

REPUBLIC OF KENYA



COUNTY ASSEMBLY OF BOMET

SECOND ASSEMBLY- FIRST SESSION

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FINANCE, ICT & ECONOMIC PLANNING REPORT ON  
THE VETTING OF MRS. RAEL JEPTANUI ROTICH, THE  
CHIEF OFFICER NOMINEE FOR FINANCE

DECEMBER 2017

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## PREFACE

### 1.1 Committee composition

The Finance, ICT & Economic Planning are comprised of the following Honorable members:

1. Hon. Barchok Kipngetich – Chairperson
2. Hon. Jane Langat – V.Chair
3. Hon. David Langat
4. Hon. Philip Korir
5. Hon. Hellen Chepkorir
6. Hon. Wesley Bett
7. Hon. Ambrose Koech

### 1.2 Mandate of the Committee

County Assembly standing order 193 and the second schedule establishes Finance, ICT and Economic Planning to deal with subject area of all matters relating to the County Treasury, revenue policies, county economic planning and development including statistics and Information, Communication Technology.

Furthermore standing order 193(5) states the functions of a Sectoral Committee as follows:-

- a) *investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned departments;*
- b) *study the programme and policy objectives of departments and the effectiveness of the implementation;*
- c) *study and review all county legislation referred to it;*
- d) *study, assess and analyze the relative success of the departments as measured by the results obtained as compared with their stated objectives;*
- e) *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;*
- f) *to vet and report on all appointments where the Constitution or any law requires the County Assembly to approve, except those under Standing Order 188(Committee on Appointments) ; and*
- g) *make reports and recommendations to the County Assembly as often as possible, including recommendation of proposed legislation*

### **1.3 Acknowledgement**

I wish to thank the members of the committee on Finance, ICT & Economic Planning for dedicating their time and energy to vet the nominee and prepare this report. The Committee is equally grateful to the office of the Speaker and the Clerk of County Assembly for the support received as it discharged its mandate.

### **1.4 Committee meetings on vetting**

The Committee held three sittings in relation to the vetting of the nominee. Mrs. Rael Jeptanui Rottich of national identification number 9232142 appeared before the committee on 18<sup>th</sup> December 2017 and was vetted in accordance to the provisions of the County Government Act 2012 and Public Appointments (County Assemblies Approval) Act No. 5 of 2017 for consideration of appointment as Chief Officer for Economic Planning.

## 1.5 Affirmation and approval

Mr. Speaker sir,

It is therefore my pleasant duty and privilege, on behalf of the committee on Finance, ICT and Economic Planning to table this Report and recommend it to the House for adoption.

Signed




**THE HON. BARCHOK KIPNETICH**

**CHAIRPERSON, COMMITTEE ON FINANCE, ICT & ECONOMIC PLANNING**

Date

21.10.2017

We, honourable members of the committee on Finance, ICT & Economic Planning, do hereby affix our signatures to this report to affirm our approval, confirm its accuracy, validity and authenticity:-

| No. | Name                   | Position       | Signature   |
|-----|------------------------|----------------|---|
| 1.  | Hon. Barchok Kipnetich | Chairperson    |  |
| 2.  | Hon. Jane Langat       | V. Chairperson |  |
| 3.  | Hon. David Maritim     | Member         |  |
| 4.  | Hon. Philip Korir      | Member         |  |
| 5.  | Hon. Hellen Chepkorir  | Member         |  |
| 6.  | Hon. Wesley Bett       | Member         |  |
| 7.  | Hon. Ambrose Koech     | Member         |  |

## **1.5 Nomination of the Chief Officer for Finance**

**Mr. Speaker Sir,**

Pursuant to Article 179 (b) of the Constitution and the provisions of section 45 of the County Government Act, 2012, H.E. the Governor, vide a letter forwarded to the County Assembly Clerk on 5<sup>th</sup> December 2017 submitted among fourteen others Mrs. Rael Jeptanui Rottich as a Chief officer nominee for Finance for consideration and approval by this County Assembly to pave way for her appointment as the Bomet County Chief Officer for Finance:-

## **2 Vetting Process of the Chief Officer for Finance**

**Mr. Speaker Sir,**

This house can recall that, on 6<sup>th</sup> December 2017, the Hon. Speaker in his communication to the House directed that the name and Curriculum Vitae of the said nominee be referred to the Committee on Finance, ICT and Economic Planning for vetting and reporting to the House within 14 days.

### **2.1 Invitation of Memoranda from the Members of the public/interests groups**

**Mr. Speaker Sir,**

An advert was placed in the Daily Newspaper on Thursday, 9th December, 2017 inviting the public to submit any information/memorandum/petition that may have a bearing on the selection of the candidates. On 15<sup>th</sup> December 2017, one memorandum was received from Victor Kiplangat Korir on behalf of youth and the people of Kimulot ward where the nominee hails from.

### **2.2 Nominees's Credentials and Academic Certificates**

The nominee submitted copies of the following documents:-

- i. ID Card/Passport
- ii. Compliance Certificate from Kenya Revenue Authority (KRA)

- iii. Clearance Certificate from Higher Education Loans Board (HELB)
- iv. Clearance Certificate from Ethics and Anti- Corruption Commission (EACC)
- v. Certificate of Good Conduct from the Criminal Investigation Department
- vi. Clearance from respective professional bodies
- vii. Clearance Certificate from Credit Reference Bureau (CRB)
- viii. Accreditation from Commission of University Education for foreign degrees

**Mr. Speaker Sir,**

In conducting the vetting process, the committee examined the nominee against the following criteria, amongst others, in accordance with the Public Appointments (County Assemblies Approval) Act No.5 of 2017.

- i. Academic qualifications
- ii. Employment record
- iii. Professional affiliations
- iv. Potential conflict of interest
- v. Knowledge of the relevant field
- vi. Overall suitability for the position
- vii. Tax compliance
- viii. Integrity

**Mr. Speaker Sir,**

On 18<sup>th</sup> December 2017 the nominee appeared before the committee for vetting.

The nominee submitted originals/copies of the following documents:-

1. National Identity Card
2. Curriculum Vitae/ Personal credentials and the following academic and professional certificates
  - Masters Degree
  - Undergraduate Degree
  - Certified Public Accountants (CPA) certificate
  - Kenya Certificate of Secondary Education
3. Compliance Certificate from Kenya Revenue Authority (KRA)
4. Compliance certificate from Higher Education Loans Board (HELB)

5. Self-declaration form from the Ethics and Anti-Corruption Commission
6. Police clearance certificate
7. Clearance certificate from Credit Reference Bureau (CRB)

**Mr. Speaker Sir,**

**I. Academic Qualifications**

In regard to her academic qualifications, the committee noted that,

- The nominee is a holder of Masters in Business Administration from Nairobi University
- That she graduated in Bachelor of Commerce -Accounting(First class Hons), from University of Poona, India.
- She did her K.C.E at Kapsabet Girls High School in 1984

**II. Employment Record**

In regard to her employment record, the committee noted that she;

- Was working as a program accountant for Global Fund Program at the National Treasury from August 2014 to date
- Worked as an accounts controller at ERD unit in National Treasury from July 2013 to July 2014
- Worked as a head of accounting unit at Salaries and Remuneration Commission (SRC) from June 2012 to June 2013
- Worked as a head of accounting unit in acting capacity in the Ministry of Housing from 2008- may 2012
- Worked as project accountant a Global fund program unit in the ministry of health from 2006-2008
- Worked as a an accountant in-charge of expenditure control and cash management in the ministry of transport from 2003 to 2005
- Worked as a District Accountant in Bureti District Treasury from 2002-2003

**2.3 Potential Conflict of Interest**

The nominee stated and filled a questionnaire that she had no areas that would create potential conflict of interest.



## **2.4 Knowledge of the Relevant Field**

The nominee currently works with the National Treasury as a program accountant for Global Fund Program. She has previously worked with the same Ministry (July 2013 to July 2014) as an accounts controller disbursement unit. She has also worked as a Chief Accountant for Salaries and Remuneration Commission. During the interrogation process, the committee observed that she is well versed in Accounts and Financial Management.

## **2.5 Integrity**

The nominee provided up to date certificate of good conduct from the Criminal Investigation department, certificate Higher Education Loans Board, clearance from credit reference Bureau as well as self-declaration form from Ethics and anti-corruption commission.

## **2.6 Committee's Interrogation and Nominee's Oral Submissions**

### **2.6.1 Interrogation**

The committee interrogated the nominee on areas ranging from the roles and duties of the CO finance as stipulated in the PFM Act to the functions, powers and responsibilities of the county treasury. The committee also established to know from the nominee her knowledge and appreciation on the preparation of budgets in a programme based format as well as the county budget process. She was asked on strategies that she will put in place to address the Bomet County's declining and erratic local revenue collections. the committee interrogated her on the reasons for the growing pending bills and how she intends to address them if appointed the CO for Finance. She was put to task to explain the strategies she intends to put in place to ensure proper cash flow management in relation to the county's expenditure needs. The committee sought to know her strategies of reducing recurrent expenditure so as to release more resources for development expenditure. She was asked on the reasons, conditions and limits underpinning the preparation and approval of a supplementary budget. She was also put to task on how she intends to comply with the fiscal responsibility principles envisaged in section 107 of the PFM Act. The committee further sought to know how she will integrate planning and budgeting as well as how she intends to implement 7 point plan in the governor's manifesto. The committee further sought to know if the nominee had any conflict of interest. She was asked on areas she would be bound by national values stipulated in Article 10(1) of the constitution as the CO Finance. Finally the

committee enquired to know the ward and sub-county where she comes from and concluded by establishing the validity and availability of the required documents.

### **2.6.2 Nominee's Oral Submissions**

The nominee introduced herself as well as the roles she was expected to perform as the CO for Finance. In her response, the nominee provided strategies on possible reasons for the declining local revenue and stated some of the strategies which should be put in place to address the issue. She explained in detail the possible causes of the pending bills and provided strategies of how she intends to address the issue. Some of the causes she stated includes failure by the county treasury to receive all the estimated revenue, diversion of funds for non-budgeted items as well as unsupported/fraudulent claims. She stated that she will assess all the pending bills to ensure that those being settled are properly supported. She stated that she will ensure that the spending units stick to their approved budget so as to address issues of cash flow management and pending bills. She submitted that in order to increase allocations for development expenditure, other items on recurrent expenditure including cuts on travel allowances should be considered.

She honestly stated that she could not state the conditions and limits underpinning the preparation and approval of supplementary budget. She stated that budgets must be submitted by votes and programmes. She honestly stated that she could not state any of the fiscal responsibility principles as queried by the committee. She further committed to ensure that budgets are prepared according to plans. On the solution of MTEF on incomplete projects, she stated that projects which may require huge funding will be funded in phases. She committed herself to ensure follow up on why resolutions made by assembly were not implemented by the past regime with a view to implementing them. She further submitted upon inquiry that she doesn't anticipate any significant challenge in her role as the CO Finance. On Governor's 7-point manifesto, she stated that while she had read it, she had not internalized and conceptualized on how to implement it but will do so if appointed. She stated that she had no potential conflict of interest and if any arose in her role as the CO, she will excuse herself from participating in it. Upon being queried by the committee, she stated the circumstances within which national values and principles bound her as the CO Finance. Finally, she promised to provide an up to date clearance certificate from credit reference Bureau.

## **3 COMMITTEE'S FINDINGS AND OBSERVATIONS**

**Mr. Speaker Sir,**

The Committee made the following findings and observations on the nominee;

- I. **Academic Qualification:** The committee noted that the nominee possesses a master's degree in Business Administration (MBA) from Nairobi University and Bachelor of Commerce degree (Accounting Option) from POONA university, India and therefore had relevant academic qualifications.
- II. **Memoranda contesting the suitability of the Nominee:** The committee received one memorandum from Victor Kiplangat Korir from kimulot challenging the nomination of Rael Jeptanui Rotich as the chief officer finance.

#### **Issues raised in the Memoranda**

Mr. Korir avers that he is a youth leader from Kimulot and was presenting the memorandum on behalf of the youth of Kimulot Ward. He argued that the nomination of Rael Rottich on the basis that she comes from Kimulot Ward was a misrepresentation of facts since according to him she does not live in Kimulot ward neither is she a registered voter.

**Legal Opinion:** Upon seeking for a Legal opinion, the committee was advised that the provisions of Section 45 of the County Governments Act on the appointment of Chief Officers do not require one to be a resident or even a registered voter to be eligible for appointment. The legal team further noted that the advert inviting persons to apply for the position only required the residents of Bomet to state their sub-county, ward and location in their application but was not one of the requirements for appointment.

**Committee Decision:** having reviewed the memorandum submitted by Victor Kiplangat Korir contesting the residence of Rael Jeptanui Rottich, the CO nominee for Finance, the committee established that her National Identity card indicates that she comes from Bureti District, Kimulot Division, Kimulot location, Chebangang Sub-location. Further guided by legal opinion the committee observed that the issues raised in the memorandum cannot bar Rael Jeptanui Rottich, from being considered for appointment as the CO for Finance.

## **4 COMMITTEE'S RECCOMENDATIONS**

**Mr. Speaker Sir,**

Honourable members, in view of the stated findings and observations, the committee found that the nominee was suitable and fit to be appointed as the Chief Officer for Finance. The committee therefore strongly recommends that this house approves Mrs. Rael Jeptanui Rottich of National Identification card number 9232142 for appointment as the Chief Officer for Finance.