

REPUBLIC OF KENYA

MANDERA COUNTY ASSEMBLY

THE HANSARD

Tuesday, 29th September, 2020

*The House met in the Assembly Chambers
County Assembly Buildings at 2:30 pm*

[Temporary Speaker (Hon. Amran Abdullahi) in the Chair]

PRAYER

CONFIRMATION OF QUORUM

Temporary Speaker (Hon. Amran Abdullahi): Sergeant-at arm, ring the quorum bell.

(Quorum bell rang)

MOTION

ADOPTION OF THE REPORT OF LANDS, HOUSING AND PHYSICAL PLANNING COMMITTEE ON VETTING OF EL-WAK MUNICIPALITY BOARD MEMBER NOMINEES

Hon. Halima Billow (Nominated): Thank you, Madam Temporary Speaker. I would like to move a Motion; -

THAT this House adopts the report of Lands, Housing and Physical Planning Committee on vetting of El-wak municipality board member nominees

Madam Temporary Speaker, on behalf of Lands, Housing and Physical Planning Committee and pursuant to Standing Order 193(5), it is my duty and pleasure to present to the Assembly, the Committee's report on vetting of El-wak Municipality Board Member Nominees.

This is one of the Sectoral Committees established under Standing Order 193(5) (f). Among its functions are to study the programs and policy objectives of departments and the effectiveness of the implementation, make reports and recommendations to the County Assembly as often as possible including recommendations of proposed legislation.

Madam Temporary Speaker, the legislative authority of a County is vested in, and exercised by its County Assembly as provided for in Article 185 of the Constitution of Kenya 2010. A County Assembly may make any laws that are necessary for or incidental to the effective performance of the function and exercise of the powers of the County Government under the fourth schedule.

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Madam Temporary Speaker, the Sectoral Committee on Lands, Housing and Physical Planning derives its mandate from provisions of Standing Order 193(5).

The functions of the Committee are as follows;

- a) To investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned departments;
- b) To study the programs and policy objectives of departments and the Effectiveness of their implementation;
- c) To study and review all legislation referred to it;
- d) To study, assess and analyze the relative success of the departments measured by the results obtained as compared with their stated objectives;
- e) To investigate and inquire into all matters relating to the assigned departments as may be deemed necessary, and as may be referred to it by the County Assembly;
- f) To vet and report on all appointments where the Constitution or any law requires the County Assembly to approve, except those under Standing Order 188 (Committee on appointments)
- g) To make reports and recommendations to the Assembly as often as possible, including recommendations of proposed legislation.

The following are the Members of the Committee as constituted by the House; -

1. Hon. Halima Billow Omar- Chairperson
2. Hon. Hindia Hussein Ibrahim Vice Chairperson
3. Hon. Adan Maalim Abdullahi Member
4. Hon. Abass Abdille Mohamed Member
5. Hon. Abdinur Diisow Teno Member
6. Hon. Adan Maalim Mohamed Member
7. Hon. Abdi Adan Ali Member
8. Hon. Amran Adan Abdirahman Member
9. Hon. Nasra Noor Mohamed Member

Madam Temporary Speaker, the Committee wishes to thank the offices of the Speaker and the Clerk to the County Assembly for supporting the committee in carrying out its mandate.

I would like to also thank the Honorable Members for their cooperation, teamwork and commitment in coming up with this report.

It is therefore my pleasant duty and privilege on behalf of Lands, Housing and Physical Planning Committee to present the committee's report on vetting of El-wak Municipality Board Member Nominees for approval by this County Assembly.

I will go to the background, on 18th August, 2020 the Governor of Mandera County H.E Ali Ibrahim Roba submitted to the County Assembly, the nominees for El-wak Municipality Board Members vide a letter **Ref: MCG/ MCA/GOV/2020/010** dated 17th August, 2020 pursuant to section 14 of the Urban Areas and Cities (Amendment) Act, 2019, for vetting by Mandera County Assembly as per Section 9 (1) of Public Appointments (County Assemblies Approval) Act, 2017 and other relevant laws.

During a plenary sitting held on 19th August 2020 through a communication from the Chair, the Hon. Speaker notified honorable members of the nomination from His Excellency the Governor. The following nominees for El-wak Municipality Board were committed to Lands, Housing and Physical Planning Committee:

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S/NO	NOMINEE NAME	GENDER	PORTFOLIO	CATEGORIES
1.	Mr. Said Ibrahim Hassan	Male	Board Member	Governor's appointee
2.	Mr. Abdullahi Hassan Khala	Male	Board Member	El-wak Youth Representative
3.	Mrs. Amina Maalim Ibrahim	Female	Board Member	Registered Association (KNUT)
4.	Mr. Ismail Hassan Issack	Male	Board Member	Governor's appointee
5.	Mr. Shukri Mohamed Hussein	Male	Board Member	Professional body (KNUN)
6.	Mr. Hassan Sheikh Alio	Male	Board Member	Governor's appointee
7.	Mrs. Khadija Issak Ibrahim	Female	Board Member	Private sector (Maendeleo ya Wanawake)

Consequently, on 29th August, 2020 the Clerk to the County Assembly placed an advertisement in the print media, both Standard and Daily Nation newspaper pursuant to the provision of Article 184 of the Constitution of Kenya, Section 87 of the County Government Act, 2012, Public Appointments (County Assembly Approval) Act No.5 of 2017 and Section 13(1) of Urban Area and Cities Act as shown below.

S/NO	NOMINEE NAMES	ID NO.	GENDER	POSITION	VENUE	DATE	TIME
1	Mr. Said Ibrahim Hassan	22457410	M	Board Member	Committee Room 1	10/9/2020	8.00 AM
2	Mr. Abdullahi Hassan Khala	29548459	M	Board Member	Committee Room 1	10/9/2020	9:30 AM
3	Mrs. Amina Maalim Ibrahim	0207021	F	Board Member	Committee Room 1	10/9/2020	11:00 AM
4	Mr. Ismail Hassan Issack	11550995	M	Board Member	Committee Room 1	10/9/2020	2.30 PM
5	Mr. Shukri Mohamed Hussein	29856184	M	Board Member	Committee Room 1	11/9/2020	8.00 AM
6	Mr. Hassan Sheikh Alio	25852907	M	Board Member	Committee Room 1	11/9/2020	9:30 AM
7	Mrs. Khadija Issak Ibrahim	8760012	F	Board Member	Committee Room 1	11/9/2020	11:30 AM

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Pursuant to Section 7(10) of the Public Appointments (County Assemblies Approval) Act No 5 of 2017, Members of the public were invited to submit any information /memorandum on the suitability or otherwise of the candidates for appointment to the position of El-wak Municipality board members. The submission(s) were to be made by way of sworn statements or affidavits and could be accompanied by any documentary evidence. The submission(s) were to be sent to the office of the clerk by either hand delivery or email address: clerk@manderaassembly.go.ke on or before 8th September, 2020 at 12:00 p.m.

In Compliance with Ethics and Anti-Corruption Commission Circular EACC.7/10/5/VOL.V (44) dated 26th April, 2018 on the vetting of persons nominated for appointments to County Public offices requiring the approval of the County assemblies, the Clerk to County Assembly wrote to the Commission Secretary vide a letter REF No. MCA/EACC/GEN/VOL1 (079) dated 28th August, 2020 requesting for any information which may be useful to the committee in the vetting of the nominees for El-wak Municipality Board Members, Mandera County (Annexed). However, at the time of conclusion of this report the commission secretary did not reply.

On 20th August, 2020 Clerk to the County Assembly wrote to the secretary KNEC vide letters REF No. MCA/CCO/GEN/1/ VOL.1(006/007/008) to verify the KCSE Certificates, Primary Teachers' Certificate and ECD Certificates respectively. On the same note the Clerk also wrote to Kampala University vide letter REF NO: MCA/CCO/GEN/1/ VOL.1(004) to verify Amina Maalim Ibrahim Diploma certificate, East African University vide letter REF NO MCA/CCO/GEN/1/ VOL.1(003) to verify Ismail Hassan and Said Haji's Degree certificates.

The committee received the following documents from the nominee; Curriculum Vitae, personal credentials and academic certificates; Identity Card; Compliance Certificate from Kenya Revenue Authority (KRA); Clearance Certificate from the Ethics and Anti-Corruption Commission (EACC); Clearance Certificate from the Higher Education Loans Board (HELB); Police Clearance Certificate from the Criminal Investigation Department (CID); Clearance Certificate from Credit Reference Bureau (CRB); Accreditation from commission of university Education; and valid clearance from Higher Education Loans Board.

The Committee held three of its sitting prior to approval hearing to familiarize themselves with the Public Appointments (County Assembly Approval) Act No 5 of 2017, curriculum vitae of the nominees, consider memoranda received thereof and other preparations relevant to the task at hand. The certificates were verified by the institutions.

For the Criteria for vetting, I think Members can go through for themselves.

The committee was guided by Chapter Six and Article 195, 196 (1) and (2) of the Constitution of Kenya, the Urban Areas and Cities Act, No. 13 of 2011, the Urban Areas and Cities (Amendment) Act 2019 and Sections 7, 8, 9 10, First and Second Schedules to the Public Appointments (County Assemblies Approval) Act, 2017.

On composition of the Municipality Board, Section 14 of the Urban Areas and Cities (Amendments) Act, of 2019 stipulates that; -

1. A board of a municipality shall consist of nine members appointed by the county governor with the approval of the county assembly.
2. The members of the board appointed under subsection (1) shall be constituted as follows—

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- a. The county executive member for the time being responsible for cities and urban areas or his representative;
 - b. Three members who shall be appointed by the county governor, with the approval of the county assembly;
 - c. Four members who shall be nominated by an association and appointed by the county governor, with the approval of the county assembly;
 - d. The chief officer responsible for urban development; and
 - e. The municipal manager appointed under section 28 who shall be the secretary of the board and an ex officio member of the board.
3. The four members of the board of a municipality specified under subsection (2) (c), shall be nominated by —
- a. An umbrella body representing professional associations in the area;
 - b. An association representing the private sector in the area;
 - c. A cluster representing registered associations of the informal sector in the area; and
 - d. A cluster representing registered neighborhood associations in the area.
4. The county governor shall, while appointing the members of the board, ensure gender equity, representation of persons with disability, youth and marginalized groups.
5. The county governor shall while considering the nominated members identified by the organizations specified under subsection (2), require the organizations to produce —
- a. Signed minutes as evidence of an accountable process of nomination;
 - b. Evidence of compliance with statutory obligations; and
 - c. Vetting form to establish that the nominee has complied with the prescribed criteria for appointment as a member of the board.
6. A person shall be qualified for appointment as a chairperson of the board if that person—
- a. Holds at least a degree from an institution recognized in Kenya;
 - b. Has a distinguished career in a medium level management position in either the private or public sector;
 - c. Holds at least ten years' post qualification professional experience;
 - d. Satisfies the requirements of Chapter Six of the Constitution;
 - e. Is ordinarily resident or has a permanent dwelling in the municipality; and
 - f. Carries on business in the municipality or has lived in the municipality for at least five of the years.

Further, Section 8 of the Public Appointments (County Assemblies Approval) Act, 2017 provides that the issues for consideration by the relevant House in relation to any nomination shall be;

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

I will go to the criteria for assessment that is page 14. The Assessment of the nominees was guided by Section 14 of the Urban Areas and Cities (Amendments) Act 2019 and Section 7,

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8, 10, 12 and the assessment form set out in the Second Schedule of the Public Appointments (County Assemblies Approval) Act, 2017.

Vetting of the nominees, in conducting the vetting process, Lands, Housing and physical planning Committee examined the nominees against the following criteria, amongst others, as set out in the First Schedule of the Public Appointments (County Assemblies Approval) Act, 2017: Academic qualifications; Employment record; Professional affiliations; Potential conflict of interest; Knowledge of the relevant subject; Overall suitability for the position; Integrity; Expectations and key priorities

The nominees appeared before the Committee on Thursday, 10th and Friday 11th September, 2020 and were vetted in accordance with the provisions of the Constitution of Kenya, the Public Appointments (County Assemblies Approval) Act, 2017, El-wak Municipal Charter 2020, Section 14 of Urban Area and Cities (Amendment) Act 2019, Mandera County Assembly Standing Order 193 (5) and other relevant laws on their suitability for appointment to the position of El-wak Municipality Board Members.

However, in accordance with section 7 (12) of the Public Appointments (County Assemblies Approval) Act, 2017, on 7th September 2020 Mr. Abdullahi Hassan Khala representing umbrella body (El-wak Youth) withdrew from the approval process and was not vetted.

The Assessment of the nominees was guided by Section 14 of the Urban Areas and Cities (amendments) Act 2019 and Section 7, 8, 10,12 and the assessment form set out in the second schedule of the Public appointments (County assemblies) Approval Act, 2017.

In conducting the vetting process, Lands, Housing and Physical Planning Committee examined the nominees against the following criteria, amongst others, as set out in the First Schedule of the Public Appointments (County Assemblies Approval) Act, 2017: Academic qualifications; Employment record; Professional affiliations; Potential conflict of interest; Knowledge of the relevant subject; Overall suitability for the position; Integrity; Expectations and key priorities.

The nominees appeared before the Committee on Thursday, 10th and Friday 11th September, 2020 and were vetted in accordance with the provisions of the Constitution of Kenya, Public Appointments (County Assemblies Approval) Act, 2017, El-wak Municipal Charter 2020, Section 14 of Urban Area and Cities (Amendment) Act 2019, Mandera County Assembly Standing Order 193(5) and other relevant laws on their suitability for appointment to the position of El-wak Municipality Board Members.

However, in accordance with section 7 (12) of the Public Appointments (County Assemblies Approval) Act, 2017 on 7th September 2020 Mr. Abdullahi Hassan Khala representing umbrella body (El-wak Youth) withdrew from the approval process and was thus not vetted.

Mr. Said Ibrahim Hassan,

Mr. Said Ibrahim Hassan appeared before the Committee on Thursday 10th September, 2020 at 8:00 am in County Assembly Committee Room 1.

The nominee was informed that despite inviting memoranda from Members of the public on his suitability or otherwise for the Appointment to the public office, none was received.

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The nominee was orally engaged by the Committee and responded to questions during vetting as follows-

The nominee was Born in 1980, a Kenyan citizen holder of National ID/No: 22457410 and a resident of El-wak town, Mandera South Sub-County.

The Committee observed that the nominee owns a business in El-wak; has bachelor degree in Business Management (HR option) from The East African University; is a governor's appointee as per section 14 (2) (b) of the Urban Areas and Cities (Amendment) Act 2019; has more than ten years' experience in Humanitarian field both locally and internationally; has complied with the requirement of charter six of Kenya Constitution; has neither been charged in a court of law nor mentioned in any investigatory report of parliament or any commission of inquiry in the last three (3) years. He has also never been dismissed or otherwise removed from office for contravention of the provisions of Article 75 of the Constitution; was confident and had good communication skills; has good decision making/ problem solving skills; met the requirement of section 14 (6) of the Urban Areas and Cities (Amendment) Act 2019 and his Diploma certificate and degree were certified as genuine.

Mrs. Amina Maalim Ibrahim,

Mrs. Amina Maalim Ibrahim appeared before the Committee on Thursday, 10th September, 2020 at 9:20 am in County Assembly Committee room 1.

The nominee was informed that despite inviting memoranda from Members of the public on his suitability or otherwise for the Appointment to public office, none was received. The nominee was orally engaged by the Committee and responded to questions.

The Committee observed that nominee a Kenya citizen; she hails from El-wak and own business; has diploma in Education Management system from Kenya Education Management Institute (KEMI); has more than ten years' experience in the position nominated for working as a teacher at El-wak Girls primary school; was appointed by Umbrella body representing professional association in the area (Kenya National Union of Teachers) as per section 14 (3) (c) of the Urban Areas and Cities (Amendment) Act 2019; has complied with the requirement of charter six of Kenya Constitution; has neither been charged in a court of law nor mentioned in any investigatory report of parliament or any commission of inquiry in the last three (3) years. She has also never been dismissed or otherwise removed from office for contravention of the provisions of Article 75 of the Constitution; was confident and had good communication skills; she had good decision making/ problem solving skills; she had met the requirement of section 14 (6) of the Urban Areas and Cities (Amendment) Act 2019; her Diploma certificate was verified as genuine

Mr. Ismail Hassan Issack,

Mr. Ismail Hassan Issack appeared before the Committee on Thursday, 10th September, 2020 at 2:30 pm in County Assembly Committee room 1.

The nominee was informed that despite inviting memoranda from Members of the public on his suitability or otherwise for the Appointment to the public office, none was received.

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The nominee was orally engaged by the Committee and responded to questions during vetting as follows; -

The nominee was born in 1974; a Kenyan citizen holder of National ID/No: 11550995 and hails from El-wak town, Mandera South Sub-County; He holds Degree in Business Management (Sales and Marketing option) from The East African University (2014-2017); Has Diploma in Human Resource Management from Kenya School of Professional Studies (2004-2005); Has P1 teachers Certificate from Kericho Teachers College (1993-1995); attended Sheikh Ali High School (1989-1992) and Wargadud Primary School (1981-1988).

The nominee worked as Senior Customer relation and marketing officer in Kenya Power Mandera office from 2014 to date; as a Kenya Power as driver (2004- 2014); Kenya Power Regional Committee Member for HIV/AIDS drugs and substance abuse (2006-2020) and Senior Teacher at Alweis Primary School (1997-2003).

The nominee attended Customer Service Excellence training at East Africa Customer Centre (2019); NACADA for drug free Nation workplace based prevention intervention held at Nakuru County (2017); Industrial Relations and Conflict Resolution Management (2013); SBO Training in unlocking your personal potential (2010); Fire Prevention and Protection at MICAS LIMITED division for safety, health and environment (2010); Intermediate defensive driving Course at Automobile Association of Kenya (2010); and Basic Mechanical Skills for driver's course conducted at Kenya Power (2009).

The nominee is a member of Marketing Society of Kenya (MSK); had no potential conflict of interest and no political affiliation.

The nominee has submitted tax compliance certificate, Certificate No. KRA 1175061720; provided a filled self-declaration questionnaire form from EACC dated 10th June 2020; provided police clearance Certificate from the Directorate of Criminal Investigations, Certificate Ref No: PCC-W8TAD5L dated 26 March 2020; provided clearance Certificate from Higher Education Loans Board (HELB) and was issued with Certificate of Clearance No. HLB-ZZFB322 dated 10th June 2020; provided clearance Certificate from METROPOL Credit Reference Bureau via MCRB Certificate No. MCRB/C2940

The nominee hails from Elwak and own family business; has bachelor degree in Business Management (sales and marketing option) from The East African University; is a governor's appointee as per section 14 (2) (b) of the Urban Areas and Cities (Amendment) Act 2019; has more than ten years' experience in related fields; provided the requirement of charter six of Kenya Constitution; has neither been charged in a court of law nor mentioned in any investigatory report of parliament or any commission of inquiry in the last three (3) years. He has also never been dismissed or otherwise removed from office for contravention of the provisions of Article 75 of the constitution; was confident and had good communication skills; had good decision making/ problem solving skills; and had met the requirements of section 14 (6) of the Urban Areas and Cities (Amendment) Act 2019.

Mr. Shukri Mohamed Hussein,

Mr. Shukri Mohamed Hussein appeared before the Committee on Friday, 11th September, 2020 at 8:00am in County Assembly Committee room 1.

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The nominee was informed that despite inviting memoranda from Members of the public on his suitability or otherwise for the Appointment to the public office, none was received.

The nominee was orally engaged by the Committee and responded to questions.

The Committee observed that the nominee hails from both Banisa and Mandera South Sub Counties and owns business; has diploma in Community Health Nursing; has 3 years of experience for post qualification; is appointed by Umbrella body representing professional association in the area (Kenya National Union of Nurses) as per section 14 (3) (a) of the Urban Areas and Cities (Amendment) Act 2019; provided the requirement of charter six of Kenya Constitution; has neither been charged in a court of law nor mentioned in any investigatory report of parliament or any commission of inquiry in the last three (3) years. He has also never been dismissed or otherwise removed from office for contravention of the provisions of Article 75 of the constitution; was confident and had good communication skills; had good decision making/ problem solving skills; has met the requirement of section 14 (6) of the Urban Areas and Cities (Amendment) Act 2019; his diploma certificate was certified as genuine by Kenya Medical Training College (KMTC).

Mr. Hassan Sheikh Alio,

Mr. Hassan Sheikh Alio appeared before the Committee on Friday, 11th September, 2020 at 9:30 am in County Assembly Committee room 1.

The nominee was informed that despite inviting memoranda from Members of the public on his suitability or otherwise for the Appointment to the public office, none was received.

The nominee was orally engaged by the Committee and responded to questions during vetting.

The Committee observed that the nominee hails from El-wak and owns business; has degree in Early Childhood Development from Mount Kenya University; is a governor's appointee as per section 14 (2) (b) of the Urban Areas and Cities (Amendment) Act 2019; has over ten years of experience in the related fields; has neither been charged in a court of law nor mentioned in any investigatory report of parliament or any commission of inquiry in the last three (3) years. He has also never been dismissed or otherwise removed from office for contravention of the provisions of Article 75 of the Constitution; was confident and had good communication skills; had good decision making/ problem solving skills; has met the requirement of section 14 (6) of the Urban Areas and Cities (Amendment) Act 2019; and his degree certificate was verified as genuine

Mrs. Khadija Issak Ibrahim,

Mrs. Khadija Issak Ibrahim appeared before the Committee on Friday, 11th September, 2020 at 11:30 am. The nominee was informed that despite inviting memoranda from Members of the public on her suitability or otherwise for the Appointment to the public office, none was received.

The nominee was orally engaged by the Committee and responded to questions during the vetting.

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The Committee observed that the nominee is a Kenya citizen; hails from El-wak and own business; has diploma in Early Childhood Development Education from Mandera DICECE; has more than ten years of experience in the related field; is appointed by Umbrella body representing private sector in the area (Maendeleo ya Wanawake) as per section 14 (3) (b) of the Urban Areas and Cities (Amendment) Act 2019; has neither been charged in a court of law nor mentioned in any investigatory report of parliament or any commission of inquiry in the last three (3) years. He has also never been dismissed or otherwise removed from office for contravention of the provisions of Article 75 of the Constitution; was confident and had good communication skills; had good decision making and problem solving skills; has met the requirement of section 14 (6) of the Urban Areas and Cities (Amendment) Act 2019; and the Nominee's Diploma certificate was certified as genuine.

The Committee made the following general observations; -

- i. That the nominees met the requirement of charter six of Kenya Constitution.
- ii. That the appointing authority did not consider the Constitutional and statutory requirements of Persons with Disabilities in nominating the Board members as per the provision of articles 54 (2) of the Constitution of Kenya and Section 9 (4) El-wak Municipal Charter 2020.
- iii. That the nominee for El-wak Youth representatives withdrew from the appointment process as a board member and was not vetted by the Committee
- iv. The nominees have neither been charged in a court of law nor mentioned in any investigatory report of parliament or any commission of inquiry in the last three (3) years. The nominees have also never been dismissed or otherwise removed from office for contravention of the provisions of Article 75 of the constitution.
- v. The appointing authority met the requirement of section 14 (3) (5) and (6) of the Urban Areas and Cities (Amendment) Act 2019 in appointing the nominees.
- vi. The nominee met the requirement of section 14 (6) of the Urban Areas and Cities (Amendment) Act 2019.

Having conducted the vetting process, at the conclusion of the approving hearing, the Committee made the following recommendation; -

THAT having considered the suitability, capacity and integrity of the nominees and pursuant to Section 9 (2) of the Public Appointments (County Assemblies Approval) Act No. 5 of 2017, the Lands Housing and Physical Planning Committee recommends that the County Assembly approves the nomination of the following as El-wak Municipality Board Members; -

1. Mr. Said Ibrahim Hassan
2. Mrs. Amina Maalim Ibrahim
3. Mr. Ismail Hassan Issack
4. Mr. Shukri Mohamed Hussein
5. Mr. Hassan Sheikh Alio
6. Mrs. Khadija Issak Ibrahim

I request honorable Hindia the vice chair of the committee to second me.

Hon. Hindia Hussein (Nominated): Thank you, Madam Temporary Speaker. I rise to support but with the following comments before I second the report. I would like to thank the office of the Speaker, the Clerk and the secretariat, without the secretariat this report could have not been like this and we must recognize that as the committee.

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The other thing is that I should congratulate the nominees because it is a competitive position and out of the Mandera South Sub County they emerged winners. The other thing is that I would congratulate the Education sector because the sector is the backbone. Whenever people are appointed to any position the Education sector is there to fill. There are two teachers here Madam Amina and Khadija who used to be my teachers in El-wak girls' primary school.

I will also congratulate the Health sector because Mr. Said is a clinical officer by profession. We talk of the young Mr. Shukri is also a nurse by profession and was considered. Mr. Shukri has 3 years' experience and most of the young people who have talent have been locked out because of the few years of experience. If we won't nurture them, who will? That is why we considered Mr. Shukri.

The nominee representing youth withdrew from the position and I hope the position will be filled very soon. People living with disability have not been considered. The minority has been taken care of. Thumbs up to the executive because most of the times people who live around us skip our mind.

With that, I second the report.

Thank you.

Hon. Yakub Hassan (Derkhale): Madam Temporary Speaker, His Excellency the Governor, brought seven nominees and the names brought to the assemblies for approval are six. What happened?

(A member speaking inaudibly)

I was there but may be it has skipped my ears. Madam Temporary Speaker, it is because it skipped my ear that is why I am asking.

(A member speaking inaudibly)

Madam Temporary Speaker that is not the way to respond to an honorable member (*Went off record*)

Hon. Alinoor Derow (Wargadud): Thank you, Madam Temporary Speaker. I would like to support the list. If you look at the list being presented, it is well balanced in terms of gender. At least all are on board in terms of clan balancing within the localities. In further scrutiny of their qualifications, these Members are well qualified, experienced, and multi-disciplinary in terms of various backgrounds and above all they are residents of the municipality. They are not people nominated outside El-wak Municipality. These are residents of the locality and with that, for sure they have institutional memory of the municipality and they will be able to address the need of that municipality.

My other issue is there is one person who has withdrawn to be a member of municipality board. Hope he will be replaced with a local who are less privileged. I think other locals will be considered and with that I support the report.

Thank you.

Hon. Bishar Maalim Abdullahi (Takaba): Thank you, Madam Temporary Speaker. I would also like to support the approval of this report. First I would like to thank the Committee for such a credible report and thank the governor for nominating people with integrity. The

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governor, in his nomination, has considered a lot of factors in terms of minority, gender and people with disability. What I have noted more importantly is that the Members of the board of El-wak municipality are people who are residents of El-wak, more importantly Mandera County and they actually have geographical picture of how El-wak municipality is and we hope that they are going to inject good ideologies and make sure that this municipality will grow as required.

The other important thing is about the qualifications of these board members. In fact, they are qualified as explained and shown in the report. More so I am a classmate to one of the nominees. Amina Maalim Ibrahim is my classmate from primary till we did our KCPE and she is a long serving educationist and headmistress in El-wak. I hope that this House will actually pass the nomination of these board members. We have a lot of hope in them and I hope and request the whole Members to approve these names so that these members can start working and make sure that this upcoming El-wak municipality will grow to a city status.

Thank you.

Hon. Bashir Ibrahim (Kiliwehiri): Thank you, Madam Temporary Speaker. I also support and want to take this opportunity to commend the Committee on Lands for coming up with this good report. They have taken everything into account including sections of the law and everything.

Madam Temporary Speaker, all the six nominees who have been vetted by the committee have good experience, good educational background and they have all satisfied chapter 14 (3) of the Urban Area and Cities Act. More so I have seen one of the nominees is my former pupil Mr. Shukri Mohamed Hussein. He was very bright even those days when he was in school and today I am happy to see his name in this list of the nominees of the board. They all hail from El-wak which is good because they come from that locality and they can help their people.

Thank you.

Hon. Ahmed Gabnan (Waranqara): Thank you, Madam Temporary Speaker. I also stand to support the Report of the Lands, Housing and Physical Planning Committee. The people of El-wak have waited for long the goodies that come with the Municipality. In approving these board members, it will help in realizing full operationalization of El-wak municipality. I wish to thank the Governor for appointing well qualified and experienced people to the Board members who understand the challenges and opportunities that exist in El-wak.

Madam Temporary Speaker, everything that is in this report is in order. The only missing link I saw is that the chairlady for Lands and Physical Planning Committee is the champion of human rights and people with disability. The people with disability have not been put as nominees and that is the only missing link. Otherwise the report is good and I fully support.

Thank you.

Hon. Adan Maalim Mohamed (El-wak North): Thank you, Madam Temporary Speaker. I also take this opportunity to thank the Hon. Chair and the committee at large in coming up with this report and not forgetting the clerks attached to that committee. I also sit in that committee and we vetted the six nominees that appeared before us. To say the least all the 6 proved to the committee that they are capable and are up to task to undertake this job. All the nominees have pre-requisite qualification and experience to that effect.

Madam Temporary Speaker, apart from one nominee who appeared to be youth, others are above board. When the executive came up with these names they have looked into all the categories like the Minorities, Special groups and professional bodies. They came up with the

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names of the youth basing the fact that maybe they are borrowing the leave from the President Uhuru Muigai Kenyatta who happens to appoint youthful candidates to the executive position in his last appointment.

Madam Temporary Speaker, the people of El-wak have been waiting for this board and Municipality to be realized. As the representative and the voice of the people of El-wak we have been waiting for this Municipality to inject and bring a lot of development in our area.

With that, I request other Honourable members to support the report.

Thank you.

Hon. Abass Abdille (Nominated): Thank you, Madam Temporary Speaker. The Committee on Lands, Housing and Physical Planning has made history. We have vetted those Board Members professionally. It was followed through social media and the comments were overwhelming. We have given the Assembly a good image in terms of conducting the vetting. Some of the Members like Hon. Ahmed Gabnan said that persons with disabilities are missing in that category. I expect and pray that the Governor will consider one in the position remaining instead of youth. A person with disability can be a youth and disable which will make a good requisite and approach. I pray that he will do so.

This good Assembly has played a good role. We have passed the Municipality Charter for the people of El-wak who are facing immense problems, highest being the drainage system. I think with these Board Members in place and the Charter, the people of El-wak will not have those perennial problems. The next Municipality will be Lafey Sub-County.

I request the honorable members to support this.

Thank you.

Hon. Hussein Adan (Takaba South): I want to thank the Honorable Members for giving me the permission to contribute to this Motion. I will join the Honorable Members who have supported the Report of Lands, Housing and Physical Planning Committee. Some of the Board Members have been friends of the committee. They have been questioned and they answered very well. I was there particularly the one of Mr. Said, and he answered most of the questions.

I want to say that the committee has done its work very well. Gender balance was there in the nomination of the Board members. All of them are qualified and met the requirements of Section 14 (6) of Urban Areas and Cities (Amendment) Act and the appointing Authority has complied with the requirements of Section 14 (3), (5) and (6). They are all locals from the area and hence they understand the challenges of the area better.

I want to thank the committee for giving us this detailed report. I also want to thank the Governor for bringing nominees who are capable.

Thank you.

Hon. Shaban Hassan (Ashabito): Thank you, Madam Temporary Speaker. I rise to support the committee's report. Having checked the background of the nominees, all of them happen to hail from El-wak and they are conversant with the topography of the region. I happen to visit El-wak during the recent floods and the whole town was submerged. That is one of the challenges that the people of El-wak have been facing. With this Municipality issue, one of the challenges that these nominees will handle is storm water drainage. It was an issue since time immemorial. When it rains because of the soil topography water does not drain nicely. So, it has become health hazard and breeding ground for the mosquitoes.

These nominees have met all prerequisite criteria in terms of qualification and they have even complied with Chapter 6 of the Constitution. I think we do not have any reason not to approve them. I happened to work with Mr. Said Hassan in Somali sometimes back in 2009, in Galgaduud Region. I was doing Consultancy Services with MSF and he was the Field Coordinator. He is a man of integrity and competent person in the group. This is a blessing to the people of El-wak.

I support the report.

Hon. Abdinoor Diisow (El-wak South): Thank you, Madam Temporary Speaker. I also rise to support the recommendations of the Committee on Lands, Housing and Physical Planning where I also sit as a member.

I want to thank all the contributors to this report today because they have really talked their heart and they understand best what the people of El-wak need.

Talking about the report before us today, I want to say that the report is fully compliant in terms of merit, qualification and suitability of the nominees as per Chapter 6 of the Constitution. The report has also taken care of gender representations. It is also complaint in considering the minorities.

However, the only point of concern about the report is where persons representing youth and Persons with Disability (PWD) have unfortunately been withdrawn. As put by several speakers before me, that it is our prayer to the Governor that when he is coming up with nominee for youth, he should think of merging the two into one so that this thing should be fully operational.

To the nominees who have been vetted and discussed today, I wish to say that most of them are our voters and they are people that we know. Owing to the experience and education background they possess, they are people whom we can say that they can deliver with the help of Allah if this House approves their names.

We know the role of Municipality and this is the last nail on the coffin of El-wak Municipality and its formation because we know it is not fully set in place without the players who are the people we are discussing today. I pray to all the members who will speak after me to help us in passing these nominees so that the people of El-wak will realize fully the potential of the Municipality.

With those few remarks, I support the Motion and pray that all Members support it.

Thank you.

(Question put and agreed to)

ADJOURNMENT

Temporary Speaker (Hon. Zamzam Abdullahi): Honorable Members, I now adjourn the House to tomorrow at 9 am.

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