



**REPUBLIC OF KENYA**  
**THIRTEENTH PARLIAMENT - (SECOND SESSION)**  
**THE NATIONAL ASSEMBLY**  
**MESSAGES**

**MESSAGE FROM THE PRESIDENT**

\_\_\_\_\_ (No. 003 of 2023) \_\_\_\_\_

**ON NOMINEES FOR APPOINTMENT AS MEMBERS  
OF THE NATIONAL CLIMATE CHANGE COUNCIL**

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**Honourable Members,**

- 1.** Standing Order 42(1) relating to **Messages from the President** provides that –

*"The Speaker shall read to the House any message from the President delivered to the Speaker for communication to the House."*

- 2.** In this regard, I wish to report to the House that I have received a Message from H.E. the President regarding nomination of persons for appointment as Members of the National Climate Change Council. In the Message, H.E. the President conveys that in exercise of the powers conferred by section 7 of the Climate Change Act 2016, he has nominated the following persons for appointment as Members of the National Climate Change Council from the entities listed in sub-section (2) paragraphs (f), (g), (h) and (i) of the Act, respectively:

1. Ms. Emily Mwende Waita;
2. Mr. John Kioli;
3. Ms. Umra Omar; and,
4. Dr. George Odera Outa.

**3. Honourable Members,** in accordance with section 7(4) of the Climate Change Act, 2016 as read together with section 3 of the Public Appointments (Parliamentary Approval) Act, 2011 names of persons nominated for appointment as members of the National Climate Change Council under subsection (2) paragraphs (f), (g), (h) and (i) are subject to approval of Parliament before appointment.

**4. Honourable Members,** I hasten to clarify that, whereas parliamentary approval of public appointments generally falls within the province of the National Assembly, the approval of appointment of members of the Climate Change Council is among the exceptions that the applicable law prescribes a bi-cameral approval. Indeed, you may recall that in the 11<sup>th</sup> Parliament, this House, jointly with the Senate, vetted and approved appointment of the inaugural members of the Climate Change Council in 2016.

**5. Honourable Members,** for clarity, the vetting process shall proceed as follows:

**(i) THAT,** the vetting of the nominees proposed for appointment as members of the National Climate Change Council shall be conducted by the Departmental Committee on Environment, Forestry and Mining of the National Assembly, jointly sitting with the relevant committee of the Senate;

**(ii) THAT,** the quorum of the joint sittings of the Committees will be the respective quorums of each of the committees as stipulated in the Standing Orders of the respective Houses;

**(iii) THAT,** as contemplated under Rule 9(6) of the Joint Rules unless a decision is reached by consensus, any vote to be taken in the joint sittings of the Committees shall be by separate Houses. This will ensure that the numerical difference of the individual Members representing the Houses in the joint sittings has no effect on the decisions of the joint sittings of the Committees;

**(iv) THAT,** the joint Committees shall, having conducted the vetting hearings, submit a Joint Report to the respective Houses in the manner contemplated by Paragraph 7 of Joint Rule No. 9; and

**(v) THAT,** the approval process shall be conducted in accordance with the provisions of the Public Appointments (Parliamentary Approval) Act, 2011.

**6. Honourable Members,** section 8 of the Public Appointments (Parliamentary Approval) Act, 2011, provides that, the Committee to which nomination for appointment is referred shall consider the matter and table a report in the House **within twenty eight (28) days** from the date on which the notification of nomination is conveyed to the House. The Act also requires that the public be given seven (7) days notification for submission of views regarding the suitability or otherwise of nominees proposed for appointment to an office requiring approval of Parliament.

**7.** In this regard, and in accordance with the provision of Article 259(5)(a) of the Constitution as read together with section 5 of the Public Appointments (Parliamentary Approval) Act, the counting of the seven (7) days' notification to the public shall start running on the day following the day on which the notice is published in dailies.



**8. Honourable Members,** it is worth noting that section 9 of the said law provides that:-

*"If after the expiry of the period for consideration specified in Section 8, Parliament has neither approved nor rejected a nomination of a candidate, the candidate shall be deemed to have been approved."*

**9.** I therefore urge and advise the concerned Committees to expeditiously proceed to jointly notify the nominees and the public. Thereafter, the two committees should commence the joint approval hearings in earnest and table a Joint Report with the statutory timelines, to enable the Houses of Parliament to consider the Report within the set period.

**10. Honourable Members,** having guided the House, I now refer the Message, together with the resumes of each nominee and letters of recommendation from the relevant bodies, to the Departmental Committee on Environment, Forestry and Mining of the National Assembly sitting jointly with the Senate Standing Committee on Land, Environment and Natural Resources, or such other appropriate committee of the Senate, for consideration. I also further instruct the Clerk to coordinate with the Clerk of the Senate so as to immediately facilitate the process of the statutory notifications to the general public ahead of the first sitting of the Joint Committee.

I thank you.

  
**THE RT. HON. MOSES M. WETANG'ULA, EGH, MP**  
**SPEAKER OF THE NATIONAL ASSEMBLY**

Tuesday, 14<sup>th</sup> February 2023