REPUBLIC OF KENYA

COUNTY ASSEMBLY OF LAIKIPIA

THE HANSARD

Tuesday, 3rd December, 2024

The House met at the Assembly Chambers at 2.30 p.m.

[The Speaker (Hon. Lantano Nabaala) in the Chair]

PRAYERS

QUORUM CALL

Speaker: Clerk confirm whether we have quorum?

(Lack of quorum confirmed)

Speaker: Without quorum I direct the bell to be rang for 10 minutes.

(The bell was rang for 4 minutes)

Hon. Simon Kanyutu: Hon. Speaker, I think the quorum is ok.

Speaker: Clerk confirm whether we have quorum now?

(Clerk confirmed achievement of Quorum)

PAPER LAID

CONSIDERATION OF THE NOMINEE FOR APPOINTMENT AS THE CHAIRPERSON OF THE LAIKIPIA COUNTY REVENUE BOARD

Hon. Stephen Ndiritu: Mr. Speaker, I beg to lay the following paper;

Report by the Finance and County Planning Committee on the vetting of Mr. Naftaly Githua, Nominee appointment to the position of Chairperson. Laikipia County Revenue Board dated 2nd December 2024.

[Hon. Stephen Ndiritu laid the Paper on the Table]

NOTICE OF MOTION

CONSIDERATION OF THE NOMINEE FOR APPOINTMENT AS THE CHAIRPERSON OF THE LAIKIPIA COUNTY REVENUE BOARD

Hon. Stephen Ndiritu: Thank you Mr. Speaker, I beg to give notice of the following motion;

THAT, taking into consideration the findings of the Sectoral Committee on Finance and County Planning on the approval hearing of the nominee for appointment to the Laikipia County Revenue Board and pursuant to the provisions of Section 2 of the Laikipia County Revenue Board Act, 2014 and sections 4 and 9 of the Public Appointments (County Assemblies Approval) Act, 2017, this Assembly approves the nomination of Mr. Naftaly Githua as the Chairperson, Laikipia County Revenue Board.

MOTION

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CONSIDERATION OF THE NOMINEE FOR APPOINTMENT AS THE CHAIRPERSON OF THE LAIKIPIA COUNTY REVENUE BOARD

Hon. Stephen Ndiritu: Thank you Mr. Speaker, I beg to move the following motion;

THAT, taking into consideration the findings of the Sectoral Committee on Finance and County Planning on the approval hearing of the nominee for appointment to the Laikipia County Revenue Board and pursuant to the provisions of Section 2 of the Laikipia County Revenue Board Act, 2014 and sections 4 and 9 of the Public Appointments (County Assemblies Approval) Act, 2017, this Assembly approves the nomination of Mr. Naftaly Githua as the Chairperson, Laikipia County Revenue Board.

Hon. Speaker, we have vetted and now we have to table the report from the committee. It is now my pleasure to table the report before this House. I think all the Members have this report on their gadget. We can go through together since its very important report so that we can have a Chair to this crucial Board. The board is there to make sure the Revenue is collected according to the law and make sure there a flow when collecting the revenue.

I will start on page one. THE PAGE ON THE Table of content. Page three the Annexure where there is a notification letter from the Governor nominating the Chairperson Laikipia County Revenue Board. By law the person has to be notified and the governor has notified the Assembly of Mr. Naftali Githua Karangu.

There is also a public notification. It's important because according to the law the sovereign power belongs to the people. That means whatever we are doing in this Assembly we must also notify the public what we are doing. They are our boss. We are telling the public what we are doing. Members can find the attachment of that public notification on our Newspaper, Daily Nation.

The other page has the preface on Committee's Mandate and Members understands the mandate of this committee and other committees. They also understand that Finance Committee is a sectoral committee.

On the Committee Membership it is important to read the names because when we approve this Member, tomorrow you will see in the Kenya Gazette that Naftali Githua has been approved by the Assembly through the committee and its membership.

1. Hon. Stephen Ndiritu - Chairman
2. Hon. John Gichuki - Vice Chairperson
3. Hon. Mary Gathoni - Member
4. Hon. George Karuiru - Member
5. Hon. Catherine Umija - Member
6. Hon. Samuel Mugambi - Member
7. Hon. Paul Leshuel - Member

On page 5, there is the Acknowledgements and I take this opportunity to thank Members of the Committee for their input and valuable contributions during the deliberations and vetting exercise. The Committee also takes this opportunity to thank the Office of the Speaker and that of the Clerk of the County Assembly for the logistical support accorded to it during the vetting exercise.

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On behalf of the Finance and County Planning committee and pursuant to Section 9(1) of the Public Appointments (County Assemblies Approval) Act, 2017, and the provisions of Standing Order No. 191(5) (f), it is my pleasure and duty to present to the House, the Committee's report on the vetting of the nominee for appointment to the position of Chairperson, Laikipia County Revenue Board. Hon. Speaker and Hon. Members the report is signed by the Chair so this is a very genuine report.

On the appointment Process of the Chairperson of Laikipia County Revenue Board, the members understand the process. Hon. Speaker, it was good to notify the public because we are dictated by the law to notify the public in Section 6(2) of the Public Appointments (County Assemblies Approval) Act, 2017 provides that "An appointing authority shall, in issuing a notice under subsection (1), notify the members of the public on the proposed nomination through such media and platforms established under section 91 of the County Governments Act as it considers appropriate".

There is the Submission of the Memoranda because we also give the public and any other citizen to submit any memorandum. Pursuant to Section 7(10) of the said Public Appointments (County Assemblies Approval) Act 2017, the office of the Clerk through a notice on print media on 21st November 2024 invited submissions from the public on the suitability or otherwise of the nominee for Appointment to the position of the Chairperson Laikipia County Revenue Board. The Committee did not receive any submission or memoranda contesting the suitability of the nominee.

Hon. Speaker, earlier I said the sovereign power belongs to the people. The people have not written any memorandum or submission contesting the suitability of the nominee. That was clear that the nominee is qualified to fit for that position and he is equal to the task. The public have not contested the appointment of the said nominee.

Approval Hearing of The Nominee

The committee held a sitting to deliberate on the approval hearing and the following were highlighted;

- That, by the deadline date of 28th November, 2024, the Clerk of the County Assembly had received a duly filled questionnaire by the nominee and no memoranda had been received from the general public.
- That, the nominee had not notified the Clerk of the County Assembly of withdrawal from the approval process as outlined under Section 7(12) of the Public Appointments (County Assemblies Approval) Act.

The Committee resolved to undertake the approval hearings as per the schedule that had been advertised by the Clerk of the County Assembly and which was communicated to the members of the public and the nominees, as hereafter contained.

In conducting the vetting process, the Committee examined the nominee against the following criteria, amongst others, in accordance with the County Governments Act and the Public Appointments (County Assemblies Approval) Act, 2017.

1. Academic qualifications
2. Employment record
3. Professional affiliations

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4. Potential conflict of interest
5. Knowledge of the relevant subject
6. Overall suitability for the position
7. Tax compliance
8. Integrity
9. Vision and leadership; and
10. Expectations and key priorities

Hon. Speaker, Mr. Naftaly Githua**,** appeared before the Committee on Friday 29th November 2024 at 11.00 a.m. and was informed by the Committee Chairperson that, pursuant to Section 7(10) of the Public Appointments (County Assemblies Approval) Act, 2017, the Committee invited submissions from the public on his suitability or otherwise for Appointment to the position of Chairperson Laikipia County Revenue Board. However, by the deadline date of 28th November, 2024, the Committee had not received any submission or memorandum from the public contesting his suitability.

The nominee was then orally vetted under oath by the Committee and responded to questions during the vetting as follows;

Self-Introduction and Educational Background

The nominee is a male Kenyan born in 1954 in Laikipia County. The nominee lives in Igwamiti Ward. He holds a diploma in Agricultural Education, post-graduate Diploma in Guidance and counselling, Bachelor's Degree in Business Administration and Master's Degree in Education Degree. He also holds several certificates in cooperate governance, Sacco management and public administration.

The nominee's financial net worth is approximately Kshs.102 million. His current anticipated social income is from pension income, hospitality business and small-scale farming. Hon. Speaker, if you want to trust anybody, that person should know what he is doing and whatever he is going to do should have a certain fund. Because our county collects more than Kshs.1 billion, having a Chair worth Kshs.102 million, we can be comfortable that our money will not be stolen because the nominee has money. He is coming in to make sure that the revenue is being collected accordingly.

General Sector and Specific Questions

General Observations

1. The Committee on Finance and County Planning observed the following;

- That the nominee is a Kenyan Citizen.
- That the nominee has not been charged or convicted in a court of law for a criminal offence.
- That the nominee has not been adversely mentioned in an investigatory report in the County Assembly and any other commission.
- That the nominee has not held any position in a political party.

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- That the nominee has never been dismissed or removed from office for any personal, public or official duty conflict.
- That the nominee has never been advisory associated with any practise that depict biasness, favouritism and nepotism while discharging public duties.

On what are his plans if given the opportunity as the Chair, Revenue Board;

The nominee informed the committee that he is going to motivate the board so that they will be able to carry out their mandate of revenue collection and management of revenue streams. He added that he will ensure that people will comply with the rules governing revenue collection. He will also make sure that he addresses the complains of the late tax payers so that they can voluntarily pay taxes. He also informed the committee that he will comply with the oversight bodies.

Hon. Speaker, Members can go through what he said on what measures he would propose that the board adopts to increase the revenue it collects and other questions.

Committee Observations

The Committee having considered the nominee's Curriculum Vitae and heard his oral submission during the vetting exercise/interview, made observations that the nominee had satisfied the requirements of Chapter 6 of the Constitution of Kenya on leadership and integrity. Hon. Speaker, if someone has satisfied the requirements of Chapter 6, that tells you that that person is fit to hold the position. There is no need of reading other observations.

Committee's Recommendation

Pursuant to Section 9(2) of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order No. 191(5) (f), the Committee recommends that, this House approves the nomination of-

i. Mr Naftaly Githua, for appointment by H.E. the Governor as Chairperson Laikipia County Revenue Board.

Committee's conclusion

THAT this House adopts the report by Finance and County Planning Committee.

That is the end of the report. Having read the whole report, there is no need of adding anything else to it because the report has explained everything. Therefore, it is now my pleasure to call upon the active Member who is none other than Hon. Umija to second the motion. Thank you.

Hon. Catherine Umija: Thank you, Mr. Speaker. I just want to say to Hon. Stephen that I am sorry because at some point I startled him and he stopped reading the report. That was due to a technical error on the seat that I was seated on; as I was sitting, the seat moved with me. There was a bit of laughter and I hope that you accept my apology.

Mr. Speaker, I would like to second this report that has been brought by our Hon. Chair of the Finance and County Planning Committee. He has read clearly the vetting process that we undertook and on the qualification of Mr. Naftali. He is a very able person. He brings a wealth of over forty years of experience to the board and I am hopeful that we are going to see changes in the Revenue Board. I know that it has been set aside after being marred with a lot of issues, and I think that our Governor has seen it wise to bring in Mr. Naftali.

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Reading about his credentials, we could see that he has been able to bring about some changes in the institutions he has been in earlier on and we could see improvements in those institutions that he worked in. I hope that he will bring that wealth of experience to the Revenue Board and ensure that our revenue grows from one billion where it currently is in terms of collection to even above that. I think that is one of his duties that the revenue collection will not be below one billion.

We want to see whether he can bring to the Revenue Board the improvement that he has in other institutions and advise it accordingly; to ensure that revenue collection is on time, appropriate and also timely. We also want to thank the committee for burning the midnight oil to ensure that the report is here on time. So, I want to second this report as presented by the Chair. Thank you, Mr. Speaker.

Speaker: Thank you, Hon. Stephen for this report. It has been moved and now seconded by Hon. Catherine Umija.

(Question proposed)

Speaker: Members, now I open the floor for those Members who would like to indulge in this. Hon. Kanyutu, the floor is yours.

Hon. Simon Kanyutu: Thank you, Mr. Speaker. I stand to support the report from the committee. Having gone through the biography of the nominee, Mr. Naftali Githua, I have seen that he is an experienced person. I have seen that he got employed during the term of the first president, Kenyatta's, time in 1977. He started working at that time which means that he has a lot of experience. By then, I had not even started school. Most of the Hon. Members here call me *mzee,* meaning that the years are moving at a high speed.

Mr. Speaker, the other thing that has made me learn that he must be having very high experience is that even when I was in school, he was still working. However, I think we must have interacted during the period between 1995 and 2006 because he was a meat inspector at that time and that is also when I started working in the meat industry. Though he was in Nyahururu while I was in Rumuruti, we must have interacted in some corners. However, because I know him personally, and given the experience he has indicated in his CV, I wholly support.

He has also worked as a Vice-Chairperson of the Laikipia County Public Service Board. I am sure that he is being given that position but has risen above the Members' sentiments. When we had the chairman of the Finance Committee who has tabled the report, he was talking against the Board that was there previously. He talked of the ills that the Board was committing. They were probably doing those things because they are young, but now we have an old man who I am sure cannot do those things that were said by the Chair.

I am sure that even the Members of the Board who we proposed that the Governor chase away; if he is given young members, he will be able to counsel, advice and show them the way. Being at his age, I support him. He can also guide the youth who are coming in case they will be picked as members of the Board. As the Chair, he will be able to guide them and ensure that as much revenue as is available is collected for our county. With that, I support.

Speaker: Thank you, Hon. Kanyutu. As I read the mood of the House, allow me now to invite the mover of the motion to reply.

Hon. Stephen Ndiritu: Asante, Mheshimiwa Spika. Nataka kuwapongeza Wabunge kwa kuelewa umuhimu wa kumpitisha Naftali Githua. Kama ambavyo Wabunge

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wamechangia, huyu ni mtu aliye na tajiriba ya kutosha. Huyu ni mtu ambaye akiingia katika kazi yoyote anaifanya hadi anahakikisha kuwa ameitimiza.

Mheshimiwa Spika, tulipokutana na huyu mteuliwa, alipokuwa tu akiingia, nilifikiri ni kijana kwa sababu aliingia kwa kishindo. Yaani, aliingia akiwa mkakamavu. Ni wakati tu alitoa kitambulisho ndipo baadhi yetu tuliinama kwa sababu hatukudhani huyo mzee amefikia huo umri. Hata tulipokuwa tunampiga msasa tulikuwa na woga kiasi kwa sababu unayempiga msasa alianza kufanya kazi kabla ya wewe kuzaliwa. Hilo tu lilikuwa linatuweka wasiwasi. Ila kwa sababu sheria ya Kenya inatupa jukumu la kuwapiga msasa watu wote, wawe wazee au vijana; sisi tumepewa hilo jukumu.

Ninaposimama hapa, naomba hili Bunge tuweze kumpitisha huyu mzee awe mwenyekiti. Tulipokuwa tunampiga msasa tulimwuliza maswali mawili matatu kuhusu yale mambo yalitokea juzi kama vile Mheshimiwa Kanyutu amesema, ya kwamba kuna mambo yalitokea na kuletea aibu Kaunti yetu ya Laikipia. Hata wa leo, sisi tunaitwa Kaunti ya *kamzigo*. Haya ni mambo ambayo yametuhaibisha.

Mimi kama mwenyekiti, nilimwambia kwamba namtuma na swali moja tu; aende afanye uchunguzi kisha aje atueleze huu ni mzigo wa nani, unawekwa wapi, na ulikuwa mgongoni au wapi? Tulimwambia hatutaki kusikia hayo mambo. Aende ahakikishe amelainisha kisha atuletee ripoti inayosema huo mzigo ulikuwa wapi. Kwa vile najua yeye ni mzee wa imani na anaelewa, atatuletea hio ripoti.

Naomba sisi sote ambao tumekuja hapa tuungane pamoja kumpitisha huyu Naftali Githua ili, katika hio halmashauri ya uokotaji wa ushuru, tuwe na mtu ambaye tunajivunia na tuliye na imani naye kwamba ataendesha Kaunti yetu vizuri tunapoendelea kuokota ushuru wa kuendeleza kaunti yetu. Kwa hayo machache, nawaomba tuungane kwa hili na kuhakikisha kuwa tumempitisha huyu mteuliwa aitwaye Naftali Githua. Asante.

(Question put and agreed to)

ADJOURNMENT

Speaker: The sittings of this House now stand adjourned until tomorrow, Wednesday, 4th December 2024 at 10.00 a.m.

The House rose at 3.24 p.m.

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