

Approved  
of Boss  
1st Dec. 2022



REPUBLIC OF KENYA

THE NATIONAL ASSEMBLY  
THIRTEENTH PARLIAMENT – FIRST SESSION – 2022

DIRECTORATE OF DEPARTMENTAL COMMITTEES

DEPARTMENTAL COMMITTEE ON  
HOUSING, URBAN PLANNING AND PUBLIC WORKS

REPORT ON THE APPROVAL HEARINGS OF:

1. MR. CHARLES M. HINGA, CBS, CA(SA), NOMINEE FOR APPOINTMENT AS PRINCIPAL SECRETARY, STATE DEPARTMENT FOR HOUSING AND URBAN DEVELOPMENT; AND
2. MR. JOEL P. L. ARUMONYANG, NOMINEE FOR APPOINTMENT AS PRINCIPAL SECRETARY, STATE DEPARTMENT FOR PUBLIC WORKS

THE NATIONAL ASSEMBLY PARLIAMENT BUILDINGS NAIROBI	
DATE:	01 DEC 2022 DAY: THURSDAY
TABLED BY:	CHAIR DC - HOUSING, URBAN DEVELOPMENT & PUBLIC WORKS HON. JOHANA NG'ENJO, MP
CLERK-AT THE TABLE:	Benson Inzaju.

CLERK'S CHAMBERS  
DIRECTORATE OF DEPARTMENTAL COMMITTEES  
PARLIAMENT BUILDINGS  
NAIROBI

NOVEMBER 2022

## TABLE OF CONTENTS

<b>LIST OF ABBREVIATIONS AND ACRONYMS</b> .....	<b>3</b>
<b>ANNEXURES</b> .....	<b>4</b>
<b>CHAIRPERSON'S FOREWORD</b> .....	<b>5</b>
<b>CHAPTER ONE</b> .....	<b>7</b>
1 PREFACE .....	7
1.1 Establishment and Mandate of the Committee .....	7
1.2 Subjects under the Committee.....	7
1.3 Committee Membership.....	8
1.4 Committee Secretariat.....	9
<b>CHAPTER TWO</b> .....	<b>10</b>
2 BACKGROUND INFORMATION .....	10
2.1 Legal Framework .....	10
2.2 Qualifications for appointment as Principal Secretary .....	13
2.3 Message from H.E. the President.....	13
2.4 Speaker's Communication and Committal to the Committee .....	13
2.5 Notification to the Public.....	13
2.6 Notification to the Nominee.....	14
2.7 Clearance Requirements .....	14
2.8 Report of the Public Service Commission on the Nomination of Principal Secretaries.....	14
2.9 Committee proceedings.....	15
<b>CHAPTER THREE</b> .....	<b>16</b>
3 APPROVAL HEARINGS.....	16
3.1 MR. CHARLES M. HINGA, CBS, CA(SA).....	16
3.2 MR. JOEL P. L. ARUMONYANG.....	18
<b>CHAPTER FOUR</b> .....	<b>20</b>
4 OBSERVATIONS AND FINDINGS.....	20
4.1 Mr. Charles M. Hinga, CBS, CA(SA).....	20
4.2 Mr. Joel P. L. Arumonyang.....	21
<b>CHAPTER FIVE</b> .....	<b>22</b>
5 RECOMMENDATION.....	22

## LIST OF ABBREVIATIONS AND ACRONYMS

CBS	-	Chief of the Burning Spear
CA	-	Chartered Accountant
DCI	-	Directorate of Criminal Investigations
EACC	-	Ethics and Anti-Corruption Commission
HELB	-	Higher Education Loans Board
H.E.	-	His Excellency
KRA	-	Kenya Revenue Authority
MCCP	-	Maendeleo Chap Chap Party
MP	-	Member of Parliament
ODM	-	Orange Democratic Movement
ORPP	-	Office of the Registrar of Political Parties
PAPAA	-	Public Appointments (Parliamentary Approval) Act
PS	-	Principal Secretary
PSC	-	Public Service Commission
SA	-	South Africa
UDA	-	United Democratic Alliance
WDM-K	-	Wiper Democratic Movement-Kenya

## ANNEXURES

- Annexure 1: Adoption List
- Annexure 2: Minutes
- Annexure 3: Message from H.E. the President nominating the fifty-one (51) Principal Secretaries
- Annexure 4: Communication from the Speaker
- Annexure 5: Advertisement notifying the public of the approval hearings
- Annexure 6: Letters from the Clerk of the National Assembly inviting the nominees for the approval hearings
- Annexure 7: Letters from the Clerk of the National Assembly to KRA, EACC, DCI, HELB and ORPP requesting for information on the nominees
- Annexure 8: Letters of clearance from EACC, KRA, DCI, ORPP and HELB
- Annexure 9: Curricula vitae of the nominees
- Annexure 10: Certificates and Testimonials

## CHAIRPERSON'S FOREWORD

This report contains proceedings of the Departmental Committee on Housing, Urban Planning and Public Works during the approval hearings of Mr. Charles M. Hinga, CBS, CA(SA), nominee for appointment as the Principal Secretary, State Department for Housing and Urban Development and Mr. Mr. Joel P. L. Arumonyang, nominee for appointment as the Principal Secretary, State Department for Public Works as requested by H.E. the President and communicated to the House by the Speaker on Thursday, 3<sup>rd</sup> November 2022.

Pursuant to Article 155(3)(b) of the Constitution, Section 5 of the PAPAA and Standing Order 45(1), H.E. the President notified the National Assembly of the nomination of fifty-one (51) Principal Secretaries to various State Departments vide a letter dated 2nd November 2022. The Hon Speaker vide a communication made on Thursday, 3<sup>rd</sup> November 2022 conveyed to the House the Message from H.E. the President and subsequently referred the names of the nominees, their curricula vitae, and the report of the Public Service Commission on their recruitment to Departmental Committees for approval hearings. While referring the matter to the Committees, the Speaker directed that the Committees undertake the vetting exercise within twenty-eight (28) days pursuant to Section 8 of the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011). The Speaker further directed the Clerk of the National Assembly to notify the nominees and the general public by placing adverts in two newspapers of nationwide circulation and the Parliamentary Website of the time and place of holding the approval hearings by Friday, 4<sup>th</sup> November 2022.

In compliance with Article 118 (b) of the Constitution and section 6 (4) of the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011), the Clerk of the National Assembly placed an advertisement in the print media on Friday, 4<sup>th</sup> November 2022 informing the public of the nomination, date, time and place of the approval hearing. He also invited the public to submit memoranda by way of written statements on oath (*affidavit*) on the suitability of the nominees in conformity with section 6 (9) of the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011). The memoranda were to be received on or before Friday, 11<sup>th</sup> November 2022 at 5.00 p.m. (East African Time). At the close of the submission deadline, the Committee had not received any memorandum for or against the nominees' suitability.

The Clerk of the National Assembly also wrote to Kenya Revenue Authority (KRA), Ethics and Anti-Corruption Commission (EACC), Directorate of Criminal Investigations (DCI), Higher Education Loans Board (HELB) and Office of the Registrar of Political Parties (ORPP) seeking references and background checks relating to the suitability of the nominee.

The nominees appeared before the Committee on Wednesday, 30<sup>th</sup> November 2022 for vetting. The Committee examined their suitability based on the criteria set out in Section 7 of the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011). In addition, the Committee examined their academic credentials, relevant experience, knowledge of sector issues and on leadership and integrity. The Committee paid due regard to the procedure used to arrive at the nominees; any constitutional or statutory requirements relating to the office in question and suitability of the nominees for the appointment proposed having regard to whether the nominees' abilities, experience and qualities meet the needs of the State Departments.

## **Committee Recommendation**

The Committee having held approval hearings of the nominees regarding their suitability, observed that due process was followed on the recruitment process as provided for under Article 155(3) (b) of the Constitution and section 8(2) of the Public Appointments (Parliamentary Approval Act) (No. 33 of 2011). The Committee therefore recommends that the National Assembly **APPROVES** the nomination of Mr. Charles M. Hinga, CBS, CA(SA) for appointment as Principal Secretary, State Department for Housing and Urban Development and Mr. Joel P. L. Arumonyang for appointment as Principal Secretary, State Department for Public Works.

## **Acknowledgements**

The Committee registers its appreciation to the Offices of the Speaker, Office of the Clerk of the National Assembly, Office of the Director, Departmental Committees and the Committee Secretariat for the logistical support extended during the vetting process.

In addition, the Committee thanks the nominees for their cooperation during the vetting process. Finally, the Committee appreciates KRA, EACC, DCI, HELB and ORPP for providing references and background checks relating to the suitability of the nominees.

I acknowledge and appreciate Members of the Committee for their patience, sacrifice and commitment which enabled the Committee to complete the task within the required timelines.

On behalf of the Departmental Committee on Housing, Urban Planning and Public Works, and pursuant to Article 155(3)(b) of the Constitution and Section 8 of the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011) and provisions of Standing Orders 45(4) and 199(6), it is my pleasant duty to present the Report of the Committee on the approval hearings of Mr. Charles M. Hinga, CBS, CA(SA), nominee for appointment as Principal Secretary for the State Department of Housing and Urban Development and Mr. Joel P. L. Arumonyang, nominee for appointment as Principal Secretary for the State Department of Public Works for debate and adoption by the House.

**Hon. Johana Ng'eno Kipyegon, MP.**

**Chairperson, Departmental Committee on Housing, Urban Planning and Public Works**

## CHAPTER ONE

### 1 PREFACE

#### 1.1 Establishment and Mandate of the Committee

1. The Departmental Committee on Housing, Urban Planning and Public Works is one of the twenty Departmental Committees of the National Assembly established under **Standing Order 216** whose mandates pursuant to the **Standing Order 216 (5)** are as follows:

- i. 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;*
- ii. To study the programme and policy objectives of ministries and departments and the effectiveness of the implementation;*
- iii. on a quarterly basis, monitor and report on the implementation of the national budget in respect of its mandate;*
- iv. To study and review all legislation referred to it;*
- v. To study, assess and analyse the relative success of the ministries and departments as measured by the results obtained as compared with their stated objectives;*
- vi. To investigate and inquire into all matters relating to the assigned ministries and departments as they may deem necessary, and as may be referred to them by the House;*
- vii. To vet and report on all appointments where the Constitution or any law requires the National Assembly to approve, except those under Standing Order 204 (Committee on Appointments);**
- viii. To examine treaties, agreements and conventions;*
- ix. To make reports and recommendations to the House as often as possible, including recommendation of proposed legislation;*
- x. To consider reports of Commissions and Independent Offices submitted to the House pursuant to the provisions of Article 254 of the Constitution; and*
- xi. To examine any questions raised by Members on a matter within its mandate.*

#### 1.2 Subjects under the Committee

2. In accordance with the Second Schedule of the Standing Orders, the Committee is mandated to consider matters Housing, Public Works, Urban Planning, Metropolitan Affairs; and Housing Development and Built Environment.
3. In executing its mandate, the Committee oversees the Ministry of Lands, Public Works, Housing, and Urban Development (State Department for Housing and Urban Development and State Department for Public Works).

### 1.3 Committee Membership

4. The Departmental Committee on Housing, Urban Planning and Public Works was constituted by the House on 27<sup>th</sup> October 2022 and comprises of the following Members:

#### **Chairperson**

Hon. Johana Ng'eno Kipyegon, MP  
Emurua Dikirr Constituency

#### **UDA Party**

#### **Vice-Chairperson**

Hon. Mugambi Murwithania Rindikiri, MP  
Buuri Constituency

#### **UDA Party**

#### **Members**

Hon. John Waluke Koyi, MP  
Sirisia Constituency

#### **Jubilee Party**

Hon. Esther Muthoni Passaris, OGW, MP  
Nairobi City County Women Representative

#### **ODM Party**

Hon. Innocent Obiri Momanyi, MP  
Bobasi Constituency

#### **WDM-K Party**

Hon. Joshua Kivinda Kimilu, MP  
Kaiti Constituency

#### **WDM-K Party**

Hon. Samuel Kinuthia Gachobe, MP  
Subukia Constituency

#### **UDA Party**

Hon. Abraham Kipsang Kirwa, MP  
Mosop Constituency

#### **UDA Party**

Hon. Caleb Mutiso Mule, MP  
Machakos Town Constituency

#### **MCCP Party**

Hon. (Dr.) Daniel Ogwoka Manduku, MP  
Nyaribari Masaba Constituency

#### **ODM Party**

Hon. Irene Njoki Mrembo, MP  
Bahati Constituency

#### **Jubilee Party**

Hon. Jane Wangechi Kagiri, MP  
Laikipia County Women Representative.

#### **UDA Party**

Hon. John G. Mwaniki Mukunji, MP  
Manyatta Constituency

#### **UDA Party**

Hon. Maurice Kakai Bisau, MP  
Kiminini Constituency

#### **DAP-K Party**

Hon. Ronald Kamwiko Karauri, MP  
Kasarani Constituency

#### **Independent**



#### 1.4 Committee Secretariat

5. The Committee is facilitated by the following staff:

Mr. Ahmed Salim Abdalla  
**Clerk Assistant II/Head of Secretariat**

Mr. Dickson Mogeni Gekara  
**Clerk Assistant III**

Ms. Emma Essendi  
**Senior Legal Counsel**

Mr. Abdinasir Moge  
**Fiscal Analyst II**

Mr. Joshua Lenambeti  
**Serjeant-At-Arms**

Mr. George Ndenjeshe  
**Fiscal Analyst III**

Mr. Sisto Gichuhi Macharia  
**Clerk Assistant III**

Mr. James Muguna  
**Research Officer II**

Ms. Esther Ngechu  
**Senior Serjeant-At-Arms**

Ms. Deborah Mupusi  
**Media Relations Officer II**

Mr. Job Owaga  
**Audio Recording Officer**

## CHAPTER TWO

### 2 BACKGROUND INFORMATION

#### 2.1 Legal Framework

6. Article 155 of the Constitution provides that:

155. (1) *There is established the office of Principal Secretary, which is an office in the public service.*  
(2) *Each State department shall be under the administration of a Principal Secretary.*  
(3) *The President shall—*  
    (a) *nominate a person for appointment as Principal Secretary from among persons recommended by the Public Service Commission; and*  
    (b) *with the approval of the National Assembly, appoint Principal Secretaries.*  
(4) *The President may re-assign a Principal Secretary.*  
(5) *A Principal Secretary may resign from office by giving notice, in writing, to the President.*

7. In light of this, H.E. the President nominated fifty-one (51) persons for appointment as Principal Secretaries to various State Departments. The President nominated the following persons for appointment as Principal Secretaries:

- i. Mr. Charles M. Hinga, CBS, CA(SA): Nominee for appointment as Principal Secretary, Housing and Urban Development; and
- ii. Mr. Joel P. L. Arumonyang: Nominee for appointment as Principal Secretary, Public Works.

8. The Departmental Committee on Housing, Urban Planning and Public Works was been assigned the role of conducting the vetting of the aforesaid nominees.

9. The following Articles of the Constitution and statutes will be paramount to the Committee as it executes this mandate:

- i. The Public Appointments (Parliamentary Approval) Act (No. 33 of 2011);
- ii. The Public Service Commission Act (No. 10 of 2017) on recommendation for appointment of Principal Secretaries;
- iii. Article 10 of the Constitution on the national values and principles of governance;
- iv. Chapter 6 of the Constitution on leadership and integrity;
- v. Article 77 of the Constitution on restriction on activities of State Officers;
- vi. Article 78 of the Constitution on dual citizenship;
- vii. Article 118 of the Constitution on public participation;
- viii. Article 232 of the Constitution on values and principles of public service;
- ix. The Leadership and Integrity Act, No. 19 of 2012;
- x. The Public Service (Values and Principles) Act (No. 1A of 2015); and
- xi. The Public Officer Ethics Act, No. 4 of 2003.

#### **The Public Appointments (Parliamentary Approval) Act (No. 33 of 2011)**

10. Section 7 of the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011), provides for issues which the relevant House of Parliament (in this case, the National Assembly) is supposed to consider in relation to any nomination. These issues include:

- i. *the procedure used to arrive at the nominee;*
- ii. *any constitutional or statutory requirements relating to the office in question; and*
- iii. *the suitability of the nominee for the appointment proposed having regard to whether the nominee's abilities, experience and qualities meet the needs of the body to which nomination is being made.*

11. During the approval hearing, section 6 of the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011) provides important points, viz:
  - i. An approval hearing shall focus on a candidate's academic credentials, professional training and experience, personal integrity and background (section 6(7), PAPAA);
  - ii. The criteria specified in the Schedule shall be used by a Committee during an approval hearing for the purposes of vetting a candidate (section 6(8), PAPAA);
  - iii. 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 (section 6(9), PAPAA); and
  - iv. A candidate may, at any time, by notice in writing addressed to the Clerk, withdraw from the approval process and the candidate's nomination shall end (section 6(10), PAPAA).

#### **The Public Service Commission Act (No. 10 of 2017)**

12. Section 47 (2) of the Public Service Commission Act (No. 10 of 2017) provides qualifications that one must have so as to be eligible for appointment as a Principal Secretary. These are:
  - i. be a citizen of Kenya;
  - ii. hold a degree from a university recognised in Kenya;
  - iii. has at least ten (10) years relevant professional experience, five (5) years of which should have been in a leadership position or at a top management level in the public service or private sector;
  - iv. possess general knowledge of the organisation and functions of Government;
  - v. demonstrates an understanding of the goals, policies and developmental objectives of the nation;
  - vi. has demonstrable leadership and management capacity including knowledge of financial management and strategic people management; and
  - vii. meets requirements of Chapter Six of the Constitution.

#### **Article 10(2) of the Constitution on national values and principles of governance**

13. Article 10(2) of the Constitution provides for the national values and principles of governance which include patriotism, national unity, sharing and devolution of power, the rule of law, democracy and participation of the people; human dignity, equity, social justice, inclusiveness, equality, human rights, non-discrimination and protection of the marginalised; good governance, integrity, transparency and accountability; and sustainable development.

#### **Chapter 6 of the Constitution (Leadership and Integrity)**

14. There are important provisions in Chapter 6 of the Constitution worth pointing out. Article 73 of the Constitution provides that the authority assigned to a State officer (a Principal Secretary being a state officer under Article 260 of the Constitution) is a public trust to be exercised in accordance to the Constitution, demonstrate respect for the people, bring honour to the nation and dignity to the office and promote public confidence in the integrity of the office. Also, the State officer shall have the responsibility to serve the people, rather than the power to rule them.
15. The guiding principles of leadership and integrity are listed as selection based on personal integrity, competence and suitability, objectivity and impartiality in decision making, selfless service based solely on the public interest, accountability and discipline and commitment in service to the people.

#### **Article 77 of the Constitution (Restriction on activities of State officers)**

16. Article 77 of the Constitution provides that a full-time State officer shall not participate in any other gainful employment and that any appointed State officer shall not hold office in a political party.

### **Article 78 of the Constitution on citizenship and leadership**

17. Article 78 of the Constitution states that a person is not eligible for election or appointment to a State Office unless the person is a citizen of Kenya. It also provides that a State officer or a member of the defence forces shall not hold dual citizenship.

### **Article 118 of the Constitution on public access and participation**

18. Article 118 of the Constitution provides that:
1. *Parliament shall:*
    - a) *conduct its business in an open manner, and its sittings and those of its committees shall be in public; and*
    - b) *facilitate public participation and involvement in the legislative and other business of Parliament and its committees.*
  2. *Parliament may not exclude the public, or any media, from any sitting unless in exceptional circumstances the relevant Speaker has determined that there are justifiable reasons for the exclusion.*

### **Article 232 of the Constitution on Values and Principles of Public Service**

19. Article 232 of the Constitution provides for the values and principles of public service which include high standards of professional ethics; efficient, effective and economic use of resources; responsive, prompt, effective, impartial and equitable provision of services; involvement of the people in the process of policy making; accountability for administrative acts; transparency and provision to the public of timely, accurate information; fair competition and merit as the basis of appointments and promotions; representation of Kenya's diverse communities; and affording adequate and equal opportunities for appointment, training and advancement, at all levels of the public service of men and women; the members of all ethnic groups; and persons with disabilities.

### **The Leadership and Integrity Act, 2012**

20. The Leadership and Integrity Act, 2012 provides a number of obligations to a State Officer. These are, among others: to respect and abide by the Constitution and the law, public trust, performance of duties in an honest and accountable manner, professionalism, financial integrity, not to engage in activities that amount to abuse of office, not misuse public resources, accepting gifts that may compromise the officer's duties, wrongful or unlawful acquisition of property, conflict of interest, etc.

### **The Public Service (Values and Principles) Act, 2015**

21. Section 5 of the Public Service (Values and Principles) Act, 2015 provides that a public officer shall maintain high standards of professional ethics, including, being honest; displaying high standards of integrity, transparency, accountability, respect to others, objectivity, patriotism, observance of rule of law.

### **The Public Officer Ethics Act, 2003**

22. The Public Officer Ethics Act, 2003 provides for obligations to be carried out by a public officer. These include professionalism, carrying out duties in accordance with the law, prohibition from unjust enrichment, avoiding conflict of interest, not using office as a venue for soliciting or collecting harambees; not acting for foreigners; care of property; political neutrality, not practicing nepotism or favouritism, giving impartial advice, conducting private affairs in a way that maintains public confidence, protects the public from sexual harassment, submission of declaration of income, assets and liabilities once every two years (section 26) (Applies in future after appointment).

## 2.2 Qualifications for appointment as Principal Secretary

23. In conducting the approval hearings, the Committee was guided by Article 155 (3) (b) of the Constitution, section 47 (2) of the Public Service Commission Act, 2017 and the provisions of Section 7 of the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011).

## 2.3 Message from H.E. the President

24. H.E. the President on **2<sup>nd</sup> November 2022** communicated the names of the nominees for appointment to the positions of Principal Secretary Housing and Urban Development, and Public Works to the Speaker for approval by the National Assembly pursuant to Article 155 (3). The Speaker in his communication from the Chair issued on **Tuesday, 3<sup>rd</sup> November 2022** and pursuant to Standing Order No. 42 referred the names to the Departmental Committee on Housing, Urban Planning and Public Works to conduct approval hearings and report by November 22, 2022.

## 2.4 Speaker's Communication and Committal to the Committee

25. Pursuant to the provisions of Standing Order No. 42, the Speaker of the National Assembly on **Tuesday, 3<sup>rd</sup> November 2022** communicated to the House the message from H.E. the President regarding the nominees for appointment as Principal Secretaries for various State Departments. The Speaker informed the House that H.E. the President was seeking approval of the National Assembly on the said nominations before the nominees' appointment.

26. In accordance with Standing Order 45(1), the Speaker read the Message from H.E. the President and referred the names of the nominees, their curricula vitae and report of the Public Service Commission on the recruitment process to the Departmental Committee on Housing, Urban Planning and Public Works to conduct approval hearings.

27. While referring the matter to the Committee, the Speaker directed that the Committee undertakes the vetting exercise and report to the House by November 22, 2022. The Speaker further directed the Clerk of the National Assembly to notify the nominees and the general public by placing adverts in two newspapers of nationwide circulation and the Parliamentary Website of the time and place of holding the approval hearings by Friday, 4<sup>th</sup> November 2022.

28. In addition, the Speaker directed that approval hearings should commence on Monday, 14<sup>th</sup> November 2022 and end on Friday, 18<sup>th</sup> November 2022. Thereafter, the reports should be tabled in the House not later than Tuesday, 22<sup>nd</sup> November 2022 so as to enable the House to consider the reports within the statutory timelines.

## 2.5 Notification to the Public

29. Section 6(9) of the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011), 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"*.

30. The Clerk of the National Assembly on **Friday, 4<sup>th</sup> November 2022** placed a notification in the print media informing the general public of the intention of the Committee to conduct approval hearings, as provided for by Article 118 (1) (a) (b) and (2) of the Constitution and Section 6(4) of the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011), which allows public participation in committee proceedings. The notification gave provision for the submission of memoranda, by way of written statements on oath (*affidavit*) on the suitability or otherwise of

the nominees, by **Friday, 11<sup>th</sup> November 2022 at 5.00 pm (East African Time)**. At the close of the submission deadline, the Committee had not received any memorandum against the suitability of the nominees.

## **2.6 Notification to the Nominee**

31. The Clerk of the National Assembly vide an advert placed in the print media on Friday, 4<sup>th</sup> November 2022 and letters Ref. NA/DDC/A&L/VETT/2022/001 and Ref. NA/DDC/A&L/VETT/2022/002 informed the nominees of the nomination by H.E. the President and requested them to appear for vetting by the Departmental Committee on Housing, Urban Planning and Public Works on **Thursday, 17<sup>th</sup> November 2022** in Committee Room 7, Main Parliament Building. The Clerk of the National Assembly further requested the nominees to bring with them their clearance certificates from the Kenya Revenue Authority (KRA), the Higher Education Loans Board (HELB), Ethics and Anti-Corruption Commission (EACC), Directorate of Criminal Investigations (DCI) and Office of the Registrar of Political Parties (ORPP). However, due to a court case, the vetting was delayed and the nominees were eventually vetted on Wednesday, 30<sup>th</sup> November 2022.

## **2.7 Clearance Requirements**

32. The Clerk of the National Assembly wrote to the Kenya Revenue Authority (KRA), the Higher Education Loans Board (HELB), Ethics and Anti-Corruption Commission (EACC), Office of the Registrar of Political Parties (ORPP) and Directorate of Criminal Investigations (DCI) requesting for tax, education loans, integrity, affiliation to political parties and criminal record status of the nominees. The following institutions wrote back to the National Assembly clearing the nominees, KRA (letter Ref. KRA/5/1002/5(8179) dated 14<sup>th</sup> November 2022); DCI (letter Ref. DCI/CRO/SEC/6/7/2/A/VOL.XI/208 dated 10<sup>th</sup> November 2022); EACC (letter Ref: EACC.7/10/5 VOL XXI (70) dated 11<sup>th</sup> November 2022); HELB (letter Ref. HELB/RR/112009/190 dated 10<sup>th</sup> November 2022); and ORPP (letter Ref: RPP/ORG/34 VOL. VI (41) dated 10<sup>th</sup> November 2022).

## **2.8 Report of the Public Service Commission on the Nomination of Principal Secretaries**

33. Pursuant to Article 155 (3) (a) of the Constitution, the Public Service Commission invited applications from suitably qualified persons for the position of Principal Secretary. The advertisement was published in the print media, Kenya Gazette No. 10536 and on the Commission's Website on 7<sup>th</sup> September 2022 with a closing date of 20<sup>th</sup> October 2022.
34. On 20<sup>th</sup> September 2022, the Commission extended the advertisement period by seven (7) days. The advertisement period lapsed on 27<sup>th</sup> September 2022 with a total of nine thousand one hundred and fifty-four (9,154) persons submitting applications for consideration.
35. Four hundred and seventy-seven (477) candidates were shortlisted from 3<sup>rd</sup> to 6<sup>th</sup> October 2022 and a further review done on 7<sup>th</sup> October 2022 to bring the shortlist to five hundred and eighty-five (585) candidates so as to cater for gender, marginalized/minority groups and PWDs pursuant to Article 232 (1) (h) of the Constitution. Interviews for the shortlisted persons were conducted from 12<sup>th</sup> to 22<sup>nd</sup> October 2022.
36. Mr. Charles Mwangi Hinga, was number one hundred and one (101) on the published list of shortlisted candidates and he was interviewed by the Public Service Commission on 21<sup>st</sup> October 2022 at 11.00 a.m.

37. Mr. Joel P. L. Arumonyang was number two hundred and sixty-five (265) on the published list of shortlisted candidates and he was interviewed by the Public Service Commission on 14<sup>th</sup> October 2022 at 12.30 p.m.

## **2.9 Committee proceedings**

38. The Committee having received the names of the nominees was obligated to conduct approval hearings and make determination of the nominees' suitability or otherwise within twenty-eight (28) days as provided for in section 8 (1) of the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011).

39. The Committee held three (3) sittings during which it examined and reviewed the nominees' certificates, testimonials as well as conducted approval hearings.

## CHAPTER THREE

### 3 APPROVAL HEARINGS

40. The Committee conducted approval hearings for the nominees on **Wednesday, 30<sup>th</sup> November 2022**. Although initially the hearings were scheduled to take place on **Thursday, 17<sup>th</sup> November 2022**, it was not possible for the Committee to proceed with the exercise then, due to conservatory orders issued on 14<sup>th</sup> November 2022 by the Employment and Labour Relations Court at Nairobi (Case Number ELRCPET/E192/2022). The orders were subsequently set aside on 29<sup>th</sup> November 2022, paving way for the conclusion of the vetting process. In conducting the vetting exercise, the Committee was guided by, among other documents, the Constitution, the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011), the Public Service Commission Act, 2017 and the Standing Orders.
41. The Committee examined the nominees using the guidelines in the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011). The Committee also considered the following in vetting the nominees:
- a. Academic qualifications
  - b. Employment record and work experience
  - c. Professional association
  - d. Public office, political activities and affiliations
  - e. Potential conflict of interest
  - f. Suitability to the position
  - g. Tax compliance
  - h. Vision and leadership
  - i. Integrity
  - j. Expectations and Key priorities

#### 3.1 MR. CHARLES M. HINGA, CBS, CA(SA)

Mr. Charles Hinga was orally interviewed by the Committee and responded to questions during vetting as follows:

##### 3.1.1 Personal Background

42. Mr. Hinga is a Kenyan citizen of identity card number 13535122 and was born in Nakuru County in 1975. He submitted that he was from a humble background, having gone through various life experiences upto where he was as the Principal Secretary.

##### 3.1.2 Educational Background

43. Mr. Hinga holds Bachelor of Commerce from Kenyatta University and a Bachelor of Accounting Science (Hons) from the University of South Africa.

44. He sat for Kenya Certificate of Secondary Examinations at Alliance High School in 1994.

##### 3.1.3 Work experience/career progression

45. Mr. Hinga work experience is as follows:

- i. Article Clerk at Carlos Pereira & Associates
- ii. Co-founder, Executive Chairman & Shareholder at Pamoja Capital Group (SA)
- iii. Executive Director at Pamoja Asset Management
- iv. Co-founder, Executive Director & Shareholder at Pamoja Capital Kenya
- v. Founder, Chairman & Ag. CEO at Brightwave Technologies



- vi. Shareholder & Non-Executive Director at Genghis Capital
- vii. Principal Secretary in the State Department for Housing and Urban Development

#### **3.1.4 Network**

46. Mr. Hinga informed the Committee that he was worth Ksh. 214,845,201. This comprise of 297,900,188 of total assets minus Ksh. 83,054,987 of liabilities. The source of his wealth includes his gross salary and drawings on goodwill from South African companies.

#### **3.1.5 Clearance Requirements**

47. The Committee confirmed that the nominee had been cleared by KRA, ORPP, DCI, EACC and HELB, having obtained clearance certificates to that effect.

#### **3.1.6 Other issues under consideration**

To examine suitability or otherwise of the nominee, the Committee posed questions to the nominee in the following thematic areas:

##### **48. Regarding his achievements**

Mr. Hinga stated that the Park Road project opened up so many opportunities to ordinary Kenyans, including *Jua Kali* artisans. He further explained that Kenyans of lowest income were able to access affordable housing units, something that was not possible earlier on.

##### **49. On his vision for the housing sector**

He submitted that it was his dream to see full realization of Article 43 (1) (b) of the Constitution, especially on accessibility to adequate housing, and to reasonable standard of sanitation.

##### **50. Regarding the government austerity measures**

Mr. Hinga stated that debt per se was not a problem, and that the issue was debt management. He explained that cost-cutting measures should be well balanced to avoid negative impact on the economy. He underscored the need to increase budgetary allocation for affordable housing projects.

##### **51. On Big Four Agenda**

Mr. Hinga informed the Committee that the housing projects have a direct bearing on the Big Four Agenda, and in particular, on matters manufacturing.

##### **52. On Public Participation**

He observed that we have to do more to expand the scope of public participation. He further observed it was important for the State Department to closely engage Members since they are the direct contacts with the people.

##### **53. On monitoring and evaluation**

Mr. Hinga stated that automation of services was key. He gave an example of a platform called "Market Place" as an enabler to a more transparent, automated process in managing Boma Yangu.

##### **54. On involvement of MPs in the State Department's activities**

Mr. Hinga assured Members that if appointed as PS, he will ensure that MPs are included in the oversight of projects in the State Department in order to ensure that objectives of the projects are met and that public outreach is enhanced through collaboration with Members of Parliament.

**55. On corruption**

Mr. Hinga observed that the procurement laws have to be relooked at and simplified, otherwise instead of addressing corruption, there was likelihood that the same laws may be an impediment to fighting corruption.

**56. On why the State Department was not engaging technical experts in projects**

Mr. Hinga pointed out that most of the projects are donor-funded with a ready budgetary provision for consultancy.

**57. On the NaMATA**

Mr. Hinga observed that land use planning and transport planning go together, and that there was a strong need for empowering the Nairobi Metropolitan Area Transport Authority. He noted that although NaMATA was, vide Executive Order No. 1 of 2022, placed in the State Department for Transport, the Authority still falls under the purview and oversight of the Departmental Committee on Housing, Urban Planning and Public Works in line with the Second Schedule to the Standing Orders, which has placed metropolitan affairs under the ambit of the Housing Committee.

**58. On management and maintenance of government housing projects**

Mr. Hinga was of the view that settlements should be designed to accommodate people of varied income and thus he supports mixed-use development, in order to have high end, affordable and social units all within one project. This, he noted, will bring a desired balance in management of the units.

**59. On Kibra slum eradication**

Mr. Hinga submitted that he was hopeful and that it was very much possible to upgrade the entire settlement to a modern and affordable housing projects for the locals. He explained that it was important to share the vision with the locals.

**3.2 MR. JOEL P. L. ARUMONYANG**

Mr. Joel Arumonyang was orally interviewed by the Committee and responded to questions during vetting as follows:

**3.2.1 Personal Background**

60. Mr. Joel Arumonyang is a Kenyan citizen of identity card number 13005628 and was born in West Pokot County in 1975.

**3.2.2 Educational Background**

61. Mr. Joel Arumonyang holds Master of Business Administration from University of Nairobi (MBA) (2002-2009), Post-Graduate Diploma (Purchasing and Supply, UK) (2006-2007) and a Bachelor of Arts Commerce (University of Nairobi) (1995-1999).

62. He sat for his 'A' level examinations at Chewoyet High School in 1993 and his Certificate of Primary Education at Kapsangar Primary School (1989)

**3.2.3 Work experience/career progression**

63. Mr. Joel Arumonyang has worked in the public sector in most of his career life. This includes:

- i. County Executive Committee Member, West Pokot County from September 2017-February 2022
- ii. County Secretary, West Pokot County Government 2014-2017
- iii. CDF Board as Fund Account Manager-2007-2014

- iv. Ministry of Regional Development Authority as Procurement Officer-2004-2007
- v. Pokot County Council as administrative officer-2001-2002
- vi. Ortum High School as a Board of Management teacher-2000

#### **3.2.4 Networth**

64. Mr. Joel Arumonyang stated that he was worth Ksh. 86 million. He had accrued his wealth from salary, farm produce and livestock sales.

#### **3.2.5 Honors and Awards**

65. Mr. Joel Arumonyang was awarded graduate diploma in purchasing and supply certificate on 23<sup>rd</sup> August 2007 by the Chartered Institute of Purchasing and Supply.

#### **3.2.6 Clearance Requirements**

66. The Committee confirmed that the nominee had been cleared by KRA, ORPP, DCI, EACC and HELB, having obtained clearance certificates to that effect.

#### **3.2.7 Other issues under consideration**

To examine suitability or otherwise of the nominee, the Committee posed questions to the nominee in the following thematic areas:

##### **67. On his vision for the sector**

Mr. Joel submitted that he wanted to achieve excellence in development and maintenance of buildings in public works.

##### **68. On public participation**

He observed that public participation was key in addressing issues and that it may also address the issue of roles overlapping between the Ministry and other stakeholders. He noted that it was important to involve all stakeholders, and that the media and website domains play a crucial role in disseminating information to the public.

##### **69. On monitoring and evaluation**

Mr. Joel observed that access to information was a constitutional requirement and that he will engage experts in the department to come up with an effective system of monitoring projects.

##### **70. On integrity**

He stated that he has never been adversely mentioned on any corrupt dealings.

##### **71. On Planning**

Mr. Arumonyang observed that as a country, we have challenges in planning cities and towns because more often, we do development without planning. He explained that planning should always be ahead of development and not the other way round.

## CHAPTER FOUR

### 4 OBSERVATIONS AND FINDINGS

72. The Committee observations were guided by Article 155 of the Constitution, section 47 of the Public Service Commission Act, 2017 and section 7 of the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011) in terms of issues for consideration as follows:
- i. the procedure used to arrive at the nominee;
  - ii. any constitutional or statutory requirements relating to the office in question; and
  - iii. suitability of the nominees for the appointment proposed having regard to whether the nominees' abilities, experience and qualities meet the needs of the body to which the nomination is made.
73. The Committee made the following general observations on the nominees:
- i. Both nominees are Kenyan citizens and are not citizens of any other country. They therefore meet the requirements of Article 78 of the Constitution;
  - ii. The Public Service Commission submitted the report of the recruitment of principal secretaries to the National Assembly hence the Committee was able to ascertain that the interview process was competitive and that the nominees were in the shortlist as required by Article 155(3) of the Constitution;
  - iii. The nominees were cleared by KRA on tax compliance, HELB on the payment of their education loans, EACC on integrity, DCI on their criminal status and ORPP on membership to political parties; and
  - iv. The Clerk of the National Assembly invited members of the public to submit memoranda on the nominees pursuant to section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011. The Committee did not receive any memoranda in support or contesting the suitability of any of the nominees.

#### 4.1 Mr. Charles M. Hinga, CBS, CA(SA)

74. The Committee observed that:
- i. Mr. Hinga holds a Bachelor of Commerce from Kenyatta University and a Bachelor of Accounting Science (Hons) from the University of South Africa;
  - ii. He began his career as an Article Clerk at Carlos Pereira & Associates, then as a Co-founder, Executive Chairman & Shareholder at Pamoja Capital Group (SA), then as an Executive Director at Pamoja Asset Management and Co-founder, Executive Director & Shareholder at Pamoja Capital Kenya. He was also the Founder, Chairman & Ag. CEO at Brightwave Technologies, Shareholder & Non-Executive Director at Genghis Capital as at the time of the approval hearings, he was the current Principal Secretary in the State Department for Housing and Urban Development;
  - iii. The nominee, during the approval hearing demonstrated that he had good understanding of the plans and policies of the State Department for Housing and Urban Development and how they fit into the government's plans as required by section 47(2) (v) of the Public Service Act, 2017;
  - iv. According to the information and records presented to the Committee, Mr. Hinga had never been implicated in any issues that may lead to lack of integrity on his part and therefore meets the requirements of Chapter Six of the Constitution.

- iv. Mr. Hinga demonstrated that he had good knowledge and understanding of the workings of the State Department for Housing and Urban Development.

#### **4.2 Mr. Joel P. L. Arumonyang**

75. The Committee observed that:

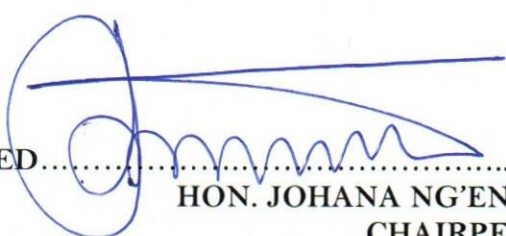
- i. Mr. Joel Arumonyang holds a holds Master of Business Administration from University of Nairobi (MBA) (2002-2009), Post-Graduate Diploma (Purchasing and Supply, UK) (2006-2007) and a Bachelor of Arts Commerce (University of Nairobi) (1995-1999);
- ii. He began his career at Ortum High School as a Board of Management teacher-2000, then served in Pokot County Council as administrative officer-2001-2002, Ministry of Regional Development Authority as Procurement Officer-2004-2007, CDF Board as Fund Account Manager-2007-2014, County Secretary-2014-2017 and County Executive Committee Member in West Pokot County from September 2017-February 2022.
- iii. The nominee, during the approval hearing demonstrated that he had good understanding of the plans and policies of the State Department for Public Works and how they fit into the government's policies as required by section 47(2) (v) of the Public Service Act, 2017;
- iv. According to the information and records presented to the Committee, Mr. Joel had never been implicated in any issues that may lead to lack of integrity on his part and therefore meets the requirements of Chapter Six of the Constitution.
- v. Mr. Joel Arumonyang demonstrated knowledge of policies, programmes and projects in the State Department for Public Works having worked as County Executive Member for Lands, Urban Development, Trade, Industry, ICT, Culture, Youth and Sports.in the County Government of West Pokot.

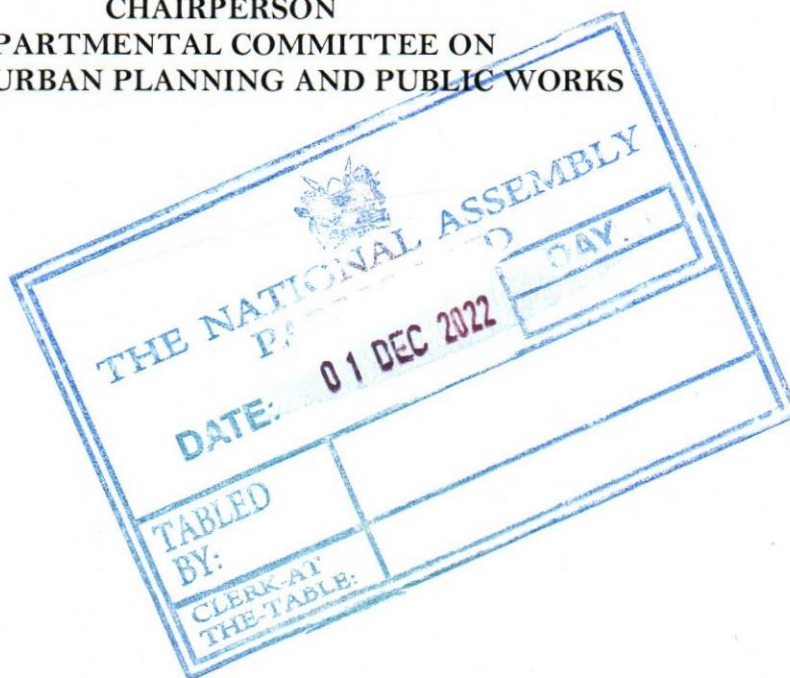
CHAPTER FIVE

5 RECOMMENDATION

76. Having considered the suitability, capacity and integrity of the nominees, and pursuant to Articles 132 (2) (d) and 155(3)(b) of the Constitution and Section 8(2) of the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011), the Committee recommends that the National Assembly **APPROVES** the appointment of:

- i. Mr. Charles M. Hinga, CBS, CA(SA) to the position of Principal Secretary, State Department for Housing and Urban Development; and
- ii. Mr. Joel P. L. Arumonyang to the position of Principal Secretary for Public Works.

SIGNED.......... DATE..... 30/11/2022.....  
HON. JOHANA NG'ENO KIPYEGON, MP  
CHAIRPERSON  
DEPARTMENTAL COMMITTEE ON  
HOUSING, URBAN PLANNING AND PUBLIC WORKS



# ANNEX **1**

## Adoption List

*Report of the Departmental Committee on Housing, Urban Planning and Public Works on the vetting of Mr. Charles Hinga, CBS and Mr. Joel Arumonyang; Nominees for appointment as Principal Secretaries, State Departments for Housing & Urban Development, and Public Works respectively*

**Adoption of the Committee Report on the Approval Hearings of Mr. Charles M. Hinga, CBS, CA(SA), Nominee for Appointment as Principal Secretary, State Department Housing and Urban Development; and Mr. Joel P. L. Arumonyang, Nominee for Appointment as Principal Secretary, State Department for Public Works**

We, the Members of the Departmental Committee on Housing, Urban Planning and Public Works have, pursuant to Standing Order 199, adopted this Report on the Approval Hearings of Mr. Charles M. Hinga, CBS, CA(SA), nominee for appointment as Principal Secretary, State Department Housing and Urban Development; and Mr. Joel P. L. Arumonyang, nominee for appointment as Principal Secretary, State Department for Public Works and affixed our signatures to affirm our approval and confirm its accuracy, validity and authenticity:

1. Hon. Johana Ng'eno Kipyegon, M.P. – Chairperson

2. Hon. Mugambi Murwithania Rindikiri, M.P. – Vice Chair

3. Hon. John Waluke Koyi, M.P.

4. Hon. Esther Muthoni Passaris, OGW, M.P.

5. Hon. Innocent Obiri Momanyi, M.P.

6. Hon. Joshua Kivinda Kimilu, M.P.

7. Hon. Samuel Kinuthia Gachobe, M.P.

8. Hon. Abraham Kipsang Kirwa, M.P.

9. Hon. Caleb Mutiso Mule, M.P.

10. Hon. Daniel Ogwoka Manduku, M.P.

11. Hon. Irene Njoki Mrembo, M.P.

12. Hon. Jane Wangechi Kagiri, M.P.

13. Hon. John G. Mwaniki Mukunji, M.P.

14. Hon. Maurice Kakai Bisau, M.P.

15. Hon. Ronald Kamwiko Karauri, M.P.

The block contains handwritten signatures in blue ink, each placed on a dotted line next to a corresponding member's name. The signatures are: 1. A large, stylized signature for Johana Ng'eno Kipyegon. 2. A signature for Mugambi Murwithania Rindikiri. 3. A signature for John Waluke Koyi. 4. A signature for Esther Muthoni Passaris. 5. A signature for Innocent Obiri Momanyi. 6. A signature for Joshua Kivinda Kimilu. 7. A signature for Samuel Kinuthia Gachobe. 8. A signature for Abraham Kipsang Kirwa. 9. A signature for Caleb Mutiso Mule. 10. A signature for Daniel Ogwoka Manduku. 11. A signature for Irene Njoki Mrembo. 12. A signature for Jane Wangechi Kagiri. 13. A signature for John G. Mwaniki Mukunji. 14. The word 'VIRTUALLY' written in capital letters. 15. A signature for Ronald Kamwiko Karauri.



# ANNEX 2

## Minutes

*Report of the Departmental Committee on Housing, Urban Planning and Public Works on the vetting of Mr. Charles Hinga, CBS and Mr. Joel Arumonyang; Nominees for appointment as Principal Secretaries, State Departments for Housing & Urban Development, and Public Works respectively*

**MINUTES OF THE FOURTH (4<sup>TH</sup>) SITTING OF THE DEPARTMENTAL COMMITTEE ON HOUSING, URBAN PLANNING AND PUBLIC WORKS HELD ON WEDNESDAY 30<sup>TH</sup> NOVEMBER 2022 AT 1.30 P.M. ON 2<sup>ND</sup> FLOOR, CONTINENTAL HOUSE WITHIN PARLIAMENT BUILDINGS**

**MEMBERS PRESENT**

1. Hon. Johana Ng'eno Kipyegon, M.P. - Chairperson
2. Hon. Mugambi Murwithania Rindikiri, M.P. - Vice Chairperson
3. Hon. Maurice Kakai Bisau, M.P. - *virtually*
4. Hon. Abraham Kipsang Kirwa, M.P.
5. Hon. John G. Mwaniki Mukunji, M.P.
6. Hon. Ronald Kamwiko Karauri, M.P.
7. Hon. John Waluke Koyi, M.P.
8. Hon. Esther Muthoni Passaris, OGW, M.P.

**MEMBERS ABSENT WITH APOLOGY**

1. Hon. Innocent Obiri Momanyi, M.P.
2. Hon. Joshua Kivinda Kimilu, M.P.
3. Hon. Samuel Kinuthia Gachobe, M.P.
4. Hon. Caleb Mutiso Mule, M.P.
5. Hon. Daniel Ogwoka Manduku, M.P.
6. Hon. Irene Njoki Mrembo, M.P.
7. Hon. Jane Wangechi Kagiri, M.P.

**IN ATTENDANCE**

1. Mr. Joel P. L. Arumonyang - Nominee

**SECRETARIAT**

1. Mr. Ahmed Salim Abdalla - Clerk Assistant II
2. Mr. Sisto Gichuhi Macharia - Clerk Assistant III
3. Mr. Dickson Mogeni Gekara - Clerk Assistant III
4. Ms. Emma Essendi - Senior Legal Counsel
5. Mr. Nelson Odida - Research Officer III
6. Mr. George Ndenjeshe - Fiscal Analyst III
7. Ms. Audrey Eshitsimi Andola - Legal Counsel II
8. Mr. Murimi Mwangi - Media Relations Officer III
9. Ms. Esther Ngechu - Serjeant at Arms
10. Ms. Maureen Kweyu - Audio Officer
11. Ms. Florence Wanja - Public Communications Officer

**AGENDA**

1. Prayers
2. Preliminaries
3. Adoption of previous minutes
4. Approval Hearing for PS Nominee
5. Any Other Business; and
6. Adjournment.

**MIN No. HUPPW 016/2022:**                    **PRELIMINARIES**

The meeting was called to order at 1:30 p.m. followed by a word of prayer by the chairperson. The chairperson informed the meeting that the agenda was approval hearings for Principal Secretary nominee in the state department for Public Works.

The agenda of the meeting was subsequently adopted after being proposed by the Hon. John G. Mwaniki Mukunji, M.P. and seconded by the Hon. Esther Muthoni Passaris, OGW, M.P.

**MIN No. HUPPW 017/2022:**                    **CONFIRMATION OF MINUTES OF THE PREVIOUS SITTING**

Confirmation of minutes of the previous sitting was deferred to a later date.

**MIN No. HUPPW 018/2022:**                    **APPROVAL HEARING FOR THE NOMINEE TO BE APPOINTED AS PRINCIPAL SECRETARY FOR THE STATE DEPARTMENT OF PUBLIC WORKS**

An oath was administered to the nominee, Mr. Joel P. L. Arumonyang, after which introductions were done and the nominee documentation verified. During the hearing, the nominee responded to various issues put forward by the committee. In his submissions, the nominee submitted as follows:

1. He is a Kenyan citizen of identity card number 13005628 and was born in West Pokot County in 1975.
2. He holds a Master of Business Administration from University of Nairobi (MBA) (2002-2009), Post-Graduate Diploma (Purchasing and Supply, UK) (2006-2007) and a Bachelor of Arts Commerce (University of Nairobi) (1995-1999).
3. He sat for his 'A' level examinations at Chewoyet High School in 1993 and his Certificate of Primary Education at Kapsangar Primary School (1989)
4. Has worked in the public sector in most of his career life. This includes:
  - i. County Executive Committee Member, West Pokot County from September 2017-February 2022
  - ii. County Secretary, West Pokot County Government 2014-2017
  - iii. CDF Board as Fund Account Manager-2007-2014
  - iv. Ministry of Regional Development Authority as Procurement Officer-2004-2007
  - v. Pokot County Council as administrative officer-2001-2002
  - vi. Ortum High School as a Board of Management teacher-2000
5. He was worth Ksh. 86 million. He had accrued his wealth from salary, farm produce and livestock sales.
6. Was awarded a graduate diploma in purchasing and supply certificate on 23<sup>rd</sup> August 2007 by the Chartered Institute of Purchasing and Supply.
7. His vision was to achieve excellence in development and maintenance of buildings in public works.
8. Public participation was key in addressing issues and that it may also address the issue of roles overlapping between the Ministry and other stakeholders. He noted that it was important to involve all stakeholders, and that the media and website domains play a crucial role in disseminating information to the public.
9. Access to information was a constitutional requirement and that he will engage experts in the department to come up with an effective system of monitoring projects.
10. He has never been adversely mentioned on any corrupt dealings.
11. He further noted that as a country we have challenges in planning cities and towns because more often, we do development without planning. He explained that planning should always be ahead of development and not the other way round.

**Observations**

The Committee made the following observations on the nominees:

- i. Both nominees are Kenyans and are not citizens of any other country. They therefore meet the requirements of Article 78 of the Constitution;
- ii. The Public Service Commission submitted the report of the recruitment of principal secretaries to the National Assembly hence the Committee was able to ascertain that the interview process was competitive and that the nominees were in the shortlist as required by Article 155(3) of the Constitution;
- iii. The nominees were cleared by KRA on tax compliance, HELB on the payment of their education loans, EACC on integrity, DCI on their criminal status and ORPP on membership to political parties;
- iv. The Clerk of the National Assembly invited members of the public to submit memoranda on the nominees pursuant to section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011. The Committee did not receive any memoranda in support or contesting the suitability of any of the nominees.
- v. The nominees demonstrated good understanding of the plans and policies of their respective State Departments.
- vi. According to the information and records presented to the Committee, the nominees have never been implicated in any issues that may lead to lack of integrity on their part and therefore meet the requirements of Chapter Six of the Constitution.

**Recommendations**

Having considered the suitability, capacity and integrity of the nominees, and pursuant to Article 155(3)(b) of the Constitution and Section 8(2) of the Public Appointments (Parliamentary Approval) Act (No. 33 of 2011), the Committee recommended that the National Assembly approves the appointment of Mr. Charles M. Hinga, CBS, CA(SA) to the position of Principal Secretary, State Department for Housing and Urban Development; and Mr. Joel P. L. Arumonyang to the position of Principal Secretary for Public Works.

The committee adopted the report on the approval hearings of Mr. Charles M. Hinga, CBS, CA(SA), Nominee for Appointment as Principal Secretary, State Department Housing and Urban Development; and Mr. Joel P. L. Arumonyang, Nominee for Appointment as Principal Secretary, State Department for Public Works. Adoption of the report was proposed by Hon. Abraham Kipsang Kirwa, M.P. and seconded by Hon. Ronald Kamwiko Karauri, M.P.

There being no other business to transact, the sitting adjourned at three o'clock. Next sitting to be held on notice.

Signed.....  
.....  
(Chairperson)

Date..... 30 / 11 / 2022 .....

**MINUTES OF THE THIRD (3<sup>RD</sup>) SITTING OF THE DEPARTMENTAL COMMITTEE ON HOUSING, URBAN PLANNING AND PUBLIC WORKS HELD ON WEDNESDAY 30<sup>TH</sup> NOVEMBER 2022 AT 10.00 A.M. ON 2<sup>ND</sup> FLOOR, CONTINENTAL HOUSE WITHIN PARLIAMENT BUILDINGS.**

**MEMBERS PRESENT**

1. Hon. Johana Ng'eno Kipyegon, M.P. - Chairperson
2. Hon. Mugambi Murwithania Rindikiri, M.P. - Vice Chairperson
3. Hon. Maurice Kakai Bisau, M.P. - *virtually*
4. Hon. Abraham Kipsang Kirwa, M.P.
5. Hon. John G. Mwaniki Mukunji, M.P.
6. Hon. Ronald Kamwiko Karauri, M.P.
7. Hon. John Waluke Koyi, M.P.
8. Hon. Esther Muthoni Passaris, OGW, M.P.

**MEMBERS ABSENT WITH APOLOGY**

1. Hon. Innocent Obiri Momanyi, M.P.
2. Hon. Joshua Kivinda Kimilu, M.P.
3. Hon. Samuel Kinuthia Gachobe, M.P.
4. Hon. Caleb Mutiso Mule, M.P.
5. Hon. Daniel Ogwoka Manduku, M.P.
6. Hon. Irene Njoki Mrembo, M.P.
7. Hon. Jane Wangechi Kagiri, M.P.

**IN ATTENDANCE**

1. Mr. Charles M. Hinga, CBS, CA(SA), - Nominee

**SECRETARIAT**

- |                                |   |                               |
|--------------------------------|---|-------------------------------|
| 1. Mr. Ahmed Salim Abdalla     | - | Clerk Assistant II            |
| 2. Mr. Sisto Gichuhi Macharia  | - | Clerk Assistant III           |
| 3. Mr. Dickson Mogeni Gekara   | - | Clerk Assistant III           |
| 4. Ms. Emma Essendi            | - | Senior Legal Counsel          |
| 5. Mr. Nelson Odida            | - | Research Officer III          |
| 6. Mr. George Ndenjeshe        | - | Fiscal Analyst III            |
| 7. Ms. Audrey Eshitsimi Andola | - | Legal Counsel II              |
| 8. Mr. Murimi Mwangi           | - | Media Relations Officer III   |
| 9. Ms. Esther Ngechu           | - | Serjeant at Arms              |
| 10. Maureen Kweyu              | - | Audio Officer                 |
| 11. Ms. Florence Wanja         | - | Public Communications Officer |

**AGENDA**

1. Prayers
2. Preliminaries
3. Adoption of previous minutes
4. Approval Hearing for PS Nominee
5. Any Other Business; and
6. Adjournment.

**MIN No. HUPPW 012/2022:**                      **PRELIMINARIES**

The meeting was called to order at 10:00 a.m. followed by a word of prayer by the chairperson. The chairperson informed the meeting that the agenda was approval hearings for PS nominees in the state department for Housing and Urban Development, and for Public Works.

The agenda of the meeting was subsequently adopted after being proposed by the Hon. Esther Muthoni Passaris, OGW, M.P. and seconded by the Hon. Abraham Kipsang Kirwa, M.P.

**MIN No. HUPPW 013/2022:**                      **CONFIRMATION OF MINUTES OF THE PREVIOUS SITTING**

Minutes of the second sitting held on 10<sup>th</sup> November 2022 were confirmed to be a true reflection of the sitting having been proposed by the Hon. Mugambi Murwithania Rindikiri, M.P. and seconded by the Hon. Ronald Kamwiko Karauri, M.P.

**MIN No. HUPPW 014/2022:**                      **APPROVAL HEARING FOR THE NOMINEE TO BE APPOINTED AS PRINCIPAL SECRETARY FOR THE STATE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

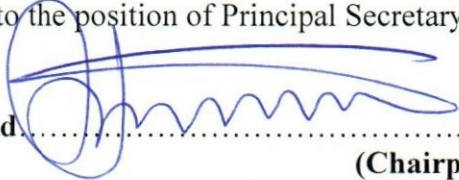
An oath was administered to the nominee after which introductions were done and the nominee documentation verified. During the hearing, the nominee responded to various issues put forward by the committee. In his submissions, the nominee submitted as follows:

1. He is a Kenyan citizen of identity card number 13535122 and was born in Nakuru County in 1975. He submitted that he was from a humble background, having gone through various life experiences upto where he was as the Principal Secretary.
2. He holds Bachelor of Commerce from Kenyatta University and a Bachelor of Accounting Science (Hons) from the University of South Africa.
3. He sat for Kenya Certificate of Secondary Examinations at Alliance High School in 1994.
4. He has worked in the public sector all his career life in the following capacities:
  - i. Article Clerk at Carlos Pereira & Associates
  - ii. Co-founder, Executive Chairman & Shareholder at Pamoja Capital Group (SA)
  - iii. Executive Director at Pamoja Asset Management
  - iv. Co-founder, Executive Director & Shareholder at Pamoja Capital Kenya
  - v. Founder, Chairman & Ag. CEO at Brightwave Technologies
  - vi. Shareholder & Non-Executive Director at Genghis Capital
  - vii. Principal Secretary in the State Department for Housing and Urban Development
5. He was worth Ksh. 214,845,201. This comprise of 297,900,188 of total assets minus Ksh. 83,054,987 of liabilities. The source of his wealth includes his gross salary and drawings on goodwill from South African companies.
6. The Park Road project opened up so many opportunities to ordinary Kenyans, including jua kali artisans. He further explained that Kenyans of lowest income were able to access affordable housing units, something that was not possible earlier on.
7. That it was his dream to see full realization of Article 43 of the Constitution, especially on accessibility to adequate housing, and to reasonable standard of sanitation.
8. Debt per se was not a problem, and that the issue was debt management. He explained that cost-cutting measures should be well balanced to avoid negative impact on the economy. He underscored the need to increase budgetary allocation for affordable housing projects.
9. Housing projects have a direct bearing on the Big Four Agenda, and in particular, on matters manufacturing.

10. More has to be done to expand the scope of public participation. He further observed it was important for the State Department to closely engage Members since they are the direct contacts with the people.
11. Automation of services was key. He gave an example of a platform called “Market Place” as an enabler to a more transparent, automated process in managing Boma Yangu.
12. Procurement laws have to be relooked at and simplified, otherwise instead of addressing corruption, there was likelihood that the same laws may be an impediment.
13. Land use planning and transport planning go together, and that there was a strong need for empowering the Nairobi Metropolitan Area Transport Authority. He noted that although NaMATA was, vide Executive Order No. 1 of 2022, placed in the State Department for Transport, the Authority still falls under the purview and oversight of the Departmental Committee on Housing, in line with the Second Schedule to the Standing Orders, which has placed metropolitan affairs under the ambit of the Housing Committee.
14. Settlements should be designed to accommodate people of varied income and mixed-use development, in order to have high end, affordable and social units all within one project. This, he noted, will bring a desired balance in management of the units.
15. He was hopeful that it was very much possible to upgrade the entire Kibra settlement to a modern and affordable housing projects for the locals. He explained that it was important to share the vision with the locals.

**MIN No. HUPPW 015/2022:            ADJOURNMENT**

There being no other business to transact, the sitting adjourned at seven minutes past one o'clock. Next sitting to be held on 30<sup>th</sup> November 2022 at 1.30 p.m. for vetting of the nominee for appointment to the position of Principal Secretary in the state department for Public Works.

Signed.....  
  
 (Chairperson)

Date..... 30/11/2022 .....

**MINUTES OF THE SECOND (2<sup>ND</sup>) SITTING OF THE DEPARTMENTAL COMMITTEE ON HOUSING, URBAN PLANNING AND PUBLIC WORKS HELD ON THURSDAY, 10<sup>TH</sup> NOVEMBER 2022 AT 11.30 A.M. IN COMMITTEE ROOM 9, MAIN PARLIAMENT BUILDINGS**

**MEMBERS PRESENT**

1. Hon. Johana Ng'eno Kipyegon, M.P. - Chairperson
2. Hon. Mugambi Murwithania Rindikiri, M.P. - Vice Chairperson
3. Hon. Innocent Obiri Momanyi, M.P.
4. Hon. Joshua Kivinda Kimilu, M.P.
5. Hon. Samuel Kinuthia Gachobe, M.P.
6. Hon. Abraham Kipsang Kirwa, M.P.
7. Hon. Caleb Mutiso Mule, M.P.
8. Hon. Daniel Ogwoka Manduku, M.P.
9. Hon. Irene Njoki Mrembo, M.P.
10. Hon. Jane Wangechi Kagiri, M.P.
11. Hon. John G. Mwaniki Mukunji, M.P.
12. Hon. Maurice Kakai Bisau, M.P.
13. Hon. Ronald Kamwiko Karauri, M.P.

**MEMBERS ABSENT WITH APOLOGY**

14. Hon. John Waluke Koyi, M.P.
15. Hon. Esther Muthoni Passaris, OGW, M.P.

**SECRETARIAT**

- |                                |   |                             |
|--------------------------------|---|-----------------------------|
| 1. Mr. Ahmed Salim Abdalla     | - | Clerk Assistant II          |
| 2. Mr. Sisto Gichuhi Macharia  | - | Clerk Assistant III         |
| 3. Mr. Dickson Mogeni Gekara   | - | Clerk Assistant III         |
| 4. Ms. Emma Essendi            | - | Senior Legal Counsel        |
| 5. Mr. Nelson Odida            | - | Research Officer III        |
| 6. Mr. George Ndenjeshe        | - | Fiscal Analyst III          |
| 7. Mr. Kelvin Lengasi          | - | Hansard Officer III         |
| 8. Ms. Audrey Eshitsimi Andola | - | Legal Counsel               |
| 9. Mr. Murimi Mwangi           | - | Media Relations Officer III |
| 10. Mr. Joshua Lenambeti       | - | Serjeant at Arms            |

**AGENDA**

1. Prayers
2. Preliminaries
3. Adoption of previous minutes
4. Pre-vetting preparations
5. Any Other Business; and
6. Adjournment.

**MIN No. HUPPW 006/2022: PRELIMINARIES**

The meeting was called to order at 11:45 a.m. after attainment of the requisite quorum. The meeting was then opened with a word of prayer from the chairperson who later requested members present and the secretariat to introduce themselves for purposes of knowing each other.



The agenda of the meeting was subsequently adopted after being proposed by the Hon. Ronald Karauri, M.P. and seconded by the Hon. Maurice Bisau, M.P.

**MIN No. HUPPW 007/2022:**                    **CONFIRMATION OF MINUTES OF THE PREVIOUS SITTING**

Minutes of the first sitting held on 2<sup>nd</sup> November 2022 were confirmed to be a true reflection of the sitting having been proposed by the Hon. Abraham Kipsang Kirwa, M.P. and seconded by the Hon. Joshua Kivinda Kimilu, M.P.

**MIN No. HUPPW 008/2022:**                    **PRE-VETTING MEETING FOR NOMINEES TO BE APPOINTED AS PRINCIPAL SECRETARIES FOR THE STATE DEPARTMENTS OF HOUSING AND URBAN DEVELOPMENT AND PUBLIC WORKS.**

The Chairperson invited the committee secretariat to take members through the vetting process of the two nominees of the state departments under the Ministry of Lands, Public works, Housing and Urban Development i.e., Mr. Charles Hinga-State Department for housing and urban development and Mr. Joel Arumonyang-State Department for Public works.

The legal counsel briefed the members on their mandate as far as the vetting process is concerned as guided by the constitution and relevant laws. The counsel highlighted to the members that Parliamentary approval of appointments to public offices is governed by the constitution, the Public Appointments Act,2011 and the National Assembly Standing Orders.

The brief also enlightened the members on various key constitutional and procedural requirements before, during and after vetting process, vetting committee powers, etc. as itemized below:

1. That the committee has the power to call for evidence from witnesses if it so wishes.
2. That ordinarily, the committee should vet the nominee and table the report in the house within 28 days. However, as per speaker's communication dated 3<sup>rd</sup> November 2022, the committee is expected to table the vetting report in the house by 22/11/2022.
3. That the approval hearing should focus on a candidate's academic credentials, professional training, experience, personal integrity and background.
4. That the committee has the duty to establish if the nominees are suitable and competent to hold the offices that they are being nominated to.
5. That the committee has the role of establishing whether the nominee has met all the constitutional requirements like:
  - a) Not having dual citizenship
  - b) Not holding office in a political party
  - c) Having integrity in serving members of the public.
  - d) Compliance with relevant statutory requirements as confirmed by state agencies like the DCI, KRA, EACC, HELB and Credit reference bureaus.

The members were also informed that as at 10<sup>th</sup> November 2022, no memoranda or affidavits had been received in respect of either nominee though the deadline for submission of the same was yet to lapse.

**MIN No. HUPPW 009/2022:**                    **COMMITTEE RESOLUTIONS**

1. The committee resolved that there was a need to strategize on how to interview the nominees so that the vetting exercise runs smoothly with the committee achieving the intended objectives at the end of it all. Members were therefore requested to make every

effort to prepare well in advance by way of doing background checks for the nominees as well as familiarizing themselves with the specific activities of the committee.

2. Members also resolved that the secretariat should avail to them in a file all the relevant documents for the nominee like their CVs, Legal brief, Committee mandates, blank questionnaire etc. to enable them prepare upfront.
3. The committee unanimously agreed that the secretariat should come up with relevant guiding questions to enable the members plan upfront on the order and chronology of the questions to the nominees. The members further observed that each one of them was free to ask any other follow up questions and that the questions to the nominees should be about the state departments to which they have been nominated.
4. The committee resolved that the vetting process should be undertaken professionally by the members including following all the due processes so that everything is above board.
5. Committee members to compare notes with other departmental committees doing similar vetting so that they can be at par with their counterparts.
6. No need for other preparations meeting before the actual vetting day. Members agreed to come to the meeting at least 30 minutes before the scheduled time so that they can have ample time to review the replied questionnaires, distribute questions amongst themselves as they purpose to plan well way in advance.

**MIN No. HUPPW 010/2022:                      ANY OTHER BUSINESS**

Members noted as follows:

1. The committee emphasized on the need for members to take individual initiatives and research, gather as much as possible information relating to the nominees.
2. Members to acquaint themselves with the specific roles of each state department oversighted by the Housing committee.

**MIN No. HUPPW 011/2022:                      ADJOURNMENT**

There being no other business to transact, the sitting adjourned at five minutes to one o'clock. Next sitting to be held on 17<sup>th</sup> November 2022 at 9.00 a.m. for the actual vetting of the nominees.

Signed.....

(Chairperson)

Date..... 30/11/2022