

REPUBLIC OF KENYA



BOMET COUNTY

BOMET COUNTY ASSEMBLY

SECOND ASSEMBLY-FIRST SESSION

**COMMITTEE ON TRADE, TOURISM, INDUSTRY AND
COOPERATIVES**

REPORT

**ON NOMINATION FOR APPOINTMENT TO THE POSITION OF
CHIEF OFFICER FOR COOPERATIVES AND MARKETING**

DECEMBER, 2017

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ANNEXURES

1. Committee Minutes

1.0 PREFACE

Mr. Speaker Sir,

On behalf of the Committee on Trade, Tourism, Industry and Cooperatives pursuant to Standing Order 193(5) (f) it is my pleasure and duty to present to the House, the Committee's report on the vetting of the Chief Officer for Cooperatives and Marketing.

This is one of the Sectoral committees established under the Standing Orders 193(1) which provides that the Committee shall consider, for approval by the County Assembly, appointments under Section 45(1) (b) of the County Government Act, 2012.

1.1 Committee Membership

Mr. Speaker Sir,

The Committee on Trade, Tourism, Industry and Cooperatives as currently constituted, comprises of the following members:-

1. Hon. David Maritim - Chairperson
2. Hon. Marcella Chepkirui - Vice Chairperson
3. Hon. Charles Langat- Member
4. Hon. Alfred Langat- Member
5. Hon. Barchok Kipngetich- Member
6. Hon. Robert Rono- Member
7. Hon. Samwel Keter- Member

1.2 Committee's Mandate

Mr. Speaker Sir,

The Trade, Tourism, Industry and Cooperatives Committee is constituted under the provisions of Standing Orders to undertake such functions as provided for in the Standing Order no. 193(5) which defines its functions as being:

- a) To investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned ministries and departments;
- b) To study the program and policy objectives of ministries and departments and the effectiveness of their implementation;
- c) To study and review all legislation referred to it;
- d) To study, assess and analyze the relative success of the ministries and departments measured by the results obtained as compared with their stated objectives;
- e) To investigate and inquire into all matters relating to the assigned ministries and departments as may be deemed necessary, and as may be referred to it by the House or a minister;
- 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 187 (Committee on appointments); and
- g) To make reports and recommendations to the House as often as possible, including recommendations of proposed legislation.

1.3 Nomination of the County Chief Officer In charge of the department of Cooperatives and Marketing

1.3 Nomination of the County Chief Officer In charge of the department of Cooperatives and Marketing

Mr. Speaker,

Pursuant to Section 45(1) (a) of the County Governments Act, 2012, the Governor forwarded to the Speaker of the County Assembly, the name of Mr. Job Ngetich Towett vide letter dated 5th December, 2017 for vetting and approval by the County Assembly for appointment as the County Chief Officer In charge of the department of Cooperatives and Marketing. The nominee was then committed to the Committee on Trade, Industry, Tourism and Cooperatives which was to

conduct vetting of the nominee and report to the Assembly as provided for under the Public Appointments (County Assemblies Approval) Act, 2017.

1.4 Committee Meetings

Mr. Speaker Sir,

The committee held a total two meetings and in one of the meetings the said nominee appeared for vetting in accordance with the Public Appointments (County Assemblies Approval) Act, 2017 for appointment as the Chief Officer in charge of the department of Cooperatives and Marketing.

The Committee resolved to invite the nominee for an approval hearing at the County Assembly's Chamber on Monday 18th December, 2017. In conducting the vetting exercise, the Committee made reference to the Constitution, the Public Appointments (County Assemblies Approval) Act, 2017, the County Governments Act, 2012 and the County Assembly Standing Orders.

The Committee complied with the Constitutional and legal requirements and the established procedures for vetting. It ensured that there was public participation and openness in carrying out the vetting exercise. Notifications and invitations to the public to submit memoranda were placed in the mainstream print media as required by law.

1.5 COMMITTEE ON TRADE, TOURISM, INDUSTRY AND COOPERATIVES NOMINEE FOR COOPERATIVES AND MARKETING

Job Ngetich Towett

The nominee stated that he was currently working at the County Government of Bomet as the Ag. Chief Officer in the department of Trade, Energy, Tourism and Industry (TETI).

The nominee stated that he was interested in working in the department of cooperatives and marketing since his he has gained experience in the same department and also in the roles of the department.

The nominee was conversant with the roles of the Chief Officer. He was cognizant of his major roles including being the Accounting officer of the department, general administration, Development and implementation of policies in line with vision 2030.

Additionally his role was to mobilize and effectively utilize resources within department in accordance with the County Integrated Development Plan (CIDP).

1.6 RESOURCE MOBILIZATION

Nominee said he would develop resources mobilization policy that would regulate and implement resources prudently.

He would develop a resource strategy that would ensure its effectiveness. The nominee said he would establish linkages that were important in the County programs since they would assist in financing and capacity building. He would encourage public, private, partnership (PPP) since the county funding to the department was not enough. Resource mobilization enhances the resources to support the gap in the department.

1.7 ROLES SUPPORTING GOVERNOR'S MANIFESTO

The nominee when asked about how he would serve to support the governor's manifesto he was able to respond the following:-

That he would implement the County Integrated Development Plan (CIDP) thus achieving the goal of the governor gradually.

He would as well do frequent consultation with other stake holder departments.

1.8 CHALLENGES IN THE PREVIOUS GOVERNMENT AND EXPECTATION IN THE CURRENT

Noting that the nominee has been working at the national government and the County Government he was aware of the challenges within the department and was up to the task to since his experience was enough to come up with the remedy.

The nominee encouraged the county government to allocate more resources to the department so that he could add value to the raw materials hence creating jobs and competition for the raw material as well.

Remedy for the challenges within the department

The nominee in his response had a number of solutions to the problems in his department.

If appointed the Chief Officer he would encourage the formation of cooperatives societies since it is a union of several people with common goal and therefore the ideas manifested in the cooperatives would benefit the society at large through job creation and more money in the circulation.

The nominee was confident to create the new markets in the tea sector through marketing as one of his professional aspects. He would develop strategies that support equality, stability and vibrancy of the cooperatives and marketing as well.

1.9 COMPARATIVE RATING

The nominee when asked new areas he would explore in the current government as compared to the previous he said, politics had taken the centre stage and therefore he could not explore his full professionalism.

1.10 COMMUNITY SOCIAL RESPONSIBILITIES

The nominee stated that he has supported 6 students to go and study in the United States of America as a way of giving back to the society

2.0 Acknowledgement

Mr. Speaker Sir,

The Committee wishes to thank the Office of the Speaker, the Clerk and staff of the County Assembly for the logistical support accorded to it during the vetting exercise and execution of the committee's mandate.

As Chairperson of the Committee, I wish to thank all Members of the Committee for their patience, sacrifice, endurance and commitment to complete the task within the stipulated period.

The Committee made several findings on the nominee during the vetting exercise. These findings guided the Committee in making its final recommendation. The Committee's final recommendation was based on the information by the nominee from the proceedings of the Committee during the vetting exercise, the constitution and all other relevant statutes. This recommendation was agreed upon by the Committee Members during the adoption of the Report on Thursday 21st December, 2017.

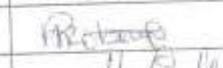
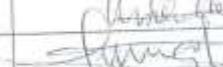
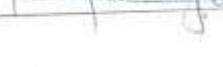
Finally, on behalf of the Committee, and pursuant to Section 9 (2) of the Public Appointments (County Assemblies Approval) Act No.5 of 2017 and Standing Order No.193 (5) (f), on behalf of the Committee on Agriculture, Livestock and Fisheries, I have the honour and pleasure to present the committee's report on vetting of the nominee, Mr. Job Ngetich Towett for appointment as the County Chief Officer in charge of the department of Cooperatives and Marketing.

SIGNED..........DATE: 2/12/2017

Hon. David Maritim
Chairperson
Committee on Trade, Tourism, Industry and Cooperatives.

3.0 Ownership of the Report

We, the members of Trade, Industry, Tourism and Cooperatives committee, do append our signatures against our names to this report to affirm the correctness of the contents and support for the report;

No.	Name	Designation	Signature
1.	Hon. David Maritim	Chair	
2.	Hon. Marcella Chepkirui	V/Chair	
3.	Hon. Barchok Kipngetch	Member	
4.	Hon. Langat Alfred	Member	
5.	Hon. Rono Robert	Member	
6.	Hon. Keter Samwel	Member	
7.	Hon. Charles Langat	Member	

Dated this.....⁵¹
21.....of December, 2017

4.0 Background

The Committee on Trade, Tourism, Industry and Cooperatives is one of the Sectoral committees established under Standing order No. 193(1) and deals with all county matters relating to Cooperatives and Marketing that require the County Assembly's approval.

4.1 Issues for consideration in conducting the Approval hearing

Section 45 of the County Governments Act establishes the office of the County Chief Officer. The section requires the Governor to nominate and with the approval of the County Assembly, appoint County Chief Officers.

Section 45 (1) of the County Governments Act further provides that the Governor shall-

- a) nominate qualified and experienced county chief officers from among persons competitively sourced and recommended by the County Public Service Board; and;
- b) with the approval of the county assembly, appoint county Chief Officers.

Additionally, the procedure for approval hearing, issues for consideration and the period for consideration and reporting is provided for under the Public Appointments (County Assemblies Approval) Act, No. 5 of 2017.

Article 73(2) of the Constitution on Leadership and Integrity provides guiding principles of leadership and integrity which include;

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

4.2 Appointment Process of a County Chief Officer

Pursuant to Section 45 (1) of the County Governments Act, 2012, the Governor forwarded to the Speaker of the County Assembly, the name of Mr. Job Ngetich Towett vide a letter dated 5th December, 2017 for vetting and consideration for approval by the County Assembly for appointment as the County Chief Officer in charge of Cooperatives and Marketing

On 6th December, 2017, the name of the nominee was tabled in the Assembly and the Hon. Speaker directed that the nominee be referred to the Committee on Trade, Tourism, Industry and Cooperatives for vetting and report to the Assembly within 14 days.

4.3 Notification to the nominee

On 9th December, 2017, the Clerk of the Assembly, pursuant to Section 7(4) of the **Public Appointments (County Assemblies Approval) Act, No. 5 of 2017** notified the nominee of the time and place for holding the approval hearing through an advert in the print media.

4.4 Notification to the public

The public was expected to participate in the vetting process through submission of memoranda (affidavit) on the suitability of the nominee in accordance with section 7(10) of the Public Appointments (County Assemblies Approval) Act No.5 of 2017. On 9th December, 2017, pursuant to section 7(4) of the Public Appointments (County Assemblies Approval) Act, the Clerk of the County Assembly placed an advertisement in the print media and the Assembly's website inviting the public to submit memoranda by Friday 15th December, 2017 on the said nominee.

4.5 Committee meetings

The Committee conducted a vetting session on Monday 18th December, 2017. However, before the nominee was invited to appear; the committee held a session in order to deliberate and agree on the mode of vetting in line with the Public Appointments (County Assemblies Approval) Act No.5 of 2017.

4.6 Submission of memoranda

Mr. Speaker Sir,

Section 7(10) of the Public Appointments (County Assemblies Approval) Act No.5 of 2017 provides that any person may, prior to the approval hearing, and by written statement on oath, provide the Clerk with evidence contesting the suitability of a candidate to hold the office to which the candidate has been nominated.

At the close of business on Friday, 15th December, 2017, the Committee had not received any memoranda from the public.

4.7 The Vetting Process

The committee allocated the nominee a maximum of one and a half hours for vetting. In conducting the vetting exercise, the Committee was guided by, among other documents, the Constitution, the Public Appointments (County Assemblies Approval) Act No.5 of 2017 and the County Assembly Standing Orders.

The Committee also considered the following criteria in vetting the nominee;

- a) Employment record and work experience
- b) Public office, political activities and affiliations
- c) Potential conflict of interest
- d) Suitability to the position
- e) Integrity
- f) General knowledge on public affairs

4.8 Submission of relevant documents from the nominee

The committee received the following documents from the nominee;

- i. Curriculum Vitae, personal credentials and academic certificates.
- ii. Online Compliance Certificate from Kenya Revenue Authority (KRA)
- iii. Clearance Certificate from the Ethics and Anti-Corruption Commission (EACC).
- iv. Clearance Certificate from the Higher Education Loans Board (HELB)
- v. Police Clearance Certificate from the Criminal Investigation Department (CID).
- vi. Clearance Certificate from Credit Reference Bureau (CRB)

4.9 Vetting of Mr. Job Ngetich Towett;

County Chief Officer for Cooperatives and Marketing nominee Mr. Job Ngetich Towett appeared before the Committee on Monday 18th December, 2017.

After introductions, the Chairperson informed the nominee that despite the Assembly inviting the public to make any submissions on his suitability for appointment to the public office, none had been received.

The nominee in regard to his suitability for appointment as the Chief Officer for Cooperatives and Marketing stated to the Committee as follows;

i) Academic Qualifications

- a) He is currently pursuing Masters Degree at Management University of Africa.
- b) He graduated with Bachelor of Science – Finance, Bachelor of Science – Business Administration, Indiana University, 2000.

ii) Professional Training

He has wealth of experience in various levels of management and in resource mobilization.

Employment Record

- The nominee has a cumulative experience of over twelve years of service at management level and six years as a middle level officer.
 - He is currently serving as acting Chief Officer in charge of Trade, Energy, Tourism and Energy, a position he has held since November 2017.

 - He has served as a director in charge of Resource Mobilization at Bomet County Government from August 2016 to August 2017.
 - He served at Kenya Industrial Research and Development Institute (KIRDI) as Assistant Director for Resource Mobilization from January 2013 to May 2016.
 - He also served at Access Corporation as a senior financial Consultant for 4 years.
 - He served Huron Consulting Group for 4 years as a senior Financial Consultant in Internal Audit department.
- He also served at KPMG as a financial Analyst for 3 years where he performed Application Reconciliation and Budgeting.

He served as a Financial Analyst at General Electric (G.E) for 3 years where he did Bank & Account Reconciliation and Statement Preparation.

iv) Potential Conflict of Interest

His filled questionnaire indicated that there were no areas that would create potential conflict of interest.

v) Overall Suitability for the Position

- Has knowledge, exposure and experience of over 10 years in the banking sector where he served in leadership and management levels.
- The nominee submitted academic credentials to the Committee that he was qualified to be appointed to the position because he had the requisite academic qualifications.
- The nominee met all the stipulated Constitutional and statutory requirements for nomination and approval.

vi) Knowledge of the Relevant Field

- From his submission during vetting he demonstrated knowledge, skills and experience in leadership and management in Cooperatives and Marketing development issues, institutional management.
- He was also conversant with role of the Counties in Cooperatives and Marketing, as well as laws and policies related to Cooperatives and Marketing.

vi) Tax Compliance

He fully complied with all his tax obligations.

vii) Integrity

He had no integrity issues and provided a police clearance certificate to substantiate this.

He was not a beneficiary of the Higher Education Loans Board Scheme he submitted certificate.

In addition, the nominee did attach a copy of a Certificate from the ethics and Anti-Corruption Commission and Credit Reference Bureau. Therefore, he had fully complied with the laid down requirements of being appointed to the said position.

After conducting the vetting of the nominee on Monday 18th December, 2017 the Committee dedicated the next sitting to scrutiny of the nominee's oral submissions, Curriculum Vitae and Certificates with the goal of establishing his suitability for appointment as the Chief Officer for Cooperatives and Marketing.

5.0 Committee's Observations and findings

The Committee made the following observations in regard to the general suitability of the nominee Mr. Job Ngetich Towett to be appointed as Chief Officer for Cooperatives and Marketing when he appeared before the committee on Monday 18th December, 2017, the nominee submitted to the committee as follows;

- i. He indicated that he comes from Nyongores Ward in Chepalungu Sub-County.
- ii. He also indicated that he attended Njoro High School for 'O' Level
- iii. Mr. Job Ngetich Towett currently pursuing Masters Degree at Management University of Africa.
- iv. He graduated with Bachelor of Science in Finance and Bachelor of Science in Business Administration, Indiana University, 2000.
- v. When asked on the roles and duties of a Chief Officer in the department, the nominee indicated that some of the roles of a Chief Officer would include being an accounting officer of the department, doing administrative duties, supervising the staff under the department, preparation of reports and linking the department with the donors and stakeholders.
- vi. On how the nominee would utilize his professional skills that he has gained in previous employment, the committee observed that his previous employment has helped build his negotiation, research ,communication, leadership and team building skills.
- vii. Mr. Job Ngetich Towett understands what he is expected to do in the County department of Cooperatives and Marketing. He demonstrated this by explaining to the committee the dependent and independent variables to attain vision 2030 for the county and the roles of County Chief Officer in the department;
- viii. The nominee in his submission was cognizant of the challenges likely to encounter within his department and its possible remedy.
- ix. Mr. Job Ngetich Towett understands what he is expected to do in the County department of Cooperatives and Marketing. He has wide experience of over 10 years in the finance and banking field and in relation to Cooperatives and Marketing having managed and oversaw
- x. He is well versed with managerial skills which he promised would enable him offer advisory services to the department he anticipate to serve.

- xi. The procedure and the requirements for appointment to the position of Chief Officer was followed in the appointment of Mr. Job Ngetich Towett. He understands what he is expected to perform in the County department of Cooperatives and Marketing.
- xii. That he has clear understanding and appreciation of the role of the office of County Chief Officer as established under the relevant law.
- xiii. That he had submitted required documents including clearance certificates from KRA, HELB, Criminal Investigation Department, Credit Reference Bureau and Ethics and Anti-corruption Commission for assessment of compliance with requirements of Leadership and Integrity Act.
- xiv. That on the basis of his professional background, his experience was relevant in discharging the mandate of the County Chief Officer for Cooperatives and Marketing in the County.
- xv. The Committee found Mr. Job Ngetich Towett suitable for appointment as the County Chief Officer in charge of the Department of Cooperatives and Marketing.
- xvi. Out of the above observations, on 21st December, 2017 all the members of Trade, Industry, Cooperatives and Tourism Committee unanimously adopted the report to approve the appointment of the nominee Mr. Job Ngetich Towett as the Chief Officer for Cooperatives and Marketing.

6.0 RECOMMENDATION OF THE COMMITTEE

At the end of the vetting process, the Committee made the following recommendation:-

- i.** That having considered the suitability, capacity and integrity of the nominee, and pursuant to **Section 9(2) of Public Appointments (County Assemblies Approval) Act No.5 of 2017**, the Committee recommends that the County Assembly **approves** the nomination and subsequent appointment of Mr. Job Ngetich Towett as Bomet County Chief Officer, in charge of the department of Cooperatives and Marketing