon. Museku:** Agreed and well guided, Madam Speaker. Recommend is the key word. So when I look at the report, Madam Speaker, as I was going to proceed, on page 31, the CASB recommendations 'the Board recommends that the following candidates be admitted to the Board.' It is a recommendation. So, my submission was that this House has the powers to vet, discuss and approve, if we feel that the candidates meet the criteria met.

One question which has come out very clearly is on the issue of number of years in public service and the law does not give a range. But it appears like when the person was being told to do the interview was being given directions; he was given a range, he was told give one mark for each year.

So, if somebody has one year you give one mark, two years you give two marks like that. But in the law, I have not anywhere where a range is given, it is either at least 10 years. What I am trying to say, Hon. Members, is that the criteria we are going to use today should be consistent with any other criteria we are going to follow in this House for the rest of the Assembly. So, we must be consistent. Thank you, Madam Speaker.

**Hon. Ngunga:** Thank you, Madam Speaker. I stand here as a member of the Service Board to shed light on a few grey areas that I find might have fumbled Members the wrong way and need clarification. One of it is the fact that the CASB went ahead and contracted a body to

conduct interviews on its behalf. Madam Speaker, you are aware in the CASB, the Board was in order to contract and that is already provided for.

For the sake of conflicts of interest, the Board felt that if for example this people are to appear before us, we might be compromised in terms of interest because these people come from around we know them and therefore for us to be able to exhibit some impartiality, the Board felt we needed to contract an impartial body to conduct this. For your information Mr. Mark Muendo, the Rovans Body that was contracted is---

**Hon. Kisila:** He is Hon. Muendo.

**Hon. Ngunga:** Thank you, corrected. The Hon. Mark Muendo, my neighbor from Kinanie. I wanted to indicate that the Rovans body that was contracted by the Board is part of the Bodies that are pre-qualified by the Assembly and this is a Body that at one time that has been able to train us---

**Hon. King'ori:** Is Hon. Ngunga right to doubt the integrity of this House by saying that we shall have major interest that he sees we cannot perform our duties because of integrity.

**Hon. Ngunga:** Thank you, Madam Speaker for that protection and I would ask the Member to be a little more kin. I talked about the Board to be above board and so we felt that we needed to contract a body to give us a report and this is what we did. Madam Speaker of this Assembly---

*(Loud consultations)*

Madam Chair I need your protection.

**Hon. Maitha:** Madam Speaker, I want to ask whether the Hon. Majority Leader is in order to say this firm was above board when it said number one should be appointed when he has least experience. Is he in order to purport it was above board?

**Hon. Ngunga:** Thank you, Madam Speaker. Members please, let us be a little patient; listen to me please I have something to say. I was saying that Hon. Moffat for the sake of this House, the Rovans body is part of some of the service providers that give services to this Assembly so when we advertised for the service provider, Rovans was part of the service providers that were pre-qualified and they won the tender to interview these members.

So, Madam Speaker, when Members feel that the Board was not in order to contract a body, I think that needs to be corrected.

Again Madam Speaker, when Members feel that this member should have been referred to the committee on appointment for this business, I would like to refer to Members on the role of the Committee on Appointments and Standing Order 184---

**Hon. Speaker:** Hon. Francis Ngunga, we are past that because I gave my directions, we are guided by the First Schedule to the Act, which says that it is the Board that is to do the interviews, so just leave that point of argument. Go to another one.

**Hon. Ngunga:** Thank you, Madam Speaker. Then I will move again to when this report was presented to us, we looked at it, scrutinized it and some of the things that Members seem to be raising, we also raised those issues and one of the issues that came about was the selection items that the members used and this is found on the selection items were Members seem to be talking about the idea of qualification.

Madam Speaker, here I want to be seen not to be talking about anybody, I am just trying to advance an argument and the argument is that it needs to be known that when you are conducting or even when you are marking, those of us who do marking, there is what we call marking scheme; you can have question one as mandatory, question two is optional, you can chose not to do question one and do two three and still pass the exam.

What I am trying to say is that, you may not even have the requisite experience that we are saying but depending on how you present yourself---

*(Laughter)*

**Hon. Speaker:** Hon. Katumo, that is a laughter that is not allowed in this House, let us adopt a laughter for the House; a laughter for the House is not noisy, you just move your lips we see you are smiling, but not just laughing like you are doing now. Let us have order in the House.

**Hon. Ngunga:** Thank you, Madam Speaker for your protection. So, Members, I am saying, you might have a marking scheme that might not

**Hon. Mitaa:** Point of order Madam.

**Hon. Speaker:** I will have the Member finish his submissions; I will not allow the point of order. Proceed.

**Hon. Ngunga:** Thank you Madam Speaker. So, I am saying, Members please, let us scrutinize this thing looking at it critically with a pin eye so that we don't seem like we are carrying particular candidates here and the dangers of being ambivalent is the fact that, you will have baggage in your argument. Please, Members, I would want us to shed those baggage's and look at these members as though they are members of this community.

I have heard an argument about a lady that seems to come from Mua, I do not know this lady, Mua is a cosmopolitan area, there are Luhyas, Luos, and everybody lives in Mua. So, I may not know this kind of a lady, whether she is my neighbor. Mheshimiwa Dan, I don't know this particular person here, I will know her if she ever finds her way to the Board.

So, Members of this House, I want us to do as we have always done; reports have come to this House, we have discussed these reports and as friends, reports have seen their way of being adopted. The Assembly has been able to spend money to the tune of almost Ksh. 400,000 and so Members, this is your report from the Service Board that is chaired by the Speaker herself; if then you doubt the Speaker, do you then doubt your Majority Leader.

What I am trying to say Members is it is a report that we looked at thoroughly, there are recommendations that we are making and if you look at the recommendations, there is number one two three, so it is up to you Members to make your recommendations. Thank you, Madam Speaker.

**Hon. Speaker:** You don't give a point of order when the person on the feet has finished their submissions. Hon. Francis Ngunga resume your seat and I am telling you nobody is infallible even the pope they say is infallible but only Jesus and God are infallible. Let me hear Hon. Annastaciah.

**Hon. (Ms.) Mutuku:** Thank you, Madam Speaker. First, I want to commend the report, it is good but we need to do some edits and implement some things which are not understandable to the Members. Madam Speaker, I think we cannot constitute the law and we start again to violate the law. Kindly, it is my humble request we need to follow the law that if it is a requirement we need some documents attached with this document. Like certificates, there no certificates here, we are not sure whether it was inside the...because this is something incomplete.

So it is my humble request to have these CVs here and the entire documents so that we can clarify whether it was vetted in the right way. The second thing, I think we are 59 Hon. Members here and we need to make our decision together because I can see there are recommendations from other Members and this report is incomplete, Madam Speaker.

So it is my humble request because I see there were 19 candidates who were vetted in this document; if there is no time, I think we can do something; we can amend and recommend in this document if possible these 19 people on page---

**Hon. Speaker:** Page 9. Hon. Annastaciah, check if you want to refer us to page 9.

**Hon. (Ms.) Mutuku:** Yes. These 19 candidates vetted, I would request Hon. Members, through the Assembly Service Board, to bring this 19 members, so that we can vet them in or reject them. Thank you, Madam Speaker.

**Hon. Speaker:** I hear you Hon. Annstaciah. Hon. Kaloki.

**Hon. Kaloki:** Thank you, Madam Speaker. I think this report was well done but I stand to oppose it in totality in the sense that, I think the whole exercise seems to be a flawed exercise, Madam Speaker. If you refer to the case of the CECs, all the CVs and certificates were attached and we had the opportunity to go through each and every certificate, CV and the qualifications.

If you look at the report that was done by the consultant, it is incompetent; in fact the whole exercise should be overhauled and repeated afresh. The consultancy team that was picked; Rovans, I am not sure about their competence, expertise and impartiality when preparing this report.

Right from the word go, this consulting firm we have happened to know them through the corridors, they have always been meddling around this corridors and also canvassing and I was wondering whether they are internal or external consultants because they are always along the corridors. That makes us doubt the impartiality and competence and also the expertise of this team.

When you look at the report, how do you award the highest mark to the person who is the least competent; with seven years of experience and a graduate degree two master's degree which are not even attached and if they are not attached, why mention them in the first place.

*(Applause)*

If you look at the report, only two applicants have been subjected to an observation clause; why do you want to support or justify why you are disqualifying this particular candidate that is experienced and has qualifications. That does not warrant him to be qualified for this exercise while you have not mentioned the same for the other candidates.

It seems like there were clear instructions from some quarters. I appreciate the Service Board, you did a good job but the consulting firm has let us down but my plea is that let this exercise be totally overhauled and done again afresh; considering that the Service Board is a serious board for this Assembly.

This is not a get-together kind of a board; it is a board to manage the County Assembly of Machakos for the next five years and we want to work with serious people, competent personalities who can take this Assembly to the next level but not the likes of people who rundown or who have rundown institutions and political institutions to the level that we understand.

So, my plea is that we go back to the drawing board and the next time we are brought this report, kindly bring us the certificates and CVs of all the applicants without wasting our time. Thank you very much, Madam Speaker.

**Hon. Speaker:** Order, Hon. Members. Hon. Caleb, where is he; come to the table and reply.

**Hon. Mule:** Madam Speaker, I have read the mood of the House and I have cited some things that needed corrections. So, I wish to withdraw the report and bring it on that table. Thank you, Madam Speaker.

*(Applause)*

**Hon. Speaker:** Hon. Caleb, it being your motion, I cannot rule otherwise and I do accept the withdrawal of the motion.

## ADJOURNMENT

**Hon. Speaker:** Hon. Members, at this juncture the sitting.....order Hon. Members! I know this is a first experience in the House, it always comes. Every day is a day of learning. So, I am going adjourn the sitting now Hon. Members, we are going to resume at 2.30 p.m. and remember at 1 o'clock we still have our guests that we are going to entertain at lunch time and that will be at the cafeteria. Hon. Members it is so ordered.

The House rose at 12.26 p.m.