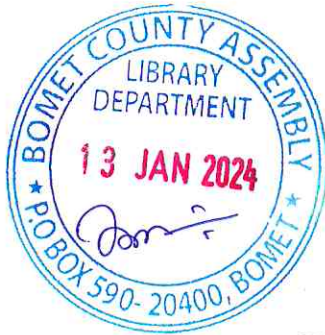


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COUNTY ASSEMBLY OF BOMET
THIRD ASSEMBLY: THIRD SESSION

REPORT OF THE
COMMITTEE ON TRADE, INDUSTRY, TOURISM AND CO-OPERATIVES ON THE
VETTING OF THE CHIEF OFFICER NOMINEE FOR THE DEPARTMENT OF CO-
OPERATIVES

(BENARD KOROS KIPLANGAT)



JANUARY, 2024

Preface

Establishment and Mandate of the Committee

The Committee on Trade, Industry, Tourism and Co-operatives is established pursuant to Standing Order 201 and the second schedule to the Standing Orders. Standing Order 201(5) defines its functions as being to:

- a. Investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned departments;
- b. Study the program and policy objectives of departments and the effectiveness of the implementation;
- c. Study and review all county legislation referred to it;
- d. Study, assess and analyse the relative success of the departments as measured by the results obtained as compared with their stated objectives;
- e. Investigate and inquire into all matters relating to the assigned departments as they may deem necessary, and as may be referred to them by the County Assembly;
- f. **Vet and report on all appointments where the Constitution or any law requires the County Assembly to approve, except those under Standing Order 197 (Committee on Appointments);**
- g. Make reports and recommendations to the County Assembly as often as possible, including recommendation of proposed legislation.

Committee Membership

The Committee on Trade, Industry, Tourism and Co-operatives as currently constituted comprises the following members: -

No	NAME	POSITION
1.	Hon. Benard Langat	Chairperson
2.	Hon. Naomi Chemutai	V-Chairperson
3.	Hon. Joseah Samoei	Member
4.	Hon. Victor Rop	Member
5.	Hon. Dancel Kirui	Member
6.	Hon. Dennis Busienei	Member
7.	Hon. Vincent Mutai	Member

Background

Notification of nomination

Pursuant to the provision of Article 196 of the Constitution of Kenya, 2010, Section 45(1)(b) of the County Governments Act, 2012, Section 7 of the Public Appointments (County Assemblies Approval) Act No.5 of 2017, and Bomet County Assembly Standing Order 51(4), H.E. the Governor, submitted to the County Assembly, the name of nominee, **Mr. Benard Koros Kiplangat**, vide a letter dated **28th November, 2023** for vetting and approval by the County Assembly for appointment as the County Chief Officer for Co-operatives Department.

Notification to the Assembly and referral to the Committee on Trade, Tourism and Co-operatives

Pursuant to the provisions of Standing Order 42(1), the Speaker, vide a Communication dated **Thursday, 30th November 2023**, informed the Assembly of the Governor's message to the County Assembly on the nomination of Mr. Bernard Koros Kiplangat for approval as Chief Officer Co-operatives Department.

Pursuant to Section 7(1) of the Public Appointments (County Assemblies Approval) Act No.5 of 2017 and Standing Order 51 of the Bomet County Assembly Standing Orders, the name of the nominee was referred to the Committee on Trade, Industry, Tourism and Co-operatives for approval hearing and reporting to the Assembly.

Notification to the Public

The Constitution of Kenya and the County Governments Act, 2012 obligate the County Assembly to facilitate public participation and involvement in the legislative business and other businesses of the Assembly and its Committees.

Section 7(5) of the of the Public Appointments (County Assemblies Approval) Act No 5 of 2017 further provides that the Committee shall notify the public of the time and place for holding an approval hearing at least seven days prior to the hearings.

Further, section 7(10) of the Public Appointments (County Assemblies Approval) Act 2017 provides that *"any person may, prior to the approval*

In a meeting held on 30th November 2023, the Committee resolved to invite the nominee for approval hearing at the County Assembly Mini Chambers on 10th December, 2023 which was later rescheduled to Wednesday 24th January, 2024.

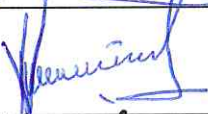
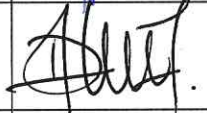
In conducting the vetting exercise, the Committee made reference to the Constitution, the County Governments Act, 2012, the Leadership and Integrity Act, the Public Appointments (County Assemblies Approval) Act No.5 of 2017 and the Standing Orders.

The Committee complied with the Constitutional and legal requirements in its procedure for vetting. It ensured that there was public participation, transparency, and openness in carrying out the vetting exercise.

Notifications and invitations to the general public to submit memoranda were placed in the mainstream print media on 12th January, 2024 in line with the provision of Sections 91 and 95 of the County Governments Act 2012 and Section 7(5)&(10) of the Public Appointments Approval Act No.5 of 2017. By the close of business on Tuesday, 23rd January 2024, no written memorandum had been submitted to the office of the Clerk of the County Assembly.

Ownership of the Report

We, the members of Committee on Trade, Industry, Tourism and Co-operatives do hereby append our signatures against our names in this report to affirm the correctness of the contents and support for the report.

No	NAME	POSITION	SIGN
1.	Hon. Benard Langat	Chairperson	
2.	Hon. Naomi Chemutai	V-Chairperson	
3.	Hon. Joseah Samoei	Member	
4.	Hon. Victor Rop	Member	
5.	Hon. Dancel Kirui	Member	
6.	Hon. Dennis Busienei	Member	
7.	Hon. Vincent Mutai	Member	

Dated this 26th day of January, 2024

- (5) That, the Committee would therefore proceed with the approval hearings on Wednesday 24th, January, 2024; and
- (6) That, the Committee would examine the nominee against the criteria set out in Sections 7 and 8 of the Public Appointments (County Assemblies Approval) Act, 2017.

Submission of memoranda

By the close of business on 23rd January, 2024, the Committee had not received any memoranda from the public.

Issues for consideration

In conducting the approval hearing, the Committee was guided by Article 73 (2) (a)(b)(c) and (e) of the Constitution, Section 45 of the County Governments Act and the provisions of the Public Appointments (County Assemblies Approval) Act 2017.

Article 73(2) of the Constitution on leadership and Integrity provides as follows:

That the guiding principles of leadership and integrity include;

- a. Selection based on personal integrity, competence, and suitability in free and fair elections;
- b. Objectivity and impartiality in decision making and in ensuring that decisions are not influenced by nepotism, favoritism, other improper motives, or corrupt practices.
- c. Selfless services based solely on the public interest, demonstrated by:
 - i. Honesty in the execution of public duties
 - ii. The declaration of any personal interest that may conflict with public duties.
 - iii. Accountability to the public for decisions and actions; and
 - iv. Discipline and commitment to service to the people.

- (7) **THAT** some of the departmental sector goals as outlined in the CIDP include training and governance, support of co-operative societies' ventures and inventions and completion of stalled projects.
- (8) **THAT** some of the proposed strategies, policies and programs that he would implement specifically targeting the co-operative sector in the county include capacity building through trainings and civic education, developing regulations to regulate the sector, enhance support of the co-operative societies and link the co-operatives with financial institutions. He also stated that in order to enhance the performance of the revolving fund, he would undertake training of co-operative societies on the use and management of the funds and that he would also improve auditing of the funds for purposes of monitoring and evaluation.
- (9) **THAT** some of the functions of the department as listed in the Governor's Executive Order No.1 of 2022 include registration and auditing of co-operatives, training and civic education of co-operative society members and supporting in the development of infrastructure.
- (10) **THAT** in order to ensure fulfilment of functions listed in the Governor's Executive Order, he would ensure completion of training manuals that are currently in progress and leverage on technology.
- (11) **THAT** some of the programs and strategies that he would initiate to generate revenue in the department include improvement in auditing and liaising with other departments that generate revenue. He also stated that the department can lease out tractors as a way of generating revenue.
- (12) **THAT** the Governor in his manifesto for the department indicated marketing of produce and provision of infrastructure to the co-operative societies as some of the objectives that he intends to achieve in the department.
- (13) **THAT** in order to avoid and mitigate instances of pending bills in the department, he shall ensure that all the verified bills are paid on First Come First Out basis. He also indicated that he shall ensure that the department sticks to its procurement plans in project planning so as to build confidence with the contractors and suppliers.

- (20) **THAT** in order to ensure prudential financial management in the department, he would ensure discipline and adherence to the PFM Act and undertake public participation so as to ensure transparency.
- (21) **THAT** in order to bring on board all the stakeholders in the co-operative sector including national government agencies and non-governmental organizations, he shall have joint forums with all the stakeholders and ensure harmonious working relationship.
- (22) **THAT** in order to ensure inclusivity and participation of diverse community members in co-operative initiatives particularly the youth, he shall create awareness and educate the youth on the importance of joining a co-operative society. He also stated that he shall encourage capacity building of the youth through forums and formal trainings.
- (23) **THAT** some of the examples of key performance indicators that are used to assess the effectiveness of co-operative projects include the number of active co-operative societies and exhibitions.
- (24) **THAT** in order to encourage lower cadre employees both in private and public sectors to embrace internet banking as concluded in his research paper titled "Infrastructure of online banking in commercial banks" published in International Journal of Research, he indicated that there is need to train and educate the lower cadre employees on the need to embrace technology in banking. He further stated that he shall engage and involve the lower cadre staff in his department and encourage them to embrace online banking.
- (25) **THAT** co-operatives are owned by the members who come together for a common good for purposes of improving access to markets and welfare of members.

General observations

NO	KEY AREAS VETTED	COMMITTEE OBSERVATIONS
1.	Academic Qualification	The nominee has a Bachelor of Business Management (Accounting) Degree from Moi University and a Master of Business Administration (Finance) Degree from Kenyatta University and is therefore qualified to be appointed as Chief Officer as per the advert of the County Public Service Board.
2.	Communication and presentation	The nominee was able to articulate the issues affecting the department.
3.	Education and Training (Relevant to the portfolio)	The nominee is an accountant by profession and therefore his education and training are relevant to the portfolio which he was nominated for.
4.	Work Experience as it relates to the position	The nominee has been a Certified Public Accountant with over 12 years of experience and therefore his work experience is relevant to the portfolio for which he was nominated for.
5.	Professional skills and technical skills	The nominee has the requisite professional and technical skills to perform the functions of the Chief Officer Co-operatives.
6.	Additional skills as per the position applied for	The nominee has financial management and budgeting skills necessary for the position which he was nominated for.
7.	Vast knowledge on the laws of Kenya and other guiding principles e.g. The Constitution of Kenya,	The nominee has knowledge on finance as contained in the Constitution of Kenya and the Public Finance Management Act, 2012. He is also well versed with the County Governments Act and Vision 2030 having

Committee's Recommendation

At the end of the vetting process, the Committee made the following recommendation:

That; having considered the suitability, capacity, and integrity of the nominee, and according to **Section 9 (2) of Public Appointments (County Assemblies Approval) Act No. 5 of 2017**, the Committee recommends that the County Assembly approves the nomination and subsequent appointment of **Mr. Benard Koros Kiplangat** for the position of County Chief Officer in charge of Co-operatives Department.