
COUNTY GOVERNMENT OF KITUI



**COUNTY ASSEMBLY OF KITUI
SECOND ASSEMBLY – (SECOND SESSION)**

**THE COMMITTEE ON FINANCE AND PLANNING
REPORT ON THE VETTING
OF:**

**1. MR. JUSTUS KALII MAKAU, NOMINEE FOR THE POSITION OF
COUNTY CHIEF OFFICER - DEPARTMENT OF ECONOMIC
PLANNING;**

AND

**2. MR. ENOCH KIMANZI NGUTHU, NOMINEE FOR THE POSITION
OF COUNTY CHIEF OFFICER - DEPARTMENT OF FINANCE.**

**CLERK OF ASSEMBLY CHAMBER'S
P. O BOX 694
KITUI**

MARCH, 2018

TABLE OF CONTENTS

1.0 PREFACE	3
1.1 Committee Membership.....	3
1.2 Committee’s Mandate	3
2.0 BACKGROUND INFORMATION	5
2.1 Notification to the public and submission of memoranda	5
2.2 Duties and Responsibilities of County Chief Officers.....	5
2.3 Notification from the Governor.....	5
2.4 Notification of the Nominee, Public and submission of memoranda ...	6
2.5 Committee Meetings.....	6
2.6 Acknowledgement	7
3.0 VETTING PROCESS	8
3.1 Mr. Enoch Kimanzi Nguthu - Nominee for the position of County Chief Officer, Department of Finance.....	8
3.2 Mr. Justus Kalii Makau - Nominee for the position of County Chief Officer, Department Of Economic Planning	10
4.0. COMMITTEE’S FINDINGS & OBSERVATIONS	13
5.0. COMMITTEE’S RECOMMENDATION	15

1.0 PREFACE

Mr. Speaker Sir,

On behalf of Members of the Committee on Finance and Planning and pursuant to the provisions of the Standing Orders No. 190 (5) (f), it is my pleasure and duty to present to the Assembly, the Committee's report on the vetting exercise of the Nominees of Kitui County Chief Officers for the Ministry of County Treasury.

1.1 Committee Membership

Mr. Speaker Sir,

The Committee on Finance and Planning comprises of the following members:

- | | |
|--------------------------------------|------------------|
| 1. Hon. Jehoshaphat Nzamba James - | Chairperson |
| 2. Hon. David M. Munyau - | Vice Chairperson |
| 3. Hon. Emeritus Kasee Musya - | Member |
| 4. Hon. Anthony John - | Member |
| 5. Hon. Nicholas N. Mwalali - | Member |
| 6. Hon. John Mbaki Mutuku Kisangau - | Member |
| 7. Hon. Johnson Kanandu- | Member |
| 8. Hon. James Mbuvi Wangunze Kula - | Member |
| 9. Hon. Charity Mwangangi - | Member |
| 10. Hon. Florence M. Singi - | Member |
| 11. Hon. Jefason Kiruru - | Member |

1.2 Committee's Mandate

Mr. Speaker sir,

Pursuant to Standing Order 190(5), the mandate of the Committee is to:

- i. Investigate, inquire into and report on all matters relating to the mandate, management, activities, administration, operation and estimates of the assigned department;
- ii. Study programs and policy objectives of departments and the effectiveness of the implementation;
- iii. Study and review all county legislation referred to it;

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- iv. Study, assess and analyze the relative success of departments as measured by the results obtained as compared with their stated objectives;
 - v. Investigate and inquire into all matters relating to the assigned departments as they may deem necessary, and as may be referred to them by the County Assembly;
 - vi. *To vet and report on all appointments where the constitution or any law requires the County Assembly to approve, except those under Standing Order 184(Committee on Appointments);* and
 - vii. Make reports and recommendations to the county assembly as often as possible, including recommendation of proposed legislation.

2.0 BACKGROUND INFORMATION

2.1 Notification to the public and submission of memoranda

Mr. Speaker Sir,

Pursuant to Article 179 (2) (b) of the constitution and the provisions of section 45 of the County Government Act 2012, which specifically states that the governor shall:-

- a) Nominate qualified and experienced County Chief Officers from among persons Competitively sourced and recommended by Public Service Board; and
- b) With the approval of the County Assembly, appoint County Chief Officers

2.2 Duties and Responsibilities of County Chief Officers

Mr. Speaker Sir,

- a. The County Chief Officer shall be responsible to the respective County Executive Committee Member for administration of the County department as provided under section 45 (3) and (4) of the County Government Act.
- b. The county chief officer shall be authorized officer in respect of the exercise of delegated power

2.3 Notification from the Governor

Mr. Speaker Sir,

On the 14th March, 2018, H E. the Governor Charity Kaluki Ngilu, through a message to the office of Speaker conveyed the names of the thirteen (13) nominees to the positions of County Chief Officers. Among them were Two (2) nominees for the positions of Chief Officer for the Ministry of County Treasury in the following departments:-

NAME OF NOMINEE	COUNTY DEPARTMENT
Mr. Enoch Kimanzi Nguthu	Finance
Mr. Justus Kalii Makau	Economic and Planning

Mr. Speaker Sir,

The said nominees were committed to the Committee on Finance and Planning for vetting and tabling of its report to the Assembly within Twenty one (21) days as provided for in Section 9 (1) of the Public Appointment (County Assemblies Approval) Act, No.5 of 2017.

2.4 Notification of the Nominee, Public and submission of memoranda

Mr. Speaker Sir,

On 15th March 2018, the Clerk of Assembly placed an advert in the print media on behalf of the Committees inviting the Nominees to appear before the Committee on 22nd March, 2018 for approval hearing.

Subsequently on the same advert, the public was expected to submit memoranda on the suitability or otherwise of the two (2) nominees through submission of memoranda (affidavit).

However, no memoranda were received from the public by the close of business on 20th March, 2018.

2.5 Committee Meetings

Mr. Speaker Sir,

The Committee held a total of two (2) sittings in which the nominees appeared before the Committee and were vetted in accordance to the provisions of the Public Appointment (County Assemblies Approval) Act, No.5 of 2017 and County Government Act, 2012.

The nominees submitted copies of the following:

- I. Curriculum vitae/personal credentials/academic certificates.
- II. Clearance certificates from the Ethics and Anti-Corruption Commission Compliance certificates from Kenya Revenue Authority (KRA).
- III. Clearance certificates from Higher Education Loans Board (HELB).
- IV. Certificates of Good Conduct from the Criminal Investigation Department (CID).

2.6 Acknowledgement

Mr. Speaker Sir,

I would like to thank the Members of the Committee and the secretariat for their dedication, commitment and valuable contribution in carrying out the process.

The committee is grateful to the Office of the Speaker and the Clerk of Assembly for the support given to the Committee in discharging its mandate.

It is therefore my pleasant duty and privilege, on behalf of the Finance and planning Committee to table this Report to the House for adoption.

Sign:

Date:

**Hon. Jehoshaphat Nzamba,
Chairperson, Committee on Finance and Planning**

3.0 VETTING PROCESS

In conducting the vetting exercise, the Finance and Planning Committee examined the nominees against the following criteria, among others in accordance with the Public Appointment (County Assemblies Approval) Act, No.5 of 2017:

- (i) Academic qualification
- (ii) Employment record
- (iii) Professional affiliations
- (iv) Potential conflict of interest
- (v) Knowledge of relevant field
- (vi) Overall suitability
- (vii) Tax compliance
- (viii) Integrity

During its Sitting held on Thursday 22nd March, 2018 at Committee room 2, the Committee orally interviewed the nominees.

3.1 Mr. Enoch Kimanzi Nguthu - Nominee for the position of County Chief Officer, Department of Finance.

Mr. Enoch Kimanzi Nguthu appeared before the committee on Thursday 22nd March, 2018 and orally responded to the questions from the Committee Members as follows:

Personal background

The Nominee was born in 1970 and he is married.

Academic qualification

He has a Master's Degree in Business Administration (Finance Option) from Nazarene University where he graduated in 2016 and Bachelors of Commerce (Accounting Option) from the University of Nairobi in 1993. He is also a Certified Public Accountant Kenya (CPAK). Further, Mr. Enock Kimanzi is Computer literate and holds a Certificate of K.A.C.E.

Employment record

The Nominee is the Deputy Chief Finance Officer, Kitui County Government, from 2013 to date.

From 2005- 2013 He was a Financial Forensic Investigator at Ethics Anti-Corruption Commission (EACC).

2004-2005, he worked as a Manager - Internal Audit, at International Centre for Insect Physiology.

2001-2003- He was Finance and Administration Manager at HACI Kenya.

1998-2000 - He was a Regional Finance Officer /Accountant at ACTIONAID.

1992-1998- Worked as a Senior Auditor at Ernst & Young in Nairobi.

Professional affiliation

He is a member of Institute of Certified Public Accountant-Kenya (ICPAK)

Potential conflict of interest

The Nominee stated that there would be no conflict of interest.

He further stated that he will strictly adhere to public Service code of conducts and maintain high degree of integrity, ethics and professionalism.

Overall suitability for position

The nominee submitted to the Committee that he is qualified for the appointment to the nominated position as he had the prerequisite academic credentials and work experience.

Knowledge of the relevant field

He was suited for the position having worked in private sector, Non-governmental organizations and the Kitui County Government as a Finance Officer.

Tax compliance

The Nominee was tax compliant and a Certificate to verify the same was availed.

Integrity

The Nominee had no criminal records as he was cleared by the Criminal Investigation Department (CID), he was not a beneficiary of Higher Education Loans Board Scheme (HELB) and provided a clearance certificate on the same.

Mr. Enoch Kimanzi Nguthu was not cleared by Ethics and Anti-corruption Commission (EACC) although he petitioned the EACC in the court of law on grounds of unfair dismissal where of the ruling was determined in his favour.

3.2 Mr. Justus Kalii Makau - Nominee for the position of County Chief Officer, Department Of Economic Planning

The Nominee appeared before the Committee on Thursday 22nd March, 2018.

In regard to his suitability to the aforementioned position, the Nominee responded to the Committee as follows:-

Personal Background

He said was born in Kitui county in the year 1977 and he is married.

Academic Qualification

The Nominee holds the following qualifications:

- Master in Arts in Economics –University of Nairobi 2008,
- Bachelor of Arts Egerton University 2004,
- Diploma from IMIS 1998,
- CPA Part I,
- Certified Monitoring and Evaluation Professional from KIM 2012,
- KCSE B Plain 1996 from St. Charles Lwanga School in Kitui.

Employment Record

- March 2013 to date **Project Economist** at Upper Tana Natural Resource MNGT Project under the Ministry of water and Irrigation.
- Ministry of Water and irrigation, Jan 2011 Feb 2013-Project Economist at Mt Kenya East Pilot for Natural Management under the Ministry of water and Irrigation.
- 2007-2010: Worked as an Economist District Development officer (Turkana) working with Ministry of State for planning, National Development and vision 2030.
- 2003-2006-Worked as Customer Service Advisor at Barclays Bank of Kenya.

Professional affiliation

- He is member of Evaluation Society of Kenya
- The Nominee is a Member of International Development Evaluation Association

Potential conflict of interest

The Nominee stated that he has no conflict of interest.

He further stated that he will strictly adhere to public Service code of conducts and maintain high degree of integrity, ethics and professionalism.

Overall suitability for position

The nominee stated that his academic qualifications and vast work experience suited the position nominated to.

Achievements

The Nominee has the following publications:

- External Public Debt Serving and Economic growth in Kenya: 1970-2003: An empirical Analysis.
- International Journals of Business and Social Services Vol 6 No. (1) September 2015

Knowledge of the relevant field

He has a knowledge and experience spanning over 10 years working in various Government departments thus enhancing his suitability to the nominated position.

Integrity

The Nominee had no criminal records as he was cleared by the Criminal Investigation Department (CID), he was not a beneficiary of Higher Education Loans Board Scheme (HELB) and provided a clearance certificate on the same.

Mr. Justus Kalii Makau was cleared by Ethics and Anti-corruption Commission.

4.0. COMMITTEE'S FINDINGS & OBSERVATIONS

After conducting the vetting exercise, the Committee proceeded for report writing retreat at Flamingo Beach Resort and Spa in Mombasa to scrutinize the nominees' oral submissions, curriculum vitae and certificates with the goal of establishing their suitability for appointment and subsequent to compile a report for tabling in the Assembly.

The committee made the following observations in regards to filled questionnaire pursuant to the first Schedule of Public Appointment (County Assemblies Approval) Act No.5 2017, and awarded the nominees the following marks.

Nominee's Name	Marks Obtained n Score %
1. Mr. Justus Kalii Makau	72.9%
2. Mr. Enoch K Nguthu	70.8%

Mr. Enoch Kimanzi Nguthu - Nominee for the position of County Chief Officer, Department of Finance.I

- i. The nominee has vast experience in the public service, started working as a junior staff and raising to the rank of Deputy Chief Finance officer.
- ii. He scored 70.8% in the assessment form and met the set criteria of surpassing the set pass mark of 65%.
- iii. The nominee has vast knowledge in finance portfolios with twenty year experience as a finance officer.
- iv. Mr. Enoch Kimanzi Nguthu was not cleared by Ethics and Anti-corruption Commission (EACC) although he petitioned the EACC in the court of law on grounds of unfair dismissal where the ruling was determined in his favour.
- v. The information outlined in section 8 (a) of the public Appointments (County Assemblies Approval) Act No.5 of 2017 provided by the County public service Board was not satisfactory to be relied upon by the Committee during the approval hearing.

Mr. Justus Kalii Makau - Nominee for the position of County Chief Officer, Department Of Economic Planning

- I. The nominee is vast with policy formulation and coordination. He's capable of articulating ideas on the same and further knowledgeable of operationisation of the County Statutory Documents.
- II. He scored 72.90% in the assessment form and met the set criteria of surpassing the set pass mark of 65%.
- III. He is eloquent in his submissions to the committee,
- IV. He is presentable and knowledgeable and conversant with the Ministry's aspirations and goals.
- V. The nominee has no integrity concerns since he is tax compliant and presented clearances from Kenya Revenue Authority (KRA), the Higher Education Loans Board (HELB), Ethics and Anti - Corruption Commission (EACC) and Criminal Investigation Department.

5.0. COMMITTEE'S RECOMMENDATION

Pursuant to Section 45 (1) of the County Government Act, Section 7(9) and 8 of the Public Appointment (county Assemblies Approval) No 5 Of 2017, Standing Orders and other relevant Statutes, Committee recommends to County Assembly for approval of the nomination of **Mr. Enock Kimanzi Nguthu** and **Mr. Justus Kalii Makau** for appointment by H.E. Governor as Chief Officers for Finance and Economic Planning departments respectively

Report Compiled by:

Patrick Mutua – Clerk Assistant

ANNEXES

1. Adoption of the report
2. Bio data
3. Adoption Minutes.