

**REPUBLIC OF KENYA**



**BOMET COUNTY ASSEMBLY**

**ASSEMBLY DEBATES**

**(OFFICIAL REPORT)**

**DAILY HANSARD**

**Wednesday 1<sup>st</sup> July, 2020**

**PLENARY**

**BOMET COUNTY ASSEMBLY**

## OFFICIAL HANSARD REPORT

**Wednesday 1<sup>st</sup> July, 2020**

*The Assembly met at the Chamber,*

*Main Assembly Buildings at 2:30 p.m.*

*[The Acting Speaker (Hon. Wesley Kiprotich) in the Chair]*

### PRAYER

**Hon. Acting Speaker** (Hon. W. Kiprotich): Hon. Members, I welcome you to this afternoon session. Hon. Langat.

**Hon. A. Langat:** Hon. Acting Speaker, on a pint of order. Am I in order that the Chair should communicate to this House on the steps taken to curb the spread of Covid-19? The Chair had earlier communicated that Members should avoid sharing facilities. The Members have interrupted the sitting arrangement and the seats are not labeled.

Thank you.

**Hon. Acting Speaker** (Hon. W. Kiprotich): Hon. A. Langat, I thank you for that consideration. Hon. Members, I made a Communication in the morning for your own good. I, therefore, direct that the subsequent sittings, the Chair's protocols should be strictly adhered to. The Serjeant-At-Arms should sanitize the seat that Hon. Kelong sat before changing seats. Next order.

### PAPERS

REPORT OF THE COMMITTEE ON FINANCE, ICT AND ECONOMIC PLANNING ON THE

Vetting of the Nominee for Appointment to The Position of the Chief Officer of Finance.

**Hon. Acting Speaker** (Hon. W. Kiprotich): Hon. Barchok.

**Hon. K. Barchok:** Hon. Acting Speaker, I beg to lay the following Paper;

The Report of the Committee on Finance, ICT and Economic Planning on the vetting of the nominee for appointment to the position of the Chief Officer of Finance. I beg to lay.

*(The Hon. Barchok laid the document)*

**Hon. Acting Speaker** (Hon. W. Kiprotich): Hon. Members, the Report is committed to the House Business Committee.

### NOTICES OF MOTION

**Hon. Acting Speaker** (Hon. W. Kiprotich): Hon. Barchok.

**Hon. K. Barchok:** Hon. Acting Speaker, I beg to give notice of the following Motion;

That pursuant to the Standing Order No. 193 (5), this County Assembly adopts the Report of the Committee on Finance, ICT and Economic Planning on the vetting of the nominee for appointment to the position of the Chief Officer of Finance and pursuant to Section 45 (1) (b) of the County Governments Act, 2012, approve the nomination of Mr. Benard Kibet Cheruiyot for appointment as the County Chief Officer of Finance.

Thank you.

**Hon. Acting Speaker** (Hon. W. Kiprotich): The notice is now committed to the House Business Committee.

*(The Clerk At-The Table consults with the Acting Speaker)*

**Hon. Acting Speaker** (Hon. W. Kiprotich): Hon. Members, the two Papers laid have some required urgency. Pursuant to Standing Order No. 30, I direct that the House Business Committee meets immediately after this session.

Therefore, I suspend the Sitting for a period of 15 minutes during which time the House Business Committee shall convene and look at the business committed before them and advise accordingly. The House now stands adjourned.

*(The House is suspended for 15 minutes)*

*(The Serjeant-At-Arms covers the mace)*

*(House resumes)*

**Hon. Acting Speaker** (Hon. W. Kiprotich): Hon. Members, the House now resumes its business. The House Business Committee has considered its business.

### MOTION

**Hon. K. Barchok:** Hon. Acting Speaker, I beg to move the following Motion;

That pursuant to the Standing Order No. 193 (5), this County Assembly adopts the Report of the Committee on Finance, ICT and Economic Planning on the vetting of the nominee for appointment to the position of the Chief Officer of Finance and pursuant to Section 45 (1) (b) of the County Governments Act, 2012, approve the nomination of Mr. Benard Kibet Cheruiyot for appointment as the County Chief Officer of Finance.

I appreciate the County Assembly and specifically the Speaker and the Clerk of the County Assembly for the support during the vetting exercise. I also thank all the Members of the Committee for their commitment to serving the public.

**Hon. Acting Speaker** (Hon. W. Kiprotich): Hon. K. Barchok. Since you have indicated that the Members have the report in soft copy version, may I know if all the Members have the said information.

I can confirm now that they have. Kindly proceed.

**Hon. K. Barchok:** Hon. Acting Speaker, I will therefore read through the important points only. Pursuant to section 45(1) of the County Governments Act, 2021, it provides that the Governor shall nominate qualified and experienced County Chief Officers from among persons competitively sourced and recommended by the County Public Service Board and with the approval of the County Assembly, appoints Chief Officers.

Hon. Acting Speaker, the procedure for approval hearing, issues for consideration, and period for consideration and reporting are 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 as follows:

That the guiding principles of leadership and integrity 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.

Hon. Acting Speaker, the Committee conducted an approval hearing on Monday 29<sup>th</sup> June, 2020. However, before the nominee was invited to appear, the Committee held sessions to deliberate on the standard questions on approval hearing in line with the Public Appointments (County Assemblies Approval) Act, No. 5 of 2017.

The committee did not receive any memoranda contesting the suitability of the nominee for the office for which he was nominated.

On approval hearing, the nominee was requested to submit his original documents for verification by the Committee. The nominee submitted the following documents;

- i. National ID
- ii. KCPE Certificate
- iii. KCSE Certificate
- iv. Bachelor of Commerce degree from Kenyatta University
- v. MBA of Finance and
- vi. CPA (K) certificate

The nominee submitted the following statutory documents;

- i. KRA compliance certificate
- ii. Certificate of Clearance from HELB
- iii. Receipt showing an application for Police Clearance Certificate
- iv. Self-Declaration Form from the EACC.
- v. Clearance Certificate from Credit Reference Bureau

Hon. Acting Speaker, after the vetting exercise, the Committee made the following observations regarding the nominee.

The nominee has a Ph.D. in Business Administration and Finance. The nominee was knowledgeable and conversant with the issues pertaining to the docket and portfolio nominated for. The nominee satisfied the requirements of section 45 (10 (a) of the County Governments Act, 2012. This is because the nominee had 12 years of experience in the finance field.

The Committee observed that the nominee has the capacity to serve as the Chief Officer of Finance. The Committee also observed that based on his responses, during the approval hearing the nominee clearly portrayed great ability on issues of public finance.

Hon. Acting Speaker, the Committee recommended the following;

That having considered the suitability having considered the suitability, capacity, and integrity of the nominee the Committee recommends that the County Assembly approves the nomination and subsequent appointment of and pursuant to Section 9(2) of Public Appointment (County Assembly Approval Act) 2017, the County Assembly approves the nomination and subsequent appointment of Mr. Benard Kibet Cheruiyot as the County Chief Officer in charge of Finance.

Hon. Acting Speaker, I request Hon. A. Koech to Second.

**Hon. Acting Speaker** (Hon. W. Kiprotich): Hon. Ambrose Koech.

**Hon. A. Koech:** Hon. Acting Speaker, I am the Member of the Committee and part of the team that vetted the said nominee. I have the privilege to state that he is an experienced gentleman as far as financial accounting is concerned. He is a Principal Accountant in the National Treasury. The said gentleman, Mr. Cheruiyot, is also a PhD holder on fiscal discipline in County Government which when we interrogated, they also told us that it has never been easy for the county government to follow proper way of revenue collection. So, we actually asked him and he told us that he was going to bring this knowledge and was going to help us to manage the seepage, particularly the revenue collection that we have been seeing low volumes of revenue that we collect which also affect us in the allocation of national government. He also gave us a very good insight on how to tackle Pandemic wage bill which also help us to know that the gentleman also has some knowledge in HR matters. He told us how he was going to move up all the staffs in the County and be able to organize

them in such a way that each person earns what they are supposed to earn and do the work they are supposed to do so that the wage bill is brought down. He also promised to sought out the issues on procurement programs which are actually a problem in our county and particularly on the very serious issue of conflict of interest. When you always see that may be the people offering the procurement are also acting or proxy on contractors and therefore leads shoddy work being done. So when he told us that he was not going to be involved in anything related to conflict of interest, we actually saw a very knowledgeable and honest gentleman. With those many remarks, I second the motion that Cheruiyot be appointed as the CO of finance in Bomet County Government. Thank you Hon speaker.

**Hon. Acting Speaker** (Hon. W. Kiprotich): Thank you. Hon members, on behalf of the member representing Singorwet Ward, some two students got the rarest opportunity to join the public gallery and a strict supervision and the guidelines given, join me in welcoming them to our assembly.

*Applause*

Question proposed for debate

*Hon A. Langat rises on a point of order*

**Hon. A. Langat:** Thank you very much Mr. Speaker, rise to support the motion. First I want to appreciate the Committee of Finance. Hon speaker, I am very much pleased having seen the recommendations of the committee, particularly number two regarding the nominee having 12 years of working experience in Finance Management. This will help combat the problem of pending bills.

Number two Hon speaker is that this gentleman has been able to meet Chapter six on aspect of integrity required from people to transparently manage resources perfectly. I therefore support. Thank you Mr. Speaker.

**Hon. Acting Speaker** (Hon. W. Kiprotich): Hon. Kelong.

**Hon. J. Kelong:** Thank you Mr. speaker, I thank the Committee on Finance and ICT for the work they have done. Mr. speaker, as we listen to them, the chair found out that the person who has been brought in to manage our finances is somebody with wide experience in finance. Mr. Speaker, most of the finances we collect in our County is done manually. Hospitals receive cash in form of payment in bills. In that connection, there are some loopholes that we can lose revenue.

**Hon. Acting Speaker** (Hon. W. Kiprotich): Hon. Barchok.

**Hon. K. Barchok:** The said gentle man, Cheruiyot, told the committee that he was going to bring his knowledge to help us to manage the seepage of revenue, particularly the revenue collection that we have been seeing and the low volumes of revenue that we collect which also affect us in the allocation of national government. He also gave us a very good insight on how to tackle “pandemic” wage bill.

The committee also came to know that the said nominee has knowledge in HR matters. He told us how he was going to move up all the staffs in the county and be able to organize them in such a way that each person earns what they are supposed to earn and do the work they are supposed to do so that the wage bill is brought down. He also promised to sought out the issues on procurement programs which are actually a problem in our county and particularly on the very serious issue of conflict of interest. When you always see that may be the people offering the procurement are also acting or proxy on contractors and therefore leads shoddy work being done. So when he told us that he was not going to be involved in anything related to conflict of interest, we actually saw a very knowledgeable and honest gentleman. With those many remarks, I second the motion that Cheruiyot be appointed as the CO of finance in Bomet County Government. Thank you Hon. Speaker.

**Hon. Deputy Speaker** (Hon. W. Kiprotich): Thank you. Hon members, on behalf of the member representing Singorwet Ward, some two students got the rarest opportunity to join the public gallery and a strict supervision and the guidelines given, join me in welcoming them to our Assembly.

*Applause*

*Question proposed for debate*

**Hon. A. Langat:** Thank you very much Mr. Speaker, rise to support the motion. First I want to appreciate the committee of finance for giving bit the people to acquire information. Hon speaker, I am very much pleased having seen the recommendations of the committee, particularly number two regarding the nominee having 12 years of working experience in finance management. This will help combat the problem of pending bills in respective departments and especially the procurement department. Number two Hon speaker is that this gentleman has been able to meet Chapter six on aspect of integrity we require people who are transparent to manage our resources perfectly. I therefore support. Thank you Mr. Speaker.

**Hon. Deputy Speaker** (Hon. W. Kiprotich): Hon. Kelong.

**Hon. J. Kelong:** Thank you Mr. Speaker, I thank the finance committee for the work they have done. Mr. Speaker, as we listen to them, the chair found out that the person who has been brought in to manage our finances is somebody with wide experience in finances. Mr. Speaker, most of the finances we collect in our county is done manually. It used our hospitals to pay cash. In that connection, there are some loopholes that we can lose revenue. So, if we have got someone who can work with such experience, we hope that we are going to improve on the part of collection of revenue and even managing the revenue that has been collected. Mr. Speaker, I stand to support the approval of this person to manage our finances. Thank you.

**Hon. Deputy Speaker** (Hon. W. Kiprotich): Hon. Chepkwony.

**Hon. J. Chepkwony:** Thank you Hon speaker, I want to congratulate the committee finance for the good work done. Hon speaker, I also know the nominee to be good and understanding. Aspect of calculation in Mathematics is where we have been having problems. Hon member from Singorwet has talked of ending bills that have been a challenge. If we are going to be assured of streamlining the same, that would be the easiest method that will be correcting all that has been disturbing us. This assembly is here and we have problems where we come from because people are blaming us in the oversight role. That why we want to have best that will assist in correcting the messes. Most of the officers we have in offices may be wanting to joke around. So, we want to pray that once we approve in this Hon house that they do what they are supposed to do and what is supposed to happen. Mr. Speaker, I want to assure this Hon house that I know the nominee as a good person, he has been working at the national treasury for all those years. This will actually enable this county to translate into other important achievement. I support the approval of the nominee. Thank you.

**Hon. Deputy Speaker** (Hon. W. Kiprotich): Hon. Majority Leader.

**Hon. J. Kirui:** Thank you Hon speaker, I rise to appreciate the committee finance and ICT led by Jon Barchok for the meticulous work they did in vetting this nominee. I believe that this man is going to turn round the issues of finances in the treasury. I support the nominee and urge the hon members that we support the appointment of this nominee so that finances of this county can be safeguarded by a competent person. Thank you.

**Hon. Deputy Speaker** (Hon. W. Kiprotich): Hon. Barchok.

**Hon. K. Barchok:** Hon. Acting Speaker, let me start by thanking the Honourable Members for their contributions. The nominee promised that he will settle those issues. He said he will make sure that all the procurement processes are adhered to. The nominee is a competent person.

I thank the whole House and I urge the Members to approve the Report.

*(Question of the Motion put and agreed to)*

**Hon. Deputy Speaker** (Hon. W. Kiprotich): Hon. Majority Leader.

**Hon. J. Kirui:** Hon. Acting Speaker, I beg to move a procedural Motion;

That pursuant to Standing Order No. 30 (3) (c), this County Assembly resolves to sit on Tuesday 7<sup>th</sup> July 2020 at 9. 00 a. m and at 2. 30 p. m.

Hon. Acting Speaker, due to the effects of Covid -19, we will not resume the normal sittings and therefore I am moving this procedural motion because we need to transact business to have our county move.

I request the Deputy Leader of the Majority to second.

**Hon. Deputy Speaker** (Hon. W. Kiprotich): Hon. Chepkwony.

**Hon. J. Chepkwony:** Hon. Acting Speaker, I rise to second the procedural Motion. The hitches that we have in gazetting the sittings with Government Printers because of the lockdown necessitates such procedural motions. Therefore, I urge the Members to support the motion so that we sit in the next Tuesday.

I second.

*(Question of the procedural motion proposed)*

*(Question of the procedural motion put and agreed to)*

#### ADJOURNMENT

**Hon. Acting Speaker** (Hon. W. Kiprotich): Hon. Members, there being no other business, this House now stands adjourned to Tuesday 7<sup>th</sup> July 2020 at 9.00 a. m.

*The House rose at 4.00 p.m.*