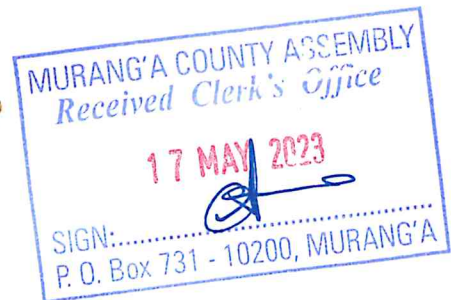


REPUBLIC OF KENYA



COUNTY ASSEMBLY OF MURANG'A

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THIRD ASSEMBLY - SECOND SESSION

THE SECTORAL COMMITTEE ON TRADE, INDUSTRIALIZATION,  
CO-OPERATIVE MANAGEMENT, TOURISM AND WILDLIFE

REPORT ON

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VETTING OF Ms. VAINUSA YUSSUF ABURO NOMINEE FOR APPOINTMENT TO  
THE POSITION OF CHIEF OFFICER TRADE, INDUSTRIALIZATION AND  
COOPERATIVE DEVELOPMENT.

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*Clerks Chambers*

*May 17, 2023*

*Murang'a County Assembly*

**MURANG'A**

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## LIST OF ABBREVIATIONS/ACCRONYMS

CGA	County Governments Act, 2012
CPSB	County Public Service Board
CRB	Credit Reference Bureau
DCI	Directorate of Criminal Investigations
HELB	Higher Education Loans Board
KRA	Kenya Revenue Authority
KPLC	Kenya Power and Lighting Company

## **1.0 PREFACE**

### **1.1 Establishment and Mandate of the Committee**

The Sectoral Committee on Trade, Industrialization, Co-operative Management, Tourism and Wildlife is established under Standing Order 204(1) and draws its mandate from Standing Order 204(5).

### **1.2 Committee Membership**

The Committee comprises of the following Members: -

<b>1. Hon. James Karanja Kabera</b>	<b>Chairperson</b>
<b>2. Hon. Loise Mbogo</b>	<b>Vice Chairperson</b>
3. Hon. Moses Macharia Mirara	Member
4. Hon. Julian Njiri	Member
5. Hon. Moses Muchiri Maina	Member
6. Hon. Pauline Njeri Muchiri	Member
7. Hon. Isaac Chefman Njoroge	Member
8. Hon. Laban Chomba Njaramba	Member
9. Hon. Gladys Wambui Waikau	Member
10. Hon. Grace Sharleen Wambui	Member
11. Hon. John Mwangi Kamau	Member

### **1.3 Terms of Reference**

The Committee was guided by the following terms of reference;

- a. To conduct approval hearing of nominee for appointment as the Chief Officer, Trade, Industrialization and Co-operative Development.
- b. To report on observations of the vetting of the nominee and her suitability for appointment as Chief Officer, Trade, Industrialization and Co-operative Development. .
- c. To recommend the approval or rejection of the nomination.

#### 1.4 Acknowledgement

May I take this opportunity to thank the Hon. Members of this committee for their dedication, patience and valuable input during deliberations of the entire vetting process. The committee also extends its gratitude to the offices of the Hon. Speaker and the Clerk of the County Assembly for the professional, technical and logistical support accorded to it during the vetting exercise, which enabled the completion of this report.

On behalf of the committee on Trade, Industrialization, Cooperative Management, Tourism and Wildlife and pursuant to Section 9 of the Public Appointments (County Assemblies Approval) Act 2017, it is my pleasure and duty to present to the House, the Committee's report on the vetting of Ms. Vainusa Yussuf Aburo as the nominee by His Excellency the Governor for appointment as the Chief Officer, Trade, Industrialization and Co-operative Development.

Thank You.

Signed:  .....

Dated May 16, 2023.

Hon. James Karanja Kabera  
(Chairperson)  
Committee on Trade, Industrialization, Co-operative Management, Tourism and Wildlife

## **2.0 BACKGROUND**

### **2.1 Communication from His Excellency the Governor**

Pursuant Section 6 of the Public Appointments (County Assemblies Approval) Act No. 5 of 2017, His Excellency the Governor Dr. Irungu Kang'ata, vide a letter **Ref; MCG/CS/GOV/ST/2(104)** dated 26<sup>th</sup> April, 2023 forwarded to the Clerk of the County Assembly the name of one nominee for appointment as the Chief Officer, Trade, Industrialization and Co-operative Development.

The nomination was forwarded for purposes of vetting by the committee on **Trade, Industrialization, Co-operative Management, Tourism and Wildlife** and its consideration for approval by the County Assembly.

### **2.2 Committal of Notification of Nomination**

During a sitting held on **Thursday 4<sup>th</sup> May, 2023 at 2.30 p.m.** the Hon. Speaker informed the House that he had received a notification from H.E. the Governor on the nomination of Ms. Vainusa Yussuf Aburo for appointment as the Chief Officer, Trade, Industrialization and Co-operative Development.

He then referred the notification to the sectoral Committee on Trade, Industrialization, Co-operative Management, Tourism and Wildlife for vetting and reporting to the House within 21 days from the date on which the Committee first sits to consider the nomination in accordance with Section 9 (1) of the Public Appointments (County Assemblies Approval) Act, 2017. Curriculum vitae and testimonials of the nominees were also committed to the Committee on Trade, Industrialization, Co-operative Management, Tourism and Wildlife, pursuant to Section 6 (4) of the Public Appointments (County Assemblies Approval) Act, 2017.

### **2.3 Pre-Vetting Committee Sitings**

In a sitting held on 4<sup>th</sup> May, 2023 at 12:00 p.m. in the County Assembly, the committee deliberated on and adopted the work plan of the vetting process.

### **2.4 Notifications to the public**

Section 7 (10) of the Public Appointments (County Assemblies Approval) Act, 2017 provides that; *“any person may, prior to the approval hearing and by a written statement on oath, provide*

*Report on vetting of Ms. Vainusa, Yussuf, Aburo for Appointment as the Chief officer Trade, industrialization and co-operative development*

*the Clerk with evidence contesting the suitability of a candidate to hold the office to which the candidate has been nominated”.*

Having confirmed that the nominee was fit for vetting and pursuant to section 7 (4) and (5) of the Public Appointments (County Assemblies Approval) Act, 2017, the Clerk of the County Assembly placed an advertisement in the print media on Saturday May 6, 2023 of the Standard and Nation newspapers. The purpose of the advertisements was to invite members of the public to attend the hearing and/or submit memoranda by way of written statements on oath (sworn affidavits) on the suitability or otherwise of the nominee.

The advertisement indicated that the submissions were to be received in the County Assembly on or before **Friday May 12, 2023 at 4.00 p.m.** through the postal address or official County Assembly email provided.

### **3.0 LEGAL ANALYSIS FOR SELECTION OF THE CHIEF OFFICER**

The procedure for appointment of County Chief Officers is outlined in Section 45 (1) of the County Government Act as;

Section 45 of the County Governments Act 2012 provides as follows;

45 (1) Whenever a vacancy arises in the office of a county chief officer, the respective governor shall within fourteen days —

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

The County Governments Act further states the office of a chief officer shall be an office in the county public service and shall be responsible to the respective CEC for administration of the respective departments.

### **4.0 LEGAL ANALYSIS OF THE ISSUES FOR CONSIDERATION IN VETTING**

#### **4.1 Issues for Consideration**

The Committee observed that the issues for consideration in relation to the nomination and approval exercise are provided for in Section 8 of the Public Appointments (County Assemblies Approval) Act as follows –

- (a) the procedure used to arrive at the nominee;*
- (b) the constitutional and statutory requirements relating to the office in question; and*
- (c) the suitability of the nominee for the appointment proposed, having regard to whether the nominee's credentials, abilities, experience and qualities, meet the needs of the body to which the nomination is being made.*

#### **4.2 Memoranda from the Public in respect of the nominee**

Section 7 (10) of the Public Appointments (County Assemblies Approvals) Act, 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 office to which the candidate has been nominated.*

The Clerk of the Murang'a County Assembly placed an advertisement in the print media both the standard and nation newspapers on Saturday May 6, 2023 inviting the public to submit written memoranda by way of written statements on oath (affidavits) on the suitability or otherwise of the nominees in conformity with Section 7 (10) of the Public Appointments (County Assembly Approvals) Act, 2017. The Committee confirmed that by Friday, May 12, 2023, the Office of the Clerk had **not received ANY** memoranda.

#### **4.3 The Procedure used to arrive at the nominee**

The procedure for appointment of Chief Officer is initiated when a vacancy is declared and advertised and a competitive recruitment process is undertaken by the County Public Service Board. The Committee vide a letter MCG/CS/GOV/ST/2(104) dated April 26, 2023 received a Report from County Public Service Board. The Report was signed by Mr. D.M. Mathenge Secretary to the County Public Service Board (CPSB)

The Report had elaborated on the process undertaken to arrive at the nominee. The Board had advertised for the Position in the Daily Nation Newspaper dated March 17, 2023 and in the County Government Website. The Board Received 74 applications where 60 of the applicants were males and 14 females. From the 74 applicants, 37 were shortlisted for the interviews that were undertaken on April 19, and 20, 2023.



Consequently, the Board in a meeting held on 24<sup>th</sup> April 2023 forwarded the names of the best three (3) candidates for the position to the appointing authority as follows;

NAME	TOTAL MARKS	RANK
Vainusa Yussuf Aburo	320	1
Bernard Mwangi Mugo	307	2
Adan Haji Hussein	302	3

In view of the County Public Service Board Report, the Committee was satisfied with the competitive process used to arrive at the nominee, and that the provision of CGA section 45 (1)

#### **VETTING OF NOMINEE**

In conducting the vetting process, the Committee on Trade, Industrialization, Co-operative Management, Tourism and Wildlife observed that the suitability of the nominee shall be evaluated holistically taking into account the following criteria amongst others as set out in section 7(8), (10) and (11), Section 8 and Section 9 of the Public Appointments (County Assemblies Approval) Act and the Constitution of Kenya, 2010.

- i. Academic credentials
- ii. Professional training, experience and employment record
- iii. Potential conflict of Interest
- iv. Statutory Obligations
- v. Vision, Leadership and knowledge of the sector
- vi. Integrity
- vii. Expectations and Key Priorities
- viii. Performance and presentation during the interview
- ix. Overall suitability

#### 4.4 Leadership and Integrity

The Committee, in determining the suitability of the nominee, took into consideration the provisions on leadership and integrity as outlined under Chapter Six of the Constitution. In particular, the Committee took cognizance of following provision -

Article 73(2) of the Constitution which provides that the guiding principles of leadership and integrity include:-

- (a) selection on basis of personal integrity, competence and suitability, or election in free and fair elections;*
- (b) objectivity and impartiality in decision making, and in ensuring that decisions are not influenced by nepotism, favoritism, and other improper motives or corrupt practices;*
- (c) selfless service based solely on the public interest, demonstrated by-*
  - (i) honesty in the execution of public duties; and*
  - (ii) the declaration of any personal interest that may conflict with public duties;*
- (d) accountability to the public for decisions and actions; and*
- (e) discipline and commitment in service to the people.*

The Committee was satisfied that the nominee complied with the constitutional provisions on leadership and integrity. Further, the Committee was satisfied that all legal and constitutional provisions of the vetting process were observed

#### 4.5 Clearance Requirements

Prior to the hearing, the Committee also resolved that the nominee be asked to submit her updated clearance documents with the following institutions for the vetting exercise which it verified against the originals.

- a) Academic certificates*
- b) Clearance certificate from Kenya Revenue Authority (KRA)*
- c) Clearance certificate from Directorate of Criminal Investigations (DCI)*
- d) Clearance certificate from Higher Education Loans Board (HELB)*

- e) Clearance certificate from Credit Reference Bureau (CRB)
- f) Clearance certificate from the Ethics and Anti-corruption Commission (EACC)
- g) Copy of the National ID.
- h) Copy of Curriculum Vitae

Clearance by the foregoing institutions was primarily meant to provide information about the nominees on: -

- a) Matters touching on integrity;
- b) Tax compliance;
- c) Loan repayments; and
- d) Presence or absence of criminal records.

The nominee original academic certificates were also verified prior to the approval hearing.

## **5.0 VETTING OF MS. VAINUSA YUSSUF ABURO - NOMINEE TO THE POSITION OF THE CHIEF OFFICER, TRADE, INDUSTRIALIZATION AND CO-OPERATIVE DEVELOPMENT.**

Ms. Vainusa Yussuf Aburo of National Identification Number 28758223, the nominee for the position of Chief Officer, Trade, Industrialization and Co-operative Development appeared before the Committee on Monday 15<sup>th</sup> May, 2023 at 9:00 a.m. and was cross examined under oath pursuant to Article 195 of the Constitution. The approval hearing commenced as per the Public Appointments (County Assemblies Approval) Act, 2017.

The nominee presented as follows, both orally and in writing:-

### **Date and Place of Birth**

1. She is a Kenyan Citizen born on 3<sup>rd</sup> April 1992 in Isiolo County.

### **2. Marital Status**

She is married.

### **Academic and Professional Qualifications**

3. She attended United states International University-Africa (USIU) and was awarded a Master of Arts in International Relations in 2016.
4. She attended University of Nairobi and was awarded a Bachelor's degree in journalism and media studies (Public Relations) in 2013
5. She attended Muslim Academy High School from 2006 to 2009 and attained KCSE ,C+

### **Employment Record**

6. The nominee listed her work experience as follows;
  - a) She served as a consultant in W2W Security Project.-KASMODEN between October 2022-December 2023.
  - b) She has served as a County Chief Officer, ICT and E- Government, Mandera County government between August 2018-December 2022.
  - c) She has served as Chief Officer, Economic Planning, Mandera County Government in acting capacity between July 2019-February 2020.

- d) She has served as a managing Director, Vaincom Company between April 2017-February 2018.

#### **Professional certificates awarded**

7. She indicated that she had received professional certificates in the following areas;
- a) A certificate in strategic leadership development programme, in Kenya School of Government in October 2021 (Credit).
  - b) A Certificate in Senior Management Course, in Kenya School of Government in August 2019.(Credit)

#### **Professional Associations**

- a) She is a member of Public Relations Society of Kenya.

#### **Memberships**

- b) She indicated that she is a registered Member with the Public Relations Society of Kenya.

#### **Published Writings**

8. The Nominee indicated that she had published the following writing;  
Effects of Underdevelopment in Mandera County, 2016

#### **Public Office, Political Activities and Affiliations**

9. The nominee has held the following public position in a public office.  
County Chief Officer, ICT and E- Government, Mandera County Government appointed on contract basis.

#### **Sources of Income**

10. The nominee listed her sources of income as follows;
- a) Muzdalifa Restaurant and Eatery Kshs 4million.
  - b) HilwaH Trendz Kshs 2 million
  - c) Car Rental Services Kshs 1.8 million.

#### **Tax Status**

11. She has fully complied with tax obligations to the state as confirmed by the Kenya Revenue Authority through the compliance certificate NO KRA EON1289916022 submitted.

## **Net Worth**

The nominee stated her financial net worth at Kshs 15million

## **Outside Commitment during Service in office with or without compensation**

She indicated that she does not involve herself with other outside commitment during service in office with or without compensation

## **Potential Conflict of Interest**

She asserted that if given the job, there would be no family members or other persons likely to present conflict of interest.

## **On how she would resolve any potential conflict of interest**

She indicated that she would solve any conflict of interest by;

- a) Avoiding direct involvement in activities that possess a conflict of interest.
- b) Taking action to reduce risk
- c) Following ethical standards.

## **Pro-Bono, Charity Work and Donations**

With regard to pro-bono, charity work and donations she indicated that she has been involved in Ramadhan food donation programme in Mandera town and its environs.

## **She listed her references as follows**

- a) H.E Captain Ali Ibrahim Roba -Senator Mandera County.
- b) H.E Mohammed Ali-Governor Marsabit County.
- c) Hon. Sulekha Harun-Nominated MP, Mandera County.

## **General and Specific Questions to Ms. Vainusa Yussuf Aburo**

### **a. Self-introduction**

On self-introduction, the nominee stated that she had worked in a number of Government institutions and County Governments at different levels, her last appointment being the Chief Officer for ICT and E-Government in Mandera County Government. She further indicated that she had what it takes to serve as a Chief Officer since she has been an accounting and authorizing officer before. She equally informed the members that having undertaken a course in

strategic leadership development programme, in Kenya School of Government in October 2021 and acquired a certificate, she would steer the department to the next level.

**b. Her understanding of the roles of the position she has been nominated to**

The nominee explained that the roles of the Chief Officer are as follows;

1. The Chief Officer is the accounting officer and performs his/her duties as stipulated in the County Governments Act.
2. Undertakes the managerial roles in the department.
3. Undertakes the general administration of the department under the leadership of the Committee Executive Member in charge.
4. Performs the functions of Trade, Industrialization and Co-operative Development in liaison with the directors of the three dockets.

**c. The nominee indicated that while working as a Chief Officer in the County Government of Mandera, she achieved the following;**

1. With the help of the Committee Executive Member, the department was able to come up with the Geographical Information System (GIS) whereby the department was able to map up the entire County i.e. the hospitals, the mosques and schools among others.
2. When she served as a Chief Officer in the ICT department, she oversaw the setting up of a County Information Hub.
3. In Liaison with the ICT authority and Kenya Power and Lighting Company (KPLC), she spearheaded the installation of NOFBI (National Optic Fibre Backbone) connectivity phase 1 and 2 for continuous network and constant power.

**d. Knowledge about the challenges affecting the Trade, Industrialization and Co-Operative Development sectors and how to address them, the nominee indicated the following;**

**Challenges**

- Limited budget allocation to cater for all operations of the sectors.
- Lack of capacity building for the staff which leads to unmotivated employees hence lack of major achievements.
- Lack of proper linkages with the National Government and other exporters.
- Lack of proper funding to the small-scale traders and hawkers

**How to address the challenges.**

- Ensuring that the small- scale traders are funded with affordable loans.
  - Creating good linkages with the National Government in promoting the marketing of the county produces.
  - Continuous training programmes for both the staff and the small- scale traders.
- e. On how she would solve the hawkers menace especially the ones operating in front of the main shops, she indicated that she would come up with a policy and laid down procedures on how the hawkers should operate in consultation with the County Assembly.
- f. On improvement of the local revenue target and addressing the loopholes in revenue collection, she asserted that if given the job, she would make sure that all the services in the three sectors are automated.
- g. **On her priorities in improvement of Markets in the County ,she indicated the following;**
- i. She would work towards making sure that all the markets in the County are accessible by creating good road networks.
  - ii. By making sure that all the markets have all the needed social amenities like ablution blocks, safe drinking water and breastfeeding areas.
  - iii. That she would work towards increasing the number of markets and to equally improve on the existing ones by providing proper shades and stalls.

**h. Empowerments of the small traders.**

She affirmed that if given the job, she would make sure that the small scale traders can access affordable loans through co-operative Sacco's and provision of subsidies.

- i. Priorities in addressing the issues affecting the co-operative department in the County.
- If given the job, she asserted that her department would partner with external trainers to train the Mama Mboga's, the youth and the small traders in order for them to boost their businesses.
- j. She mentioned some of the National values and principals of Governance as set out in Article 10 of the Constitution of Kenya, 2010 as;
- a) Inclusivity
  - b) Unity
  - c) Transparency
  - d) Democracy



- e) Human Rights
- f) The Rule of Law

**k. On how she would navigate the relationship between herself and the Members of the County Assembly if appointed.**

She indicated that with unity and guidance from the County Assembly Members, the sectors would achieve a lot and that she would adopt an open door policy to all the members of the Assembly.

**l. legacy**

She stated that after her tenure as the Chief Officer, Trade, Industrialization and cooperative development, her greatest achievement would be to;

1. Make sure that farmers have subsidies for all their produces.
2. Make sure that active Co-operative Sacco's are in place for all the traders to access loans
3. See to it that all factories in the County have proper packaging for their produce.
4. Oversee proper packaging of coffee, tea, avocados and mangoes to meet the international standards for export purposes.
5. Leave behind a motivated and trained staffs.
6. Work with the National Government and make sure Murang'a County Creameries is revived.

**6.0 COMMITTEE OBSERVATIONS ON THE SUITABILITY OF MS. VAINUSA YUSSUF A BURO NOMINEE FOR THE POSITION OF CHIEF OFFICER, TRADE, INDUSTRIALIZATION AND CO-OPERATIVE DEVELOPMENT.**

Having considered the nominee's filled questionnaire pursuant to Section 7 (9) of Public Appointments (County Assemblies Approval) Act, 2017, her Curriculum Vitae and having heard her oral submission during the approval hearing/vetting exercise, the Committee made the following observations on her suitability for appointment as the Chief Officer, Trade, Industrialization and Co-Operative Development

**(A) Leadership and Integrity**

1. **THAT** in compliance with the requirements of Chapter 6 of the Constitution of Kenya on leadership and integrity, the nominee was given clearance by the following statutory bodies;
  - i. The Directorate of Criminal Investigations (DCI)
  - ii. The Kenya Revenue Authority (KRA)
  - iii. The Higher Education Loans Board (HELB)
  - iv. Ethics and Anti-Corruption Commission (EACC)
  - v. Credit Reference Bureau (CRB)
2. **THAT** She has never been adversely associated with practices that depict bias, favoritism or nepotism in the discharge of public duties.
3. **THAT** She has not been charged in a Court of Law in the last three (3) years and has not been adversely mentioned in an investigatory report of parliament or any other commission of inquiry in the last three years.
4. **THAT**, the nominee has no potential conflict of interest.

**(B) Academic Qualifications and experience**

5. Her academic qualifications and vast experience in various leadership positions are relevant to the position she has been nominated to.

**Other General Observations**

6. The Committee observed that the nominee had good communication skills, was articulate and eloquent and satisfactorily answered members queries.
7. The Committee further noted that the nominee had an overall stellar performance and scored an average of 71.5% as per the average of the Committee score sheets.

8. The Committee further felt that her previous tenure as a Chief Officer in Mandera County gave her vast experience and the technical knowhow of the workings of the office of Chief Officer.









#### **7.0 RECOMMENDATION**

Having conducted the approval hearing of the nominee Pursuant to Section 7 and 8 of the Public Appointments (County Assemblies Approval) Act No. 5 of 2017, **the Committee on Trade, Industrialization, Co-operative Management, Tourism and Wildlife found the nominee SUITABLE for appointment and hereby RECOMMENDS;**

**THAT**, this House **APPROVES** the nomination of Ms. Vainusa Yussuf Aburo for appointment as the Chief Officer Trade, Industrialization and Cooperative Development.

## REPORT ADOPTION

By way of appending their signatures, this report was unanimously adopted by the under listed members of the committee on **Trade, Industrialization, Co-operative Management, Tourism and Wildlife** in a sitting held on **Tuesday 16<sup>th</sup> May, 2023:-**

S/N	NAME	TITLE	SIGNATURE
1.	Hon. James Karanja Kabera	Chairperson	
2.	Hon. Loise Mbogo	Vice-chairperson	
3.	Hon. Moses Mirara	Member	
4.	Hon. Julian Njiri	Member	
5.	Hon. Moses Muchiri Maina	Member	
6.	Hon. Pauline Muchiri	Member.	
7.	Hon. Chefman Njoroge	Member	
8.	Hon. Laban Njaramba	Member	
9.	Hon. Gladys Waikau	Member	
10.	Grace Sharleen Wambui	Member	
11.	Hon. John Kamau	Member	

**9.0 ANNEXES**

**Appendix 1: Notification of Nomination**

**Appendix 2: Newspaper Advertisements**

**Appendix 3: County Public Service Report**

**Appendix 4: Cv Summary**

**Appendix 5: Minutes of Meetings**