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CORRIGENDUM

IN Gazette Notice No. 4743 of 2013, amend the expression printed as "Succession Cause No. 47 of 2012" to read "Succession Cause No. 47 of 2013".

GAZETTE NOTICE No. 14218

THE MOHAMMEDAN MARRIAGE AND DIVORCE
REGISTRATION ACT

(Cap. 155)

APPOINTMENT

IN EXERCISE of the powers conferred by section 4 of the Mohammedan Marriage and Divorce Registration Act, as read with section 25 of the Kenya Citizens and Foreign Nationals Management Service Act, the Attorney-General appoints—

USTADH SALIM MOHAMED KILALO

to be an Assistant Registrar of Islamic Marriages and Divorces in Msambweni, Kwale County.

Dated the 22nd October, 2013.

GITHU MUIGAI,
Attorney-General.

GAZETTE NOTICE No. 14219

THE FIREARMS ACT

(Cap. 114)

APPOINTMENT OF CHIEF LICENSING OFFICER

IN EXERCISE of the powers conferred by section 3 of the Firearms Act, the Inspector-General of Police appoints—

FRANCIS WANJOHI MWANGI

to be Chief Licensing Officer for purposes of the Act.

Dated the 7th October, 2013.

D. M. KIMAIYO,
Inspector-General, National Police Service.

GAZETTE NOTICE No. 14220

THE CENTRAL BANK OF KENYA ACT

(Cap. 491)

REVOCATION OF FOREX BUREAU LICENCE

IT IS notified for the general information of the public that the Central Bank of Kenya has revoked the licence of the Forex Bureau named in the first column of the schedule, with effect from the date specified in the second column of the schedule.

SCHEDULE

First Column	Second Column
Fulus Bureau De Change Limited	3rd October, 2013

Dated the 24th October, 2013.

NJUGUNA NDUNG'U,
Governor, Central Bank of Kenya.

GAZETTE NOTICE No. 14221

THE COMPETITION ACT

(No. 12 of 2010)

EXEMPTION

IN EXERCISE of the powers conferred by section 42 (1) of the Competition Act, the Competition Authority excludes the proposed acquisition of the business and assets of Jampharm Chemist by Viva Afya Limited, from the provisions of Part IV of the Competition Act due to the reasons that—

(a) the merger will not affect competition negatively; and

(b) the combined turnover of the parties is KSh. 19,574,755, which is below the set thresholds.

Dated the 22nd October, 2013.

WANG'OMBE KARIUKI,
Director-General.

GAZETTE NOTICE No. 14222

THE COMPETITION ACT

(No. 12 of 2010)

EXEMPTION

IN EXERCISE of the powers conferred by section 42 (1) of the Competition Act, the Competition Authority excludes the proposed purchase of 60% of the shares in Safer World Investments Limited by School Operators Limited, from the provisions of Part IV of the Competition Act due to the reasons that—

(a) the merger will not affect competition negatively; and

(b) the combined turnover of the parties is KSh. 672,442,833, which is below the set thresholds.

Dated the 22nd October, 2013.

WANG'OMBE KARIUKI,
Director-General.

GAZETTE NOTICE No. 14223

THE COMPETITION ACT

(No. 12 of 2010)

EXEMPTION

IN EXERCISE of the powers conferred by section 42 (1) of the Competition Act, the Competition Authority excludes the proposed acquisition of 100% of the issued share capital of Ascribe Group Limited by Emis Group PLC, from the provisions of Part IV of the Competition Act due to the reasons that—

(a) the merger will not affect competition negatively;

(b) the acquiring undertaking does not have any turnover in Kenya; and

(c) the target undertaking has a sales turnover of KSh. 70,356,291, which is below the set thresholds.

Dated the 22nd October, 2013.

WANG'OMBE KARIUKI,
Director-General.

GAZETTE NOTICE No. 14224

THE COMPETITION ACT

(No. 12 of 2010)

EXEMPTION

IN EXERCISE of the powers conferred by section 42 (1) of the Competition Act, the Competition Authority excludes the proposed acquisition of the entire issued share capital of Juhudi Kilimo Company Limited by Soros Economic Development Fund and others from the provisions of Part IV of the Competition Act due to the reasons that—

(a) the merger will not affect competition negatively

(b) the acquiring undertaking does not have any turnover in Kenya; and

(c) the target undertaking has a sales turnover of KSh. 29,962,453, which is below the set thresholds.

Dated the 22nd October, 2013.

WANG'OMBE KARIUKI,
Director-General.

GAZETTE NOTICE NO. 14225

THE KIAMBU COUNTY ALCOHOLIC DRINKS CONTROL ACT
(No. 2 of 2013)

APPOINTMENT

IN EXERCISE of the powers conferred by section 9 (5) of the Kiambu County Alcoholic Drinks Control Act, 2013, the County Executive member in-charge of Alcoholic Drinks Control, appoints—

Pastor Paul Nguire, to be a member of Ruiru Sub-County Alcoholic Drinks Regulation Committee; and

Alice Nyokabi, to be a member of Lari Sub-County Alcoholic Drinks Regulation Committee.

The appointment of Pastor Michael Njuguna of Ruiru Sub-County and Naomi Mukih Njau, of Lari Sub-County is revoked.

Dated the 15th October, 2013.

MR/356446 ESTHER W. NDIRANGU,
*Executive Committee Member for Education,
Culture and Social Services.*

GAZETTE NOTICE NO. 14226

THE CONSTITUTION OF KENYA
THE COUNTY GOVERNMENTS ACT
(No. 17 of 2012)

MACHAKOS COUNTY PUBLIC SERVICE BOARD

APPOINTMENT

IN EXERCISE of the powers conferred by Article 235 (1) of the Constitution, as read with section 57 and 58 (1) (b), (c), (2), (3) and (4) of the County Governments Act, 2012, and upon approval by the Machakos County Assembly, I, Alfred N. Mutua, Governor of Machakos County, appoint—

ROSE K. MULEE (Ms.)

to be the Secretary to the Machakos County Public Service Board.

Dated the 27th October, 2013.

ALFRED N. MUTUA,
Governor, Machakos County.

GAZETTE NOTICE NO. 14227

THE CONSTITUTION OF KENYA
THE COUNTY GOVERNMENTS ACT
(No. 17 of 2012)

MACHAKOS FORENSICS AND RESEARCH CENTRE

APPOINTMENT

IN EXERCISE of the powers conferred by section 183 (1) (d) of the Constitution of Kenya as read together with section 6 (5) (a) of the County Governments Act, I, Alfred N. Mutua (Dr.), Governor of Machakos County, appoint the following persons to be Board members of Forensics and Research Centre, which will undertake development of Forensics and Research to assist in crime investigation and other matters incidental thereto.

Luke Masau (Dr.)—(Chairperson).

Members:

Chief Pathologist, Machakos Level 5 Hospital.
Chief Officer, Machakos Ministry of Health and Emergency Services.
Chief Officer, Machakos Ministry of Decentralized Units, Urban Areas and Municipalities.
Machakos Police Commander.
Machakos Administration Police Commander.
Henfrey Nzioka, Representative, Office of Governor.
Francisca Mutie (Ms.), Community Representative.

The appointments take effect immediately.

Dated 22nd October, 2013.

ALFRED N. MUTUA,
Governor, Machakos County.

GAZETTE NOTICE NO. 14228

THE CONSTITUTION OF KENYA
THE COUNTY GOVERNMENTS ACT
(No. 17 of 2012)

MACHAKOS INVESTMENT PROMOTION BOARD

APPOINTMENT

IN EXERCISE of the powers conferred by section 183 (1) (d) of the Constitution of Kenya as read together with section 6 (5) of the County Governments Act, I, Alfred N. Mutua (Dr.), Governor of Machakos County, appoint the following persons to be Board members of Machakos Investment Promotion Center which will coordinate, advice, market, promote, and manage all matters relating to investment including developing enabling criteria and legislation for enjoyment of incentives by investors within the County of Machakos and processing of all applicable National and County licences on behalf of committed investors.

Kenneth Wathome Mwatu—(Chairperson);

Members:

Beatrice Makawiti.
Sammy Muthoka Mbova.
Hellen Mueni Ndeti (Ms).
Chief Officer, Ministry of Trade, Economic Planning and Industrialization.
Chief Officer, Ministry of Finance and Revenue Collection.
Chair, County Public Service Board.
Chair, Machakos Forensics and Research Center.
Chair, Machakos Entertainment Center (MACHAWOOD).

The appointments take effect immediately.

Dated 23rd October, 2013.

ALFRED N. MUTUA,
Governor, Machakos County.

GAZETTE NOTICE NO. 14229

THE CONSTITUTION OF KENYA
THE COUNTY GOVERNMENTS ACT
(No. 17 of 2012)

MACHAKOS SOCIAL WELFARE AND EMPOWERMENT BOARD

APPOINTMENT

IN EXERCISE of the powers conferred by Section 183 (1) (d) of the Constitution of Kenya as read together with section 6 (5) of the County Governments Act, I, Alfred N. Mutua (Dr.), Governor of Machakos County, appoint the following persons to be Board members of Machakos Social Welfare and Empowerment Board which will advise, promote and mainstream the interests of women, youth, the disabled, the elderly and all other vulnerable groups within Machakos County including widows and orphans. The Board will, inter alia, establish and manage a revolving fund for assisting initiatives by these groups.

Patrick Kiliku Musyoka (Dr.)—(Chairperson).

Members:

Rev. John Kimole (Dr).
Patronila Ndungwa Kituku (Ms.).
Margaret Mwikali (Ms.)
Paul Masila Nyanzi.
Margaret Nthama (Ms)
Kennedy Loveto Evayo.
Judah Mutua Mumo.
Chief Officer, Ministry of Education and Social Welfare.

The Acting Chief Executive Officer to the Board will be Simion R. Ole Masi.

The appointments take effect immediately.

Dated 23rd October, 2013.

ALFRED N. MUTUA,
Governor, Machakos County.

GAZETTE NOTICE NO. 14230

THE LAND ACT

(No. 6 of 2012)

NORTHERN CORRIDOR REHABILITATION
PROGRAMME—PHASE III

REHABILITATION OF ELDORET–TURBO–WEBUYE
ROAD (A104)

REHABILITATION OF WEBUYE–MALABA ROAD (A104)

Addenda

IN PURSUANCE of section 162 (2) of the Land Act, 2012 and further to Gazette Notice Nos. 5079 of 2010 and Gazette Notice No. 5486 of 2013, add the following parcels:

<i>Parcel No.</i>	<i>Registered Owner</i>	<i>Area Acquired (Ha)</i>
Kakamega/Sergoita/7A	Moses Onguso Kayanda	8.9888
Kakamega/Sergoita/7C	Helen Cheledi Anyama	0.105
Kakamega/Sergoita/7D	Pauline Agodeka Chagusia	0.083
Kakamega/Sergoita/7E	Serah Mboga Anyama	0.2391
Kakamega/Sergoita/7F	Stephen Matsili Imbenzi	0.0954

Inquiries for hearing of claims to compensation by the people interested or affected in the above land being acquired will be held at Turbo Chief's Office, on Tuesday, 3rd December, 2013, at 9.30 a.m.

Interested parties should submit their claim to the undersigned on or before the date of inquiry. Also interested parties should appear for inquiries with copies of the following documents, Personal Identification Number (PIN), Identity Card and copy of Title Deed.

MUHAMMAD A. SWAZURI,
Chairman, National Land Commission.

MR/3551716

GAZETTE NOTICE NO. 14231

THE REGISTRATION OF TITLES ACT

(No. 3 of 2012)

ISSUE OF A CERTIFIED COPY OF TITLE

WHEREAS Fioroni Silvia, of P.O. Box 5717, Ukunda, Kwale in the Republic of Kenya, is the registered proprietor in fee simple of that piece of land known as portion No. 1785, situate in the municipal council of Malindi in Malindi District, by virtue of an indenture made on 22nd July 2008, registered as volume LT.36 folio 5/1 File 4448, and whereas sufficient evidence has been adduced to show that the said indenture thereof has been lost, notice is given that after the expiration of thirty (30) days from the date hereof, I shall issue a certified copy of the title provided that no objection has been received within that period.

Dated the 1st November, 2013.

R. M. INGONGA,
Registrar of Titles, Mombasa.

GAZETTE NOTICE NO. 14232

THE REGISTRATION OF TITLES ACT

(No. 3 of 2012)

ISSUE OF A PROVISIONAL CERTIFICATE

WHEREAS Salim Abdalla Ahmed Damnam, of P.O. Box 85383–80100, Mombasa in the Republic of Kenya, is the registered proprietor

in freehold interest of that piece of land known as MN/III/35, situate in the north of Mtwapa Creek, in Kilifi District, by virtue of a certificate of ownership registered as C.R. 4287/1, and whereas sufficient evidence has been adduced to show that the said certificate of ownership issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue a provisional certificate of title provided that no objection has been received within that period.

Dated the 1st November, 2013.

J. E. KEBASO,
Senior Registrar of Titles, Mombasa.

GAZETTE NOTICE NO. 14233

THE LAND REGISTRATION ACT

(No. 3 of 2012)

ISSUE OF A PROVISIONAL CERTIFICATE

WHEREAS (1) Natwarlala Thakershi Jadavji Pujara and (2) Joanita Wendy Pujara, both of P.O. Box 58077–00200, Nairobi in the Republic of Kenya, is the registered proprietor as leasehold of that piece of land known as Plot A103, L.R. No. 24880, situate in Kilifi District, by virtue of a certificate of lease registered as C.R. 43745/1, and whereas sufficient evidence has been adduced to show that the certificate of ownership issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue a provisional certificate of lease provided that no objection has been received within that period.

Dated the 1st November, 2013.

J. KEBASO,
Registrar of Titles, Mombasa.

GAZETTE NOTICE NO. 14234

THE LAND REGISTRATION ACT

(No. 3 of 2012)

ISSUE OF A NEW LAND TITLE DEED

WHEREAS Agatha Nafula Nyamongo, of P.O. Box 87807, Mombasa in the Republic of Kenya, is registered as proprietor in absolute interest of that piece of land containing 0.0167 hectare or thereabouts, situate in the district of Mombasa, registered under title No. Mombasa Block IX/420, and whereas sufficient evidence has been adduced to show that the land title deed issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue a new title deed provided that no objection has been received within that November, 2013.

J. G. WANJOHI,
Land Registrar, Mombasa District.

MR/3551653

GAZETTE NOTICE NO. 14235

THE LAND REGISTRATION ACT

(No. 3 of 2012)

ISSUE OF A NEW LAND TITLE DEED

WHEREAS Jonathan Kinyua Waitiru (deceased), is registered as proprietor in absolute ownership interest of that piece of land containing 1.054 hectares or thereabout, situate in the district of Nakuru, registered under title No. Kihingo/Likia Block 2/52 (Pwani Mutukano), and whereas sufficient evidence has been adduced to show that the land title deed issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue a new title deed provided that no objection has been received within that period.

Dated the 1st November, 2013.

M. SUNGU,
Land Registrar, Nakuru District.

MR/3564443

GAZETTE NOTICE NO. 14236

THE LAND REGISTRATION ACT
(No. 3 of 2012)

ISSUE OF A NEW LAND TITLE DEED

WHEREAS Jonathan Kinyua Waitiru (deceased), is registered as proprietor in absolute ownership interest of that piece of land containing 0.953 hectare or thereabouts, situate in the district of Nakuru, registered under title No. Kihingo/Likia Block 2/51, and whereas sufficient evidence has been adduced to show that the land title deed issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue a new title deed provided that no objection has been received within that period.

Dated the 1st November, 2013.

MR/3564443
D. K. NYANTIKA,
Land Registrar, Nakuru District.

GAZETTE NOTICE NO. 14237

THE LAND REGISTRATION ACT
(No. 3 of 2012)

ISSUE OF A NEW LAND TITLE DEED

WHEREAS Grace Wanjiku Ndungu (deceased), is registered as proprietor in absolute ownership interest of that piece of land containing 0.65 hectare or thereabouts, situate in the district of Nakuru, registered under title No. Bahati/Kabatini Block 1/1698, and whereas sufficient evidence has been adduced to show that the land title deed issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue a new title deed provided that no objection has been received within that period.

Dated the 1st November, 2013.

MR/3564496
D. K. NYANTIKA,
Land Registrar, Nakuru District.

GAZETTE NOTICE NO. 14238

THE LAND REGISTRATION ACT
(No. 3 of 2012)

ISSUE OF A NEW LAND TITLE DEED

WHEREAS Rahab Rwino Miringu (ID/2331156), of P.O. Box 67611, Nairobi in the Republic of Kenya, is registered as proprietor in absolute ownership interest of that piece of land containing 0.045 hectare or thereabouts, situate in the district of Nakuru, registered under title No. Kiambogo/Kiambogo Block 2/2132, and whereas sufficient evidence has been adduced to show that the land title deed issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue a new title deed provided that no objection has been received within that period.

Dated the 1st November, 2013.

MR/3551523
D. K. NYANTIKA,
Land Registrar, Nakuru District.

GAZETTE NOTICE NO. 14239

THE LAND REGISTRATION ACT
(No. 3 of 2012)

ISSUE OF A NEW CERTIFICATE OF LEASE

WHEREAS Joseph Muitherero Kihanya (ID/0352105), is registered as proprietor in leasehold ownership of that piece of land containing 0.0817 hectare or thereabouts, situate in the district of Thika, registered under title No. Ruiru/Ruiru East Block 4/T.1947, and whereas sufficient evidence has been adduced to show that the certificate of lease issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue a new land title deed provided that no objection has been received within that period.

Dated the 1st November, 2013.

MR/3564288
C. W. MURAGE,
Land Registrar, Thika District.

GAZETTE NOTICE NO. 14240

THE LAND REGISTRATION ACT
(No. 3 of 2012)

ISSUE OF A NEW LAND TITLE DEED

WHEREAS Sekundu Kamau Gabriel (ID/0717538), of Embu in the Republic of Kenya, is registered as proprietor in absolute ownership interest of that piece of land containing 0.41 hectare or thereabouts, situate in the district of Embu, registered under title No. Gaturi/Githimu/6649, and whereas sufficient evidence has been adduced to show that the land title deed issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue a new title deed provided that no objection has been received within that period.

Dated the 1st November, 2013.

MR/3564428
J. M. MUNGUTI,
Land Registrar, Embu District.

GAZETTE NOTICE NO. 14241

THE LAND REGISTRATION ACT
(No. 3 of 2012)

ISSUE OF A NEW LAND TITLE DEED

WHEREAS John Njeru Munene (ID/50939981), is registered as proprietor in absolute ownership interest of that piece of land containing 1.01 hectares or thereabouts, situate in the district of Embu, registered under title No. Kyeni/MUFU/2723, and whereas sufficient evidence has been adduced to show that the land title deed issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue a new title deed provided that no objection has been received within that period.

Dated the 1st November, 2013.

MR/3551544
M. W. KARIUKI,
Land Registrar, Embu District.

GAZETTE NOTICE NO. 14242

THE LAND REGISTRATION ACT
(No. 3 of 2012)

ISSUE OF A NEW LAND TITLE DEED

WHEREAS Wavinya Musyoka Kiiti, of P.O. Box 107-90100, Machakos in the Republic of Kenya, is registered as proprietor in absolute ownership interest of that piece of land containing 10.24 hectares or thereabouts, situate in the district of Machakos, registered under title No. Mavoko Town Block 3/13773, and whereas sufficient evidence has been adduced to show that the land title deed issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue a new title deed provided that no objection has been received within that period.

Dated the 1st November, 2013.

MR/3564462
G. M. NJORGE,
Land Registrar, Machakos District.

GAZETTE NOTICE NO. 14243

THE LAND REGISTRATION ACT
(No. 3 of 2012)

ISSUE OF NEW LAND TITLE DEEDS

WHEREAS Maubi Osoro Gechure (ID/1596210), of P.O. Box 3753, Kisii in the Republic of Kenya, is registered as proprietor in absolute ownership interest of those pieces of land situate in the district of Kisii Central, registered under title Nos. Central Kitutu/Mwabundu/1793 and 1222, and whereas sufficient evidence has been adduced to show that the land title deeds issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue new title deeds provided that no objection has been received within that period.

Dated the 1st November, 2013.

MR/3551527
D. D. OMOL,
Land Registrar, Kisii Central District.

GAZETTE NOTICE NO. 14244

THE LAND REGISTRATION ACT
(No. 3 of 2012)

ISSUE OF A NEW LAND TITLE DEED

WHEREAS (1) Charles Ben Akuma Nyamongo (ID/0102026) and (2) Agatha Nafula Kibengo (ID/1290922), are registered as proprietors in absolute interest of that piece of land situate in the district of Kisii central, registered under title No. Cenral Kitutu/Daraja Mbili/2800, and whereas sufficient evidence has been adduced to show that the land title deed issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue a new title deed provided that no objection has been received within that period.

Dated the 1st November, 2013.

MR/3551529 D. D. OMOL,
Land Registrar, Kisii Central District.

GAZETTE NOTICE NO. 14245

THE LAND REGISTRATION ACT
(No. 3 of 2012)

ISSUE OF A NEW LAND TITLE DEED

WHEREAS Charles Ben Akuma (ID/0102026) of P.O. Box 87807, Mombasac in the Republic of Kenya is registered as proprietor in absolute interest of that piece of land situate in the district of Kisii central, registered under title No. Cenral Kitutu/Daraja Mbili/1140, and whereas sufficient evidence has been adduced to show that the land title deed issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue a new title deed provided that no objection has been received within that period.

Dated the 1st November, 2013.

MR/3551528 D. D. OMOL,
Land Registrar, Kisii Central District.

GAZETTE NOTICE NO. 14246

THE LAND REGISTRATION ACT
(No. 3 of 2012)

ISSUE OF A NEW LAND TITLE DEED

WHEREAS Jared Onyango Nyagaya, of P.O. Box 189, Maseno in the Republic of Kenya, is registered as proprietor in absolute ownership interest of that piece of land containing 0.21 hectare or thereabouts, situate in the district of Luanda, registered under title No. W/Bunyore/Ekwanda/2021, and whereas sufficient evidence has been adduced to show that the land title deed issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue a new title deed provided that no objection has been received within that period.

Dated the 1st November, 2013.

MR/3551688 K. M. OKWARO,
Land Registrar, Vihiga District.

GAZETTE NOTICE NO. 14247

THE LAND REGISTRATION ACT
(No. 3 of 2012)

ISSUE OF A NEW LAND TITLE DEED

WHEREAS Jackson Chiluka Avomba, is registered as proprietor in absolute ownership interest of that piece of land containing 3.4 hectares or thereabout, situate in the district of Kakamega, registered under title No. S/Kabras/Chemuche/359, and whereas sufficient evidence has been adduced to show that the land title deed issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue a new land title deed provided that no objection has been received within that period.

Dated the 1st November, 2013.

MR/3175263 M. J. BOOR,
Land Registrar, Kakamega District.

GAZETTE NOTICE NO. 14248

THE LAND REGISTRATION ACT
(No. 3 of 2012)

ISSUE OF A NEW LAND TITLE DEED

WHEREAS Humphrey Mugo, of Chogoria in the Republic of Kenya, is registered as proprietor in absolute ownership interest of that piece of land containing 0.405 hectare or thereabouts, situate in the district of Meru South, registered under title No. Mwimbi/Chogoria/3837, and whereas sufficient evidence has been adduced to show that the land title deed issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue a new title deed provided that no objection has been received within that period.

Dated the 1st November, 2013.

MR/3551520 J. M. MWAMBIA,
Land Registrar, Meru South District.

GAZETTE NOTICE NO. 14249

THE LAND REGISTRATION ACT
(No. 3 of 2012)

ISSUE OF A NEW LAND TITLE DEED

WHEREAS Richard Mburugu Mbobua (ID/929538), of Ntima in the Republic of Kenya, is registered as proprietor in absolute ownership interest of that piece of land containing 1.87 hectares or thereabout, situate in the district of Meru North, registered under title No. Thau/Mumui/700, and whereas sufficient evidence has been adduced to show that the land title deed issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue a new land title deed provided that no objection has been received within that period.

Dated the 1st November, 2013.

MR/3551703 N. MUNGAI,
Land Registrar, Meru North District.

GAZETTE NOTICE NO. 14250

THE LAND REGISTRATION ACT
(No. 3 of 2012)

ISSUE OF A NEW LAND TITLE DEED

WHEREAS Stephen M'Ringer M'Mwithiga (ID/2536421), is registered as proprietor in absolute ownership interest of that piece of land containing 1.05 hectares or thereabout, situate in the district of Meru, registered under title No. Kiirua/Naari/3791, and whereas sufficient evidence has been adduced to show that the land title deed issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue a new title deed provided that no objection has been received within that period.

Dated the 1st November, 2013.

MR/3551522 H. S. W. MUSUMIAH,
Land Registrar, Meru District.

GAZETTE NOTICE NO. 14251

THE LAND REGISTRATION ACT
(No. 3 of 2012)

ISSUE OF A NEW LAND TITLE DEED

WHEREAS Erastus M'Makathimo Mwongera (ID/3747068), is registered as proprietor in absolute ownership interest of that piece of land containing 1.60 hectares or thereabout, situate in the district of Meru, registered under title No. Kiirua/Ruiri/1103, and whereas sufficient evidence has been adduced to show that the land title deed issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue a new title deed provided that no objection has been received within that period.

Dated the 1st November, 2013.

MR/3551522 H. S. W. MUSUMIAH,
Land Registrar, Meru District.

GAZETTE NOTICE NO. 14252

THE LAND REGISTRATION ACT
(No. 3 of 2012)

ISSUE OF A NEW LAND TITLE DEED

WHEREAS Josphat Karukutha M'Murithi (ID/8704966), is registered as proprietor in absolute ownership interest of that piece of land containing 0.405 hectare or thereabouts, situate in the district of Meru, registered under title No. Abothoguchi/L-Kijja/746, and whereas sufficient evidence has been adduced to show that the land title deed issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue a new title deed provided that no objection has been received within that period.

Dated the 1st November, 2013.

MR/3551522

H. S. W. MUSUMIAH,
Land Registrar, Meru District.

GAZETTE NOTICE NO. 14253

THE LAND REGISTRATION ACT
(No. 3 of 2012)

ISSUE OF A NEW LAND TITLE DEED

WHEREAS Francis M'Twaruchiu (ID/16093479), is registered as proprietor in absolute ownership interest of that piece of land containing 1.20 hectares or thereabouts, situate in the district of Meru, registered under title No. Nyaki/Kithoka/2523, and whereas sufficient evidence has been adduced to show that the land title deed issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue a new title deed provided that no objection has been received within that period.

Dated the 1st November, 2013.

MR/3551522

B. K. KAMWARO,
Land Registrar, Meru District.

GAZETTE NOTICE NO. 14254

THE LAND REGISTRATION ACT
(No. 3 of 2012)

ISSUE OF A NEW LAND TITLE DEED

WHEREAS Muturi Karanja (ID/0493290), is registered as proprietor in absolute ownership interest of that piece of land situate in the district of Kiambu, registered under title No. Karai/Renguti/T. 56, and whereas sufficient evidence has been adduced to show that the land title deed issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue a new title deed provided that no objection has been received within that period.

Dated the 1st November, 2013.

MR/3564436

J. K. NDIRANGU,
Land Registrar, Kiambu District.

GAZETTE NOTICE NO. 14255

THE LAND REGISTRATION ACT
(No. 3 of 2012)

ISSUE OF A NEW LAND TITLE DEED

WHEREAS Holida Murugi Kimani (ID/11769909), of P.O. Box 23387-00900, Kiambu in the Republic of Kenya, is registered as proprietor in absolute ownership interest of that piece of land containing 0.13 acre or thereabouts, situate in the district of Kiambu, registered under title No. Kiambaa/Thimbigua/2473, and whereas sufficient evidence has been adduced to show that the land title deed issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue a new title deed provided that no objection has been received within that period.

Dated the 1st November, 2013.

MR/3551502

J. K. NDIRANGU,
Land Registrar, Kiambu District.

GAZETTE NOTICE NO. 14256

THE LAND REGISTRATION ACT
(No. 3 of 2012)

ISSUE OF A NEW LAND TITLE DEED

WHEREAS George Muugi (ID/1983447), of P.O. Box 73541-00200, Nairobi in the Republic of Kenya, is registered as proprietor in absolute ownership interest of that piece of land containing 2.075 acres or thereabouts, situate in the district of Kiambu, registered under title No. Ndeiya/Ndeiya/1119, and whereas sufficient evidence has been adduced to show that the land title deed issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue a new title deed provided that no objection has been received within that period.

Dated the 1st November, 2013.

MR/3551511

J. K. NDIRANGU,
Land Registrar, Kiambu District.

GAZETTE NOTICE NO. 14257

THE LAND REGISTRATION ACT
(No. 3 of 2012)

ISSUE OF NEW LAND TITLE DEEDS

WHEREAS John Edward Thuku Kabira (ID/5710792), of P.O. Box 86-00901, Ngewa in the Republic of Kenya, is registered as proprietor in absolute ownership interest of those pieces of land containing 0.61 and 0.90 hectare or thereabouts, situate in the district of Kiambu, registered under title Nos. Githunguri/Kimathi/810 and 893, and whereas sufficient evidence has been adduced to show that the land title deeds issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue new title deeds provided that no objection has been received within that period.

Dated the 1st November, 2013.

MR/3551512

J. K. NDIRANGU,
Land Registrar, Kiambu District.

GAZETTE NOTICE NO. 14258

THE LAND REGISTRATION ACT
(No. 3 of 2012)

ISSUE OF A NEW LAND TITLE DEED

WHEREAS Peter Ruigu Njiriri (ID/0493290), of P.O. Box 52949-00200, Nairobi in the Republic of Kenya, is registered as proprietor in absolute ownership interest of that piece of land containing 0.74 hectare or thereabouts, situate in the district of Kiambu registered under title No. Githunguri/Githunguri/1699 and whereas sufficient evidence has been adduced to show that the land title deed issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue new land title deed provided that no objection has been received within that period.

Dated the 1st November, 2013.

MR/3551683

J. K. NDIRANGU,
Land Registrar, Kiambu District.

GAZETTE NOTICE NO. 14259

THE LAND REGISTRATION ACT
(No. 3 of 2012)

ISSUE OF A NEW LAND TITLE DEED

WHEREAS (1) Rehema Wamaita Kamau and (2) Mary Nyambura Kamau, both of P.O. Box 1010-00200, Nairobi in the Republic of Kenya, are registered as proprietors in absolute ownership interest of that piece of land containing 0.03 hectare or thereabouts, situate in the district of Murang'a, registered under title No. Makuyu/Kariaini BK. I/831, and whereas sufficient evidence has been adduced to show that the land title deed issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue a new land title deed provided that no objection has been received within that period.

Dated the 1st November, 2013.

MR/3551700

M. W. KAMAU,
Land Registrar, Murang'a District.

GAZETTE NOTICE NO. 14260

THE LAND REGISTRATION ACT
(No. 3 of 2012)

ISSUE OF A NEW LAND TITLE DEED

WHEREAS Njoroge Macharia, is registered as proprietor in absolute ownership interest of that piece of land containing 0.51 hectare or thereabouts, situate in the district of Murang'a, registered under title No. Loc. 18/Kirere/1426, and whereas sufficient evidence has been adduced to show that the land title deed issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue a new land title deed provided that no objection has been received within that period.

Dated the 1st November, 2013.

MR/3564282 F. M. WANJAMA,
Land Registrar, Murang'a District.

GAZETTE NOTICE NO. 14261

THE LAND REGISTRATION ACT
(No. 3 of 2012)

ISSUE OF A NEW LAND TITLE DEED

WHEREAS Mandarina Gatitu Nyaga (ID/3748835), of P.O. Box 24, Embu in the Republic of Kenya, is registered as proprietor in absolute ownership interest of that piece of land containing 0.809 hectare or thereabouts, situate in the district of Naivasha, registered under title No. Gilgil/Gilgil Block 1/2780 (Kekokey), and whereas sufficient evidence has been adduced to show that the land title deed issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue a new title deed provided that no objection has been received within that period.

Dated the 1st November, 2013.

MR/3564430 S. W. MUCHEMI,
Land Registrar, Naivasha District.

GAZETTE NOTICE NO. 14262

THE LAND REGISTRATION ACT
(No. 3 of 2012)

ISSUE OF A NEW LAND TITLE DEED

WHEREAS James Kibiro Wagaca (ID/4912693), of P.O. Box 25068-6003, Nairobi in the Republic of Kenya, is registered as proprietor in absolute ownership interest of that piece of land containing 2.020 hectares or thereabouts, situate in the district of Naivasha, registered under title No. Gilgil/Gilgil Block 1/679, and whereas sufficient evidence has been adduced to show that the land title deed issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue a new title deed provided that no objection has been received within that period.

Dated the 1st November, 2013.

MR/3564418 S. W. MUCHEMI,
Land Registrar, Naivasha District.

GAZETTE NOTICE NO. 14263

THE LAND REGISTRATION ACT
(No. 3 of 2012)

ISSUE OF A NEW LAND TITLE DEED

WHEREAS Kimani Kamau Machu (ID/6253804/69), of P.O. Box 45363, Nairobi in the Republic of Kenya, is registered as proprietor in absolute ownership interest of that piece of land containing 4.8 hectares or thereabouts, situate in the district of Naivasha, registered under title No. Maela/Ndabibi Block 2/26, and whereas sufficient evidence has been adduced to show that the land title deed issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue a new title deed provided that no objection has been received within that period.

Dated the 1st November, 2013.

MR/3564478 S. W. MUCHEMI,
Land Registrar, Naivasha District.

GAZETTE NOTICE NO. 14264

THE LAND REGISTRATION ACT
(No. 3 of 2012)

ISSUE OF A NEW LAND TITLE DEED

WHEREAS Peter Njoroge Mugo (ID/1468322), of P.O. Box 113, Maai Mahiu in the Republic of Kenya, is registered as proprietor in absolute ownership interest of that piece of land containing 2.02 hectares or thereabouts, situate in the district of Naivasha, registered under title No. Kijabe/Kijabe Block 1/2170, and whereas sufficient evidence has been adduced to show that the land title deed issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue a new land title deed provided that no objection has been received within that period.

Dated the 1st November, 2013.

MR/3551701 S. W. MUCHEMI,
Land Registrar, Naivasha District.

GAZETTE NOTICE NO. 14265

THE LAND REGISTRATION ACT
(No. 3 of 2012)

ISSUE OF A NEW LAND TITLE DEED

WHEREAS Peter Muguku Ndiho (ID/5191032), of P.O. Box 14748, Naivasha in the Republic of Kenya, is registered as proprietor in absolute ownership interest of that piece of land containing 4.2 hectares or thereabouts, situate in the district of Naivasha, registered under title No. Nakuru/Miti Mingi/21, and whereas sufficient evidence has been adduced to show that the land title deed issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue a new title deed provided that no objection has been received within that period.

Dated the 1st November, 2013.

MR/3564491 G. O. NYANGWESO,
Land Registrar, Naivasha District.

GAZETTE NOTICE NO. 14266

THE LAND REGISTRATION ACT
(No. 3 of 2012)

ISSUE OF A NEW LAND TITLE DEED

WHEREAS Njema Macharia (deceased) (ID/184494/64), of P.O. Box 135, Kiambu in the Republic of Kenya, is registered as proprietor in absolute ownership interest of that piece of land containing 0.358 hectare or thereabouts, situate in the district of Naivasha registered under title No. Naivasha/Mwihiringiri Block 4/1467, and whereas sufficient evidence has been adduced to show that the land title deed issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue a new land title deed provided that no objection has been received within that period.

Dated the 1st November, 2013.

MR/3551599 G. O. NYANGWESO,
Land Registrar, Naivasha District.

GAZETTE NOTICE NO. 14267

THE LAND REGISTRATION ACT
(No. 3 of 2012)

ISSUE OF A NEW LAND TITLE DEED

WHEREAS Fred Maruk Lomuria, of P.O. Box 88, Rumuruti in the Republic of Kenya, is registered as proprietor in absolute ownership interest of that piece of land containing 0.607 hectare or thereabouts, situate in the district of Laikipia, registered under title No. Laikipia/Salama Munuku Block 1/353 (Kieni East), and whereas sufficient evidence has been adduced to show that the land title deed issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue a new title deed provided that no objection has been received within that period.

Dated the 1st November, 2013.

MR/3551687 B. W. MWAI,
Land Registrar, Laikipia District.

GAZETTE NOTICE NO. 14268

THE LAND REGISTRATION ACT
(No. 3 of 2012)

ISSUE OF A NEW LAND TITLE DEED

WHEREAS Pauline Njoki Idilla (ID/0493290), is registered as proprietor in absolute ownership interest of that piece of land containing 32.0 hectares or thereabout, situate in the district of Kajiado, registered under title No. Loodariak/985, and whereas sufficient evidence has been adduced to show that the land title deed issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue a new title deed provided that no objection has been received within that period.

Dated the 1st November, 2013.

G. W. MUMO,
MR/3564473 *Land Registrar, Kajiado North District.*

GAZETTE NOTICE NO. 14269

THE LAND REGISTRATION ACT
(No. 3 of 2012)

ISSUE OF A NEW LAND TITLE DEED

WHEREAS Samuel Wainaina Nderitu (ID/10433293), of P.O. Box 24637-00502, Nairobi in the Republic of Kenya, is registered as proprietor in absolute ownership interest of that piece of land containing 0.05 hectare or thereabouts, situate in the district of Kajiado, registered under title No. Ngong/Ngong/43640, and whereas sufficient evidence has been adduced to show that the land title deed issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue a new title deed provided that no objection has been received within that period.

Dated the 1st November, 2013.

G. W. MUMO,
MR/3564485 *Land Registrar, Kajiado North District.*

GAZETTE NOTICE NO. 14270

THE LAND REGISTRATION ACT
(No. 3 of 2012)

ISSUE OF A NEW LAND TITLE DEED

WHEREAS Caleb Geoffrey Apungu (ID/8033718), of P.O. Box 15529-00100, Nairobi in the Republic of Kenya, is registered as proprietor in absolute ownership interest of that piece of land containing 0.09 hectare or thereabouts, situate in the district of Kajiado, registered under title No. Kajiado/Kitengela/15170, and whereas sufficient evidence has been adduced to show that the land title deed issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue a new title deed provided that no objection has been received within that period.

Dated the 1st November, 2013.

J. M. WAMBUA,
MR/3551508 *Land Registrar, Kajiado District.*

GAZETTE NOTICE NO. 14271

THE LAND REGISTRATION ACT
(No. 3 of 2012)

ISSUE OF A NEW LAND TITLE DEED

WHEREAS Peter Ruigu Njiriri (ID/0493290), is registered as proprietor in absolute ownership interest of that piece of land containing 0.09 hectare or thereabouts, situate in the district of Kajiado registered under title No. Ngong/Ngong/3838 and 3839, and whereas sufficient evidence has been adduced to show that the land title deed issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue new land title deed provided that no objection has been received within that period.

Dated the 1st November, 2013.

G. W. MUMO,
MR/3517550 *Land Registrar, Kajiado District.*

GAZETTE NOTICE NO. 14272

THE LAND REGISTRATION ACT
(No. 3 of 2012)

ISSUE OF A NEW LAND TITLE DEED

WHEREAS Shapara ole Kaiseiye (ID/6854893), of P.O. Box 231-00206, Kiserian in the Republic of Kenya, is registered as proprietor in absolute ownership interest of that piece of land containing 10.93 hectares or thereabouts, situate in the district of Kajiado, registered under title No. Ntashart/3319, and whereas sufficient evidence has been adduced to show that the land title deed issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue a new title deed provided that no objection has been received within that period.

Dated the 1st November, 2013.

G. W. MUMO,
MR/3551508 *Land Registrar, Kajiado District.*

GAZETTE NOTICE NO. 14273

THE LAND REGISTRATION ACT
(No. 3 of 2012)

ISSUE OF A NEW LAND TITLE DEED

WHEREAS (1) Damaris Akelo Odeny, (2) Vincent Otieno Odeny (ID/10024426) and (3) Joseph Odeny Kirundu (ID/28532251), are registered as proprietors in absolute ownership interest of that piece of land containing 0.33 hectare or thereabouts, situate in the district of Homa-Bay, registered under title No. Kanyada/K/Kalanya/3648, and whereas sufficient evidence has been adduced to show that the land title deed issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue a new title deed provided that no objection has been received within that period.

Dated the 1st November, 2013.

V. K. LAMU,
MR/3551534 *Land Registrar, Homa-Bay District.*

GAZETTE NOTICE NO. 14274

THE LAND REGISTRATION ACT
(No. 3 of 2012)

ISSUE OF A NEW LAND TITLE DEED

WHEREAS Opudo Odongo (ID/3454387), is registered as proprietor in absolute ownership interest of that piece of land containing 1.7 hectares or thereabout, situate in the district of Homa-Bay, registered under title No. North Nyokal/Gongo/1671, and whereas sufficient evidence has been adduced to show that the land title deed issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue a new title deed provided that no objection has been received within that period.

Dated the 1st November, 2013.

V. K. LAMU,
MR/3551677 *Land Registrar, Homa-Bay District.*

GAZETTE NOTICE NO. 14275

THE LAND REGISTRATION ACT
(No. 3 of 2012)

ISSUE OF NEW LAND TITLE DEEDS

WHEREAS Johanes Were Ada, of P.O. Box 176, Bondo in the Republic of Kenya, is registered as proprietor in absolute ownership interest of that piece of land containing 0.04 hectare or thereabouts, situate in the district of Bondo, registered under title Nos. North Sakwa/Nyawita/2943 and 3114, and whereas sufficient evidence has been adduced to show that the land title deeds issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue new title deeds provided that no objection has been received within that period.

Dated the 1st November, 2013.

G. M. MALUNDU,
MR/3551730 *Land Registrar, Bondo District.*

GAZETTE NOTICE NO. 14276

THE LAND REGISTRATION ACT
(No. 3 of 2012)

ISSUE OF A NEW LAND TITLE DEED

WHEREAS James Owich Awino, of P.O. Box 373, Bondo in the Republic of Kenya, is registered as proprietor in absolute ownership interest of that piece of land containing 14.0 hectares or thereabout, situate in the district of Bondo, registered under title No. North Sakwa/Maranda/279, and whereas sufficient evidence has been adduced to show that the land title deeds issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue new title deeds provided that no objection has been received within that period.

Dated the 1st November, 2013.

MR/3551638

F. O. NANDWA,
Land Registrar, Bondo District.

GAZETTE NOTICE NO. 14277

THE LAND REGISTRATION ACT
(No. 3 of 2012)

ISSUE OF A NEW LAND TITLE DEED

WHEREAS Daniel Gitonga Mwambia (ID/23818489), of Narok in the Republic of Kenya, is registered as proprietor in absolute ownership interest of that piece of land containing 0.041 hectare or thereabout, situate in the district of Narok, registered under title No. Cismara/Oleleshwa/5568, and whereas sufficient evidence has been adduced to show that the land title deed issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue a new title deed provided that no objection has been received within that period.

Dated the 1st November, 2013.

MR/3564463

T. M. OBAGA,
Land Registrar, Narok District.

GAZETTE NOTICE NO. 14278

THE LAND REGISTRATION ACT
(No. 3 of 2012)

ISSUE OF A NEW LAND TITLE DEED

WHEREAS Rakita ole Letura (ID/6154832), is registered as proprietor in absolute ownership interest of that piece of land, situate in the district of Narok, containing 4.42 hectares or thereabout, registered under title No. Cismara/ Siana 'A' / 3811, and whereas sufficient evidence has been adduced to show that the land title deed issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue a new title deed provided that no objection has been received within that period.

Dated the 1st November, 2013.

MR/3564069

A.K. KERICH,
Land Registrar, Narok District.

GAZETTE NOTICE NO. 14279

THE LAND REGISTRATION ACT
(No. 3 of 2012)

ISSUE OF A NEW LAND TITLE DEED

WHEREAS Njogu Njagi (ID/3125201), of P.O. Box 235, Embu in the Republic of Kenya, is registered as proprietor in absolute ownership interest of that piece of land containing 13.0 hectares or thereabout, situate in the district of Mbeere, registered under title No. Mbeti/Gachoka/837, and whereas sufficient evidence has been adduced to show that the land title deed issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue a new title deed provided that no objection has been received within that period.

Dated the 1st November, 2013.

MR/3564425

N. K. NYAGA,
Land Registrar, Mbeere District.

GAZETTE NOTICE NO. 14280

THE LAND REGISTRATION ACT
(No. 3 of 2012)

ISSUE OF A NEW LAND TITLE DEED

WHEREAS Stephen Kagoro Thauri, of P.O. Box 20, Mpeketoni in the Republic of Kenya, is registered as proprietor in absolute ownership interest of that piece of land containing 4.1 hectares or thereabout, situate in the district of Lamu, registered under title No. Lamu/Lake Kenyatta I/2131, and whereas sufficient evidence has been adduced to show that the land title deed issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue a new title deed provided that no objection has been received within that period.

Dated the 1st November, 2013.

MR/3564403

B. M. MWANGADA,
Land Registrar, Lamu District.

GAZETTE NOTICE NO. 14281

THE LAND REGISTRATION ACT
(No. 3 of 2012)

ISSUE OF A NEW LAND TITLE DEED

WHEREAS Jonathan Mutia Mwanzia, of P.O. Box 230, Kitui in the Republic of Kenya, is registered as proprietor in absolute ownership interest of that piece of land containing 15.9 hectares or thereabout, situate in the district of Kitui, registered under title No. Mulango/Kathungi/211, and whereas sufficient evidence has been adduced to show that the land title deed issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue a new title deed provided that no objection has been received within that period.

Dated the 1st November, 2013.

MR/3564479

J. K. MUNDIA,
Land Registrar, Kitui District.

GAZETTE NOTICE NO. 14282

THE LAND REGISTRATION ACT
(No. 3 of 2012)

ISSUE OF A NEW LAND TITLE DEED

WHEREAS Peter Kabiru Wamathai (ID/11804875), of P.O. Box 234–20318, North Kinangop in the Republic of Kenya, is registered as proprietor in absolute ownership interest of that piece of land containing 0.1012 hectare or thereabouts, situate in the district of Nyandarua, registered under title No. NYA/Mkungi/3397, and whereas sufficient evidence has been adduced to show that the land title deed issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue a new title deed provided that no objection has been received within that period.

Dated the 1st November, 2013.

MR/3564442

A. N. NJOROGI,
Land Registrar, Nyandarua/Samburu Districts.

GAZETTE NOTICE NO. 14283

THE LAND REGISTRATION ACT
(No. 3 of 2012)

ISSUE OF A NEW LAND TITLE DEED

WHEREAS Paul Ngugi Githae (ID/2890443), of P.O. Box 304–20319, South Kinangop in the Republic of Kenya, is registered as proprietor in absolute ownership interest of that piece of land containing 0.0465 hectare or thereabouts, situate in the district of Nyandarua, registered under title No. Nyandarua/Njabini/2957, and whereas sufficient evidence has been adduced to show that the land title deed issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue a new title deed provided that no objection has been received within that period.

Dated the 1st November, 2013.

MR/3564469

A. N. NJOROGI,
Land Registrar, Nyandarua/Samburu Districts.

GAZETTE NOTICE NO. 14284

THE LAND REGISTRATION ACT
(No. 3 of 2012)

OPENING OF A NEW REGISTER

WHEREAS Richard Maina Kiunjuri (ID/7868239), of P.O. Box 84, Nyahururu in the Republic of Kenya, is registered as proprietor in absolute ownership interest of that piece of land containing 0.403 hectare or thereabouts, situate in the district of Nyandarua, registered under title No. Nyandarua/OI Joro Orok Salient/17636, and whereas the first edition of the land register showing aforesaid ownership is lost and whereas sufficient evidence has been adduced to show the said ownership and loss, notice is given that after the expiration of sixty (60) days from the date hereof, I shall open a new register provided that no objection has been received within that period.

Dated the 1st November, 2013.

N. G. GATHAIYA,
MR/3527296 *Land Registrar, Nyandarua/Samburu Districts.*

GAZETTE NOTICE NO. 14285

THE LAND REGISTRATION ACT
(No. 3 of 2012)

ISSUE OF A NEW LAND TITLE DEED

WHEREAS James Waiganjo Githaga (ID/7995919), of P.O. Box 80, Embu in the Republic of Kenya, is registered as proprietor in absolute ownership interest of that piece of land containing 0.045 hectare or thereabouts, situate in the district of Kirinyaga, registered under title No. Gichugu/Settlement Scheme/2783, and whereas sufficient evidence has been adduced to show that the land title deed issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall issue a new title deed provided that no objection has been received within that period.

Dated the 1st November, 2013.

C. W. NJAGI,
MR/3564464 *Land Registrar, Kirinyaga District.*

GAZETTE NOTICE NO. 14286

THE LAND REGISTRATION ACT
(No. 3 of 2012)

RECONSTRUCTION OF LOST OR DESTROYED LAND REGISTER

WHEREAS Taj Mall Limited, of P.O. Box 31936-00600, Nairobi in the Republic of Kenya, is registered as proprietor lessee of that piece of land known as L. R. No. 9042/312, situate in the city of Nairobi, by virtue of a grant registered as I.R. 61987/1 and whereas sufficient evidence has been adduced to show that the land register in respect thereof is lost or destroyed, and whereas efforts made to locate the said land register have failed, notice is given that after the expiration of sixty (60) days from the date hereof, provided that no valid objection has been received within that period, I intend to open another land register and the said missing land register shall be deemed to be of no effect.

Dated the 1st November, 2013.

W. M. MUIGAI,
MR/3564424 *Land Registrar, Nairobi.*

GAZETTE NOTICE NO. 14287

THE LAND REGISTRATION ACT
(No. 3 of 2012)

RECONSTRUCTION OF LOST OR DESTROYED LAND REGISTER

WHEREAS Taj Mall Limited, of P.O. Box 31936-00600, Nairobi in the Republic of Kenya, is registered as proprietor lessee of that piece of land known as L. R. No. 9116, situate in the city of Nairobi, by virtue of a grant registered as I.R. 99029/1 and whereas sufficient evidence has been adduced to show that the land register in respect thereof is lost or destroyed, and whereas efforts made to locate the said land register have failed, notice is given that after the expiration of

sixty (60) days from the date hereof, provided that no valid objection has been received within that period, I intend to open another land register and the said missing land register shall be deemed to be of no effect.

Dated the 1st November, 2013.

W. M. MUIGAI,
MR/3564424 *Land Registrar, Nairobi.*

GAZETTE NOTICE NO. 14288

THE LAND REGISTRATION ACT
(No. 3 of 2012)

RECONSTRUCTION OF LOST OR DESTROYED LAND REGISTER

WHEREAS Medchum Pharmaceuticals Limited, of P.O. Box 68421-00200, Nairobi in the Republic of Kenya, is registered as proprietor lessee of that piece of land known as L. R. No. 11927/7, situate in the city of Nairobi, by virtue of a lease registered as I.R. 61979/1 and whereas sufficient evidence has been adduced to show that the land register in respect thereof is lost or destroyed, and whereas efforts made to locate the said land register have failed, notice is given that after the expiration of sixty (60) days from the date hereof, provided that no valid objection has been received within that period, I intend to open another land register and the said missing land register shall be deemed to be of no effect.

Dated the 1st November, 2013.

W. M. MUIGAI,
MR/3564440 *Land Registrar, Nairobi.*

GAZETTE NOTICE NO. 14289

THE LAND REGISTRATION ACT
(No. 3 of 2012)

RECONSTRUCTION OF LOST OR DESTROYED LAND REGISTER

WHEREAS Andrew Lancaster Mcnaughton also known as Andrew Lancaster McNoughton (PP/515387091), of P.O. Box 106-80202, Watamu in the Republic of Kenya, as administrator in succession cause No. 50 'A' of 2012 at the High Court in Eldoret, is a beneficiary of the estate of the Colin Patrick Mcnaughton (deceased) in leasehold interest of that piece of land known as Eldoret/Municipality Block 12/136 containing 0.1858 hectare or thereabouts, situated in the Municipality of Eldoret in Uasin Gishu District, and whereas sufficient evidence has been adduced to show that the land register in respect thereof is lost or destroyed, and whereas efforts made to locate the said land register have failed, notice is given that after the expiration of sixty (60) days from the date hereof, provided that no valid objection has been received within that period, I intend to open another land register and the said missing land register shall be deemed to be of no effect.

Dated the 1st November, 2013.

S. A. IMBILI,
MR/3551540 *Land Registrar, Uasin Gishu.*

GAZETTE NOTICE NO. 14290

THE LAND REGISTRATION ACT
(No. 3 of 2012)

RECONSTRUCTION OF LOST OR DESTROYED LAND REGISTER

WHEREAS Joreth Limited, of P.O. Box 20423, Nairobi in the Republic of Kenya, is registered as proprietor lessee of that piece of land known as L. R. No. 13330/558, situate in the city of Nairobi, by virtue of a certificate of title registered as I.R. 129827/1 and whereas sufficient evidence has been adduced to show that the land register in respect thereof is lost or destroyed, and whereas efforts made to locate the said land register have failed, notice is given that after the expiration of sixty (60) days from the date hereof, the property register shall be reconstructed under the provisions of section 33 (5) of the Land Registration Act, provided that no objection has been received within that period.

Dated the 1st November, 2013.

W. M. MUIGAI,
MR/3564424 *Land Registrar, Nairobi.*

GAZETTE NOTICE NO. 14291

THE REGISTERED LAND ACT

(Cap. 300, section 16)

OPENING OF A NEW REGISTER

WHEREAS Rose Njambi Munga (ID/7354181), of P.O. Box 65082, Nairobi in the Republic of Kenya, is registered as proprietor in absolute ownership interest of that piece of land containing 28.33 hectares or thereabout, situate in the district of Kajiado, registered under title No. KJD/Kitengela/2601, and whereas sufficient evidence has been adduced to show that the land register issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall open a new land register provided that no objection has been received within that period.

Dated the 1st November, 2013.

J. K. KOSKEI,

MR/3564419

Land Registrar, Kajiado District.

GAZETTE NOTICE NO. 14292

THE REGISTERED LAND ACT

(Cap. 300, section 16)

OPENING OF A NEW REGISTER

WHEREAS Isaac Gathungu Wanjohi (ID/3401857/66), of P.O. Box 40370, Nairobi in the Republic of Kenya, is registered as proprietor in absolute ownership interest of that piece of land containing 24.282 hectares or thereabout, situate in the district of Kajiado, registered under title No. KJD/Oloolotikoshi/Kitengela/3179, and whereas sufficient evidence has been adduced to show that the land register issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall open a new land register provided that no objection has been received within that period.

Dated the 1st November, 2013.

J. M. WAMBUA,

MR/3551665

Land Registrar, Kajiado District.

GAZETTE NOTICE NO. 14293

THE REGISTERED LAND ACT

(Cap. 300, section 16)

OPENING OF A NEW REGISTER

WHEREAS Daniel Nkai Likama, of P.O. Box 24, Kajiado in the Republic of Kenya, is registered as proprietor in absolute ownership interest of that piece of land containing 8.09 hectares or thereabout, situate in the district of Kajiado, registered under title No. KJD/Elangata Wuas/1109, and whereas the first edition of the land register showing aforesaid ownership is lost, and whereas sufficient evidence has been adduced to show that the land register issued thereof has been lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall open a new land register provided that no objection has been received within that period.

Dated the 1st November, 2013.

J. M. WAMBUA,

MR/3551696

Land Registrar, Kajiado District.

GAZETTE NOTICE NO. 14294

THE LAND REGISTRATION ACT

(No. 3 of 2012)

OPENING OF A NEW REGISTER

WHEREAS Kiriinya Mukiira (ID/4828741), of P.O. Box 45303, Nairobi in the Republic of Kenya, is the registered proprietor in absolute ownership interest of that piece of land containing 7.28 hectares or thereabout, under title No. KJD/Kaputiei North/2966, whereas the land register in respect thereof is lost, and whereas efforts made to locate the said land register have failed, notice is given that after the expiration of sixty (60) days from the date thereof, the property register shall be reconstructed under the provisions of section

33 (5) of the Act provided that no objection has been received within that period.

Dated the 1st November, 2013.

J. K. KOSKEI,

MR/3564459

Land Registrar, Kajiado District.

GAZETTE NOTICE NO. 14295

THE LAND REGISTRATION ACT

(No. 3 of 2012)

OPENING OF A NEW REGISTER

WHEREAS Daniel Obop Ondiek, is registered as proprietor in absolute ownership interest of that piece of land containing 0.10 hectare or thereabouts, situate in the district of Kajiado, registered under title No. Kajiado/Kaputiei North/3747, and whereas the first edition of the land register showing aforesaid ownership is lost, notice is given that after the expiration of sixty (60) days from the date hereof, I shall open a new land register provided that no objection has been received within that period.

Dated the 1st November, 2013.

J. K. KOSKEI,

MR/3551710

Land Registrar, Kajiado District.

GAZETTE NOTICE NO. 14296

THE LAND REGISTRATION ACT

(No. 3 of 2012)

REGISTRATION OF INSTRUMENT

WHEREAS Pan Auto and Equipment Limited, a limited liability company incorporated in Kenya having its registered office in Kenya, of P.O. Box 45537, Nairobi in the Republic of Kenya, is registered as proprietor lessee of that piece of land containing 0.5346 hectare or thereabouts, known as 209/10578, situate in the district of Nairobi, held under a grant registered as I.R. 44123/1, and whereas the said Pan Auto and Equipment Limited has executed an instrument of surrender in favour of The Republic of Kenya, and whereas affidavits have been filed in terms of section 65(1) (h) of the said Act declaring that the said grant registered as I.R. 44123/1 is not available for registration, notice is given that after the expiration of fourteen (14) days from the date hereof, provided no valid objection has been received within that period, I intend to dispense with the production of the said document of title and proceed with the registration of the said instrument of surrender.

Dated the 1st November, 2013.

C. S. MAINA,

MR/3551506

Registrar of Titles, Nairobi.

GAZETTE NOTICE NO. 14297

THE LAND REGISTRATION ACT

(No. 3 of 2012)

REGISTRATION OF INSTRUMENT

WHEREAS Mos Transport Limited, of P.O. Box 38422-00603, Nairobi in the Republic of Kenya, is the registered proprietor lessee of that piece of land known as L.R. No. 209/10310, situate in the city of Nairobi, in the Nairobi area held under grant registered as I.R. 45898/1, and whereas the said Mos Transport Limited has presented an instrument of discharge to charge of L.R. No. 209/10310, and whereas affidavit (s) have been filled in terms of section 65 (1) (h) of the Registration of Titles Act and a declaration that the said grant registered as I.R. No. 45898/1 is not available for registration, notice is given that after the expiration of fourteen (14) days from the date hereof, provided no valid objection has been received within that period, I intend to dispense with the production of the said documents of title and proceed with the registration of the said instrument (s) of discharge.

Dated the 1st November, 2013.

P. N. MBURU,

MR/3172354

Registrar of Titles, Nairobi.

GAZETTE NOTICE NO. 14298

THE LAND REGISTRATION ACT
(No. 3 of 2012)

REGISTRATION OF INSTRUMENT

WHEREAS Raymond Oloo Ndong, of P.O. Box 54889, Nairobi in the Republic of Kenya, is registered as proprietor lessee of that piece of land known as L.R. No. 15356, situate in the municipality of Kisumu in the district of Kisumu, held under a grant registered as I.R. 55485/1, and whereas the Kenya Commercial Bank Limited (chargees) of P.O. Box 48400-00100, has executed an instrument of transfer by chargee, and whereas affidavit has been filed in terms of section 65(1) (h) of the said Act declaring that the said grant registered as I.R. 55485/1 is not available for registration, notice is given that after the expiration of fourteen (14) days from the date hereof, provided no valid objection has been received within that period, I intend to dispense with the production of the said document of title and proceed with the registration of the said instrument transfer by chargee.

Dated the 1st November, 2013.

MR/3564292
B. F. ATIENO,
Registrar of Titles, Nairobi.

GAZETTE NOTICE NO. 14299

THE LAND REGISTRATION ACT
(No. 3 of 2012)

REGISTRATION OF INSTRUMENT

WHEREAS Christopher Ontita Orero (deceased), of P.O. Box 1421, Kisii in the Republic of Kenya, is registered as proprietor of that piece of land known as Kitutu/Mwakibagendi/316, situate in the district of Kisii Central, and whereas the Chief Magistrate's Court of Kenya at Kisii in Misc. application No. 95 of 2011 has ordered that the piece of land measuring 0.16 hectare or thereabouts, be split into two pieces, and whereas all efforts made to recover the title deed issued to the registered proprietor have failed, notice is given that after the expiration of thirty (30) days from the date hereof, provided no valid objection has been received within that period, the said land title deed shall be nullified and be split into two portions and the portion measuring 0.44 hectare be given to Zacharia Chebasinga Orero (ID/0665303).

Dated the 1st November, 2013.

MR/3564422
S. R. KAMBAGA,
Land Registrar, Kisii Central.

GAZETTE NOTICE NO. 14300

THE LAND REGISTRATION ACT
(No. 3 of 2012)

REGISTRATION OF INSTRUMENT

WHEREAS Jonnie Patt Ndogo (deceased), of Embu in the Republic of Kenya, is registered as proprietor of that piece of land known as Ngandori/Manyatta/T. 59, containing 0.05 hectare or thereabouts, situate in the district of Embu, and whereas the court in succession No. 492 of 2009 at Embu has ordered that the said piece of land be registered in the name of Anne Mercy Mukwanjiru Ndogo (ID/1004431), and whereas all efforts made to recover the land title deed issued in respect of the said piece of land by the land registrar have failed, notice is given that after the expiration of thirty (30) days from the date hereof, provided no valid objection has been received within that period, I intend to dispense with the registration of the said grant document and issue a land title deed to the said Anne Mercy Mukwanjiru Ndogo (ID/1004431), and upon such registration the land title deed issued earlier to Jonnie Patt Ndogo (deceased), shall be deemed to be cancelled and of no effect.

Dated the 1st November, 2013.

MR/3564409
M. W. KARIUKI,
Land Registrar, Embu.

GAZETTE NOTICE NO. 14301

THE LAND REGISTRATION ACT
(No. 3 of 2012)

REGISTRATION OF INSTRUMENT

WHEREAS Njuguna Kimani (deceased), is registered as proprietor of those pieces of land known as Limuru/Bibirioni/T. 470, 1574 and 183 containing 0.24, 0.80 and 4.9 acres or thereabout, situate in the district of Kiambu, and whereas the High Court at Kakamega in succession No. 45 of 1997 has grant letters of administration to Lawrence Kimani Mwangi, and whereas all efforts made to recover the land title deed issued in respect of the said piece of land by the land registrar have failed, notice is given that after the expiration of thirty (30) days from the date hereof, provided no valid objection has been received within that period, I intend to dispense with the production of the said land title deed and proceed with registration of the said instrument of R.L. 19 and R. L. 7, and upon such registration the land title deed issued earlier to Njuguna Kimani (deceased), shall be deemed to be cancelled and of no effect.

Dated the 1st November, 2013.

MR/3551541
F. M. NYAKUNDI,
Land Registrar, Kiambu.

GAZETTE NOTICE NO. 14302

THE LAND REGISTRATION ACT
(No. 3 of 2012)

REGISTRATION OF INSTRUMENT

WHEREAS Godfrey Ngugi Maapia (deceased), is registered as proprietor of those pieces of land known as Lodariak/1135, 1136 and 1139, containing 4.5, 1.21 and 1.21 hectares or thereabout respectively, situate in the district of Kajiado North, and whereas the High court in succession No. 565 of 1997 has granted letters of administration to (1) Emmanuel Milia Mankura and (2) Joseph Kimara Mangenge, and whereas all efforts made to recover the land title deed issued in respect of the said piece of land by the land registrar have failed, notice is given that after the expiration of sixty (60) days from the date hereof, provided no valid objection has been received within that period, I intend to dispense with the registration of the said instrument of R.L. 19 and R.L. 7, and upon such registration the land title deed issued earlier to Godfrey Ngugi Maapia (deceased), shall be deemed to be cancelled and of no effect.

Dated the 1st November, 2013.

MR/3564481
G. W. MUMO,
Land Registrar, Kajiado North.

GAZETTE NOTICE NO. 14303

THE LAND REGISTRATION ACT
(No. 3 of 2012)

REGISTRATION OF INSTRUMENT

WHEREAS Muguthu Mugane Ruu (deceased), is registered as proprietor of those pieces of land known as Nyandarua/Oraimutia/1087 and 1094, containing 1.62 and 3.04 hectares or thereabout respectively, situate in the district of Nyandarua, and whereas the principal magistrate's court in Succession Cause No. 39 of 2011 has issued grant letters of administration to (1) Erastus Mugane Muguthu and (2) John Njenga Muguthu, and whereas all efforts made to recover the land title deed issued in respect of the said piece of land by the land registrar have failed, notice is given that after the expiration of thirty (30) days from the date hereof, provided no valid objection has been received within that period, I intend to dispense with the production of the said land title deed and proceed with the registration of the said instrument of R.L. 19 and R.L. 7, and upon such registration the land title deed issued earlier to Muguthu Mugane Ruu (deceased), shall be deemed to be cancelled and of no effect.

Dated the 1st November, 2013.

MR/3551644
A. N. NJOROGE,
Land Registrar, Nyandarua/Samburu.

GAZETTE NOTICE NO. 14304

THE LAND REGISTRATION ACT
(No. 3 of 2012)

REGISTRATION OF INSTRUMENT

WHEREAS Joseph Omolo Mondo (deceased), is registered as proprietor of that piece of land known as East Kasipul/Kojwach Kamioro/1420, containing 1.56 hectares or thereabout, situate in the district of Rachuoonyo, and whereas the Court in Succession Cause No. 4 of 2013 at Oyugis has issued grant and transmission document to (1) Denish Kennedy Ochieng and (2) Richard Ochieng Mwaga, and whereas all efforts made to recover the land title deed issued in respect

of the said piece of land by the land registrar have failed, notice is given that after the expiration of thirty (30) days from the date hereof, provided no valid objection has been received within that period, I intend to dispense with the registration of the said title deed and proceed with the registration of R.L. 19 and R.L. 7 in the names of (1) Denish Kennedy Ochieng and (2) Richard Ochieng Mwaga, and upon such registration the land title deed issued earlier to Joseph Omolo Mondo (deceased), shall be deemed to be cancelled and of no effect.

Dated the 1st November, 2013.

MR/3551524

J. O. OSILOLO,
Land Registrar, Rachuoonyo.

GAZETTE NOTICE NO. 14305

CUSTOMS SERVICES DEPARTMENT

GOODS TO BE SOLD AT CUSTOMS WAREHOUSE, KILINDINI

PURSUANT to the provisions of section 42 of the East African Community Customs Management Act, notice is given that unless the under-mentioned goods are entered and removed from the custody of the Customs Warehouse Keeper, within 30 days of this notice, they will be sold by public Auction on 17th December, 2013.

Interested buyers may view the goods at Customs Warehouse Kilindini on 13th December 2013 and 16th December, 2013 during office hours.

Lot No.	Ship's Name and Date	Marks and Numbers	Consignee's Name and Address	Location and Description of Goods
0183	Tiger 04-05-12	FSCU9657850	Orthodox Archbishopric of Kenya, P.O. Box 46119-00100, Nairobi	Customs Warehouse, 1 x 40 Container STC donated goods
0021B/13	Msc Reunion 10-11-12	MEDU8387537	Wananchi Farm Machinery, P.O. Box 10944, Arusha, Tanzania	Customs Warehouse, 1 x 40 Part Container. John Deer Farming Tractor 3130 HP S/N 306208L
0037/13	City of Beijing 02-10-12	MRKU8288216	SR General Trading Co. U Limited, P.O. Box 30944, Kampala Uganda	Customs Warehouse, 1 x 20 Container STC PVC flooring
0181/13	ST Irene, 25-12-2006	CLHU2111957	Awal Limited, P.O. Box 97464 Mombasa	Customs Warehouse: 1 x 20 Container STC PVC flooring
0196/13	CMA CGM MAASAI, 17-08-2010	GATU0764878	Kikundokeli Hotel Palm Beach, Butembo DRC Congo	Customs Warehouse: 1 x 20 Container STC collis meubilar good
0197/13	Kalliroe, 08-05-2011	MSKU7664500	Marte Nyirandabaruta, Goma DRC Congo	Customs Warehouse: 1 x 20 Container STC 1900Pkgs laundry soap
0198/13	Nord Star, 28-07-2010	CAIU2463069	Kaanbi Kamardine Salim, Box 848 HET Comoros	Customs Warehouse: 1 x 20 Container STC TV furniture
0199/13	CMA CGM LA Tour, 09-02-2013	CLHU3745827	Tusma General Trading Co. Ltd. Juba	Customs Warehouse: 1 x 20 Container STC 1080 sacks sugar
0200/13	AS Alicantia, 03-02-2013	BMOU3079119	To The Order of Pubali Bank Ltd. Foreign Exchange Branch 24, Bangladesh	Customs Warehouse: 1 x 40 Container STC 2730 cartons food stuffs
0202/13	Emirates Nile, 20-05-2013	CMAU1283234	Rosetta Trading and Investment Co. Ltd	Customs Warehouse: 1 x 20 Container STC Indian Non Basmati Rice Sorted Parboiled good quality Long grain rice
0203/13	Emirates Nile, 20-05-2013	CRXU3079922	Rosetta Trading and Investment Co. Ltd	Customs Warehouse: 1 x 20 Container STC Indian Non Basmati Rice Sorted Parboiled good quality Long grain rice
0204/13	Emirates Nile, 20-05-2013	DFSU2099323	Rosetta Trading and Investment Co. Ltd	Customs Warehouse: 1 x 20 Container STC Indian Non Basmati Rice Sorted Parboiled good quality Long grain rice
0205/13	Emirates Nile, 20-05-2013	FCIU2802221	Rosetta Trading and Investment Co. Ltd	Customs Warehouse: 1 x 20 Container STC Indian Non Basmati Rice Sorted Parboiled good quality Long grain rice
0206/13	Emirates Zambezi, 02-03-2013	ECMU9194542	Order os standard Chartered Bank 67, Gulshan Avenue Dhakabangade	Customs Warehouse: 1 x 40 Container STC 3170cartons Food stuff
0207/13	Marie Delmas, 15-03-2013	DRYU2385970	Tusma General Trading Co. Ltd. Juba	Customs Warehouse: 1 x 20 Container STC 540 sacks sugar
0216/13	CMA CGM LA Tour, 09-02-2013	DRYU2344754	Albert Jojoma Kijemba, P.O. Box 1143, Lumumba Avenue Lubumbashi Congo	Customs Warehouse: 1 x 20 Container STC 151 Pkgs 1 used Totota Hilux 2009 Model chassis No. PN133JV2508518609, motor bike 2002 model chassis No. 5HD1GY4498K336068, electric generatot , auto parts and accessories
0217/13	Marie Delmas, 16-03-2013	XTCU4218514	Global Food and Specialities Ltd., P.O. Box 27812 Kampala Uganda	Customs Warehouse: 1 x 40 Container STC 1486 cartons of snacks and comflakes
0218/13	Julie Delmas, 15-10-2012	ECMU1227634	John Stephen Okutaanjo Limited, P.O. Box 12232, Kampala Uganda	Customs Warehouse: 1 x 20 Container STC 1 Lot burkel , one used landbandscheleif machine rapid one used kettlenstemmer comac AF 5 S one used abrichthobel machine pehaka band saw used DN03 TOT pkgs 1pkg.
0219/13	Msc Jemima, 06-03-2013	FSCU7626090	Imexco Uganga Limited, Plot No. 524, Nitinda Nakawa, Kampala Uganda	Customs Warehouse: 1 x 20 Container STC 1017pkgs of box strapping rolls..

<i>Lot No.</i>	<i>Ship's Name and Date</i>	<i>Marks and Numbers</i>	<i>Consignee's Name and Address</i>	<i>Location and Description of Goods</i>
0220/13	Msc Jemima, 17-04-2013	WECU2065988	CTM Uganda Limited, P.O. Box 25202 Plot 171-77 6th street Industrial area, Kampala Uganda	Customs Warehouse: 1 x 20 Container STC floor Ceramic tiles
0221/13	Buxcontact, 15-05-2013	MRKU9126098	Service and Computer Industries U Ltd, P.O. box 2109 plot 94 william street, Kampala Uganda	Customs Warehouse: 1 x 20 Container STC 1460pkgs photocopy paper
0222/13	Msc Jemima, 16-04-2013	WECU2064636	CTM Uganda Limited, P.O. Box 25202 Plot 171-77 6th street Industrial area, Kampala Uganda	Customs Warehouse: 1 x 20 Container STC floor Ceramic tiles
0223/13	Msc Jemima, 16-04-2013	HMKU2953340	CTM Uganda Limited, P.O. Box 25202 Plot 171-77 6th street Industrial area, Kampala Uganda	Customs Warehouse: 1 x 20 Container STC floor Ceramic tiles
0224/13	Jandavid S, 18-05-2013	MSKU1525832	Executive Logistics Ltd plot 39 Nkrumah Road, P.O. box 5364, Kampala Uganda	Customs Warehouse: 1 x 40 Container STC 868 pkgs federal brand tyres.
0225/13	Michaels S, 03-05-2013	MSKU9846382	Trister Global Logistics, plot B Kyambono drive Ntinda, P.O. Box 34855 Kampala Uganda.	Customs Warehouse: 1 x 40 Container STC 488 bales of used clothing.
0226/13	Messini, 29-04-2013	TCNU9755359	Choice Transport and Logistics Ltd, Ntinda Nakawa Kazinga Zone Ruth roar Plot 1483, Kampala Uganda.	Customs Warehouse: 1 x 40 Container STC Virgin Jumbo roll recycled jumbo roll Kraft paper roll copy paper tissue plastic bags
0227/13	Jumme Trader, 06-03-2013	MSKU2360090	Frinship Products Supplies Co. Ltd, address AV DU Marche No 68, Gombe Kinshasa - R D Congo	Customs Warehouse: 1 x 20 Container STC 1740 pkgs car battery.
0228/13	Msc Jemima, 17-04-2013	WECU2062232	CTM Uganda Limited, P.O. Box 25202 Plot 171-77 6th street Industrial area, Kampala Uganda	Customs Warehouse: 1 x 20 Container STC floor Ceramic tiles
0229/13	Jandavid S, 18-05-2013	MRKU2512838	ASIIMWE Robert Rutukura, P.O. Box 28990, Kampala Uganda	Customs Warehouse: 1 x 40 Container STC Television set, carpet hoover, fridge, microwave, oven, washing machine, solar water heater, juice extractor, carpet and door mat.
0230/13	Africa star, 21-087-2009	ZCSU8685539	Gathiga Secondary School, attention George Nganga, Valley Arcade, Nairobi Kenya.	Customs Warehouse: 1 x 40 Container STC used computers, books and school supplies.
0231/13	MV Shiba, 14-01-2013	SBAU2890025	Tigatoola David, P.O. box 34012 Kampala Uganda	Customs Warehouse: 1 x 20 Container STC 960pkgs pkgs ceramic tiles and 250pkgs toilet tissue paper.
0232/13	Kota Nanhai, 25-04-2010	PCIU2542546	Agricol Boutique Ltd plot No. 51/53, Nasser Road P.O. Box NO.24910 Kampala, Uganda	Customs Warehouse: 1 x 20 Container STC 286 pkgs walking tractor diesel engine spare parts of diesel engine.
0234/13	Ada S, 24-05-2013	MSKU8360035	New Enterprises Osaka U Ltd shop No. XZ002 New Nakivubo Road, Kisekka Market P.O. Box 70758 Kampala Uganda.	Customs Warehouse: 1 x 40 Container STC auto spare parts
0235/13	Emirates zambezi, 06-06-2013	CMAU4119163	Surud General Trading Co. Ltd, Airport Rd Juba Central Equatoria state South Sudan	Customs Warehouse: 1 x 40 Container STC a1900pkgs food stuffs.
0236/13	Julie Delmas, 14-06-2013	CMAU1912933	Lung Trade limited 505 Rothesay Ave. suite 155	Customs Warehouse: 1 x 20 Container STC 30070 pkgs Vodka
0237/13	Emirates zambezi, 06-06-2013	CMAU5064152	Surud General Trading Co. Ltd, Airport Rd Juba Central Equatoria state South Sudan	Customs Warehouse: 1 x 40 Container STC a1896pkgs food stuffs.
0239/13	Cape Magnus, 03-06-2013	IPXU3719868	Steel Rolling Mills Ltd, Plot N 86 90 Industrial Area P.O. Box 4641, Kampala Uganda	Customs Warehouse: 1 x 20 Container STC 50 Jumbo bags Silico Manganese
0240/13	Cape Magnus, 03-06-2013	CAXU6339150	Steel Rolling Mills Ltd, Plot N 86 90 Industrial Area P.O. Box 4641, Kampala Uganda	Customs Warehouse: 1 x 20 Container STC 50 Jumbo bags Silico Manganese
0241/13	Michaels S, 29-01-2013	MSKU1900126	Ivan Kisakye Wandera, P.O. Box 33911, Kampala Uganda	Customs Warehouse: 1 x 40 Container STC 1 X Digger JCB 3CX 82 EKJ650Y 3CX299398 P 1 X DIGGER JCB3CX 1984 3CX310657 P
0242/13	Kerstin S, 18-06-2013	INKU2696374	Ali Moon Light General Trading Com, Jubba South Sudan	Customs Warehouse: 1 x 40 Container STC SAF yeast 500 20bags each carton.
0243/13	CMA CGM LA Tour, 18-03-2013	TGHU6382084	Reef International Konyo Konyo Market, Juba South Sudan	Customs Warehouse: 1 x 40 Container STC 560 bales of used clothing.
0244/13	Emirates Mombasa, 21-06-2013	KKTU7241511	Concord Agriculture White Sands Road near Namanga Viabentiunity State Juba S. Sudan	Customs Warehouse: 1 x 20 Container STC 7 Wooden crates boxes only mini DAL mill model RJK-MDM-DR-1 5 T day complete with cylindrical grader roller polisher shelter screen set and spares extra roller set oil expeller model-III 3 tons day extra set of assential spare parts flour mill model 16 TP 400 mm with electric motor 10HP S B No. 5500148 DT 18 05 2013
0245/13	MSC Jemima, 24-06-2013	MEDU2307982	Standard Chartered Bank, Speke Road P.O. Box 7111, Kampala	Customs Warehouse: 1 x 20 Container STC 1 Nylon pad for countinuous mill -500 PCS,

<i>Lot No.</i>	<i>Ship's Name and Date</i>	<i>Marks and Numbers</i>	<i>Consignee's Name and Address</i>	<i>Location and Description of Goods</i>
				STAND 7 and 8 - DRG NO. SRM-RMD1-1A 2 nylon pad for 8 intermediate mill 2 No - 500 pcs 3 to 6 - DRG No. SRM-RMD1-62 4 intermediate 12 mill fibre bush - RMD - 500 pcs SR M-RMD1-DRG No. 7A 5 fibre bearing for RMD II - 12 mill - 500 pcs DRG No. SR M-RMD2-173 06 08 6 ramming mass without boric acid - daka make - 24 MT 7 asbestos graphite rope.
0246/13	Emirates Nile, 20-05-2013	TGHU5041890	Order of Pubali Bank Ltd	Customs Warehouse: 1 x 40 Container STC 2462 cartons of food stuff
0247/13	Msc Jemima, 16-04-2013	GLDU2278136	CTM Uganda Limited, P.O. Box 25202 Plot 171-77 6th street Industrial area, Kampala Uganda	Customs Warehouse: 1 x 20 Container STC floor Ceramic tiles
0248/13	City of Beijing, 17-04-2013	MSKU9233729	Horizon Contracting Jalab Street Block 5 near IOM site attn. Mr. Hassan Bandar, Juba South Sudan	Customs Warehouse: 1 x 40 Container STC 1 - 2006 CAT 446D Backhoe 19000 S/No. CAT0446DKDBL00 623 17 tyres, 20pcs of spare parts ITN X2 0130226036522
0249/13	CMA CGM LA TOUR, 06-06-2013	TGHU1167601	Mugisha Ismail Busoga Trust guest House P.O. Box 19Plot 18 Lubogo lane	Customs Warehouse: 1 x 20 Container STC 230 pieces: 50 bags of used clothes, 40bags of used shoes, 20 kids bicycles, 20pcs of household appliances, 50pcs of used gym equipments and 50 used kids mattresses.
0250/13	Niar, 03-02-2013	UESU2385152	Bilal Abdi Ali, P.O. Box 82764-80100, Mombasa Kenya	Customs Warehouse: 1 x 20 Container STC 918 ctns of CBCCoconut oil in 24x680gms
0251/13	Auguste Schulte, 24-06-2013	BSIU2193591	Unisteel international DMCC, P.O. box 340831 Dubai	Customs Warehouse: 1 x 20 Container STC 59 coils pre-painted cold rolled steel coils
0252/13	MSC Nilgun, 06-04-2013	MEDU8196382	Oriental Spare Parts C/O Yoseph Berher Atala Berk Juba South Sudan	Customs Warehouse: 1 x 40 Container STC 350 pcs of new rims, 350 pcs fire stone new tyres, 350 pcs pirelli new tyres and 150pcs yokohama new tyres
0253/13	Julie Delmas, 11-05-2013	CMAU0201118	Dar Petroleum Operating company, Juba South Sudan	Customs Warehouse: 1 x 20 Container STC 16 IBC X-8029A UN1993 Flammable liquid N O S light aromatic naptha
0254/13	Emirates Mombasa, 15-05-2013	CMAU1805365	Dar Petroleum Operating company, Juba South Sudan	Customs Warehouse: 1 x 20 Container STC 16 IBC X-8029A UN1993 Flammable liquid N O S light aromatic naptha
0255/13	Julie Delmas, 11-05-2013	SGCU1984325	Dar Petroleum Operating company, Juba South Sudan	Customs Warehouse: 1 x 20 Container STC 16 IBC X-8029A UN1993 Flammable liquid N O S light aromatic naptha
0256/13	Julie Delmas, 11-05-2013	TGHU3571058	Dar Petroleum Operating company, Juba South Sudan	Customs Warehouse: 1 x 20 Container STC 16 IBC X-8029A UN1993 Flammable liquid N O S light aromatic naptha
0257/13	Marie Delmas, 28-05-2013	CMAU1032028	Dar Petroleum Operating company, Juba South Sudan	Customs Warehouse: 1 x 20 Container STC 16 IBC X-8029A UN1993 Flammable liquid N O S light aromatic naptha
0258/13	Marie Delmas, 28-05-2013	ECMU1817369	Dar Petroleum Operating company, Juba South Sudan	Customs Warehouse: 1 x 20 Container STC 16 IBC X-8029A UN1993 Flammable liquid N O S light aromatic naptha
0259/13	Julie Delmas, 11-05-2013	TRLU8832724	Dar Petroleum Operating company, Juba South Sudan	Customs Warehouse: 1 x 20 Container STC 16 IBC X-8029A UN1993 Flammable liquid N O S light aromatic naptha
0260/13	Emirates Mombasa, 15-05-2013	CMAU1904769	Dar Petroleum Operating company, Juba South Sudan	Customs Warehouse: 1 x 20 Container STC 16 IBC X-8029A UN1993 Flammable liquid N O S light aromatic naptha
0261/13	Emirates Mombasa, 15-05-2013	BMOU2060588	Dar Petroleum Operating company, Juba South Sudan	Customs Warehouse: 1 x 20 Container STC 16 IBC X-8029A UN1993 Flammable liquid N O S light aromatic naptha
0262/13	Emirates Mombasa, 15-05-2013	TRLU9745769	Dar Petroleum Operating company, Juba South Sudan	Customs Warehouse: 1 x 20 Container STC 16 IBC X-8029A UN1993 Flammable liquid N O S light aromatic naptha
0263/13	Marie Delmas, 28-05-2013	CMAU1277627	Dar Petroleum Operating company, Juba South Sudan	Customs Warehouse: 1 x 20 Container STC 16 IBC X-8029A UN1993 Flammable liquid N O S light aromatic naptha
0264/13	Marie Delmas, 28-05-2013	ECMU1269286	Dar Petroleum Operating company, Juba South Sudan	Customs Warehouse: 1 x 20 Container STC 16 IBC X-8029A UN1993 Flammable liquid N O S light aromatic naptha
0265/13	Julie Delmas, 11-05-2013	CMAU1543054	Dar Petroleum Operating company, Juba South Sudan	Customs Warehouse: 1 x 20 Container STC 16 IBC X-8029A UN1993 Flammable liquid N O S light aromatic naptha
0266/13	Auguste Schulte, 24-06-2013	BHCU3014763	Unisteel international DMCC, P.O. box 340831 Dubai	Customs Warehouse: 1 x 20 Container STC 59 coils pre-painted cold rolled steel coils
0267/13	Auguste Schulte, 24-06-2013	TTNU1375669	Unisteel international DMCC, P.O. box 340831 Dubai	Customs Warehouse: 1 x 20 Container STC 59 coils pre-painted cold rolled steel coils
0268/13	Hammonia Pacificum, 02-07-2013	MSKU7986739	Noble General Trading Co. Ltd, Konyo Area, Juba South Sudan	Customs Warehouse: 1 x 40 Container STC 3600 cartons different tetrapak juice 1 litre x 12pack brand name E twist

Lot No.	Ship's Name and Date	Marks and Numbers	Consignee's Name and Address	Location and Description of Goods
0269/13	Emirates Dar Es Salaam, 03-07-2013	INDU9507055	Straight Line International Co. (SS) Limited Juba, P.O. Box 186, South Sudan.	Customs Warehouse: 1 x 40 Container STC 5961 pcs of building materials, 1 carton of spareparts and 2pcs of steel
0270/13	Auguste Schulte, 24-06-2013	XINU1275826	Unisteel international DMCC, P.O. box 340831 Dubai	Customs Warehouse: 1 x 20 Container STC 59 coils pre-painted cold rolled steel coils
0271/13	MSC Jasmine, 01-06-2013	REGU4218998	Gureech Trading and Investment, Habesha Continental Hotel Konyo Konyo, Juba South Sudan	Customs Warehouse: 1 x 40 Container STC 3864 bags of cement can ACCCWCKTX
0272/13	MSC Jasmine, 01-06-2013	REGU4201064	Gureech Trading and Investment, Habesha Continental Hotel Konyo Konyo, Juba South Sudan	Customs Warehouse: 1 x 40 Container STC 3864 bags of cement can ACCCWCKTX
0273/13	Kota Nekad, 27-11-2012	FCIU9192100	Mangula co. Ltd, P.O. Box 7561 Mwanza Tanzania	Customs Warehouse: 1 x 40 Container STC 464 cartons of emergency light.
0274/13	M-V Crown Esmeralda	Loose Cargo	Unknown	Customs Warehouse: 66 Pieces of Angles
0275/13	M-V Paris Trader	Loose Cargo	Unknown	Customs Warehouse: 1 Bundle of Plate (3pcs)
0276/13	M-V Superior Pescadores	Loose Cargo	Unknown	Customs Warehouse: 1 Wire rod
0277/13	M-V African Orchid	Loose Cargo	Unknown	Customs Warehouse: 1 Galvanised Coil
0278/13	M-V Crown Esmeralda	Loose Cargo	Unknown	Customs Warehouse: 1 Bundle of Channel
0279/13	Unknown	Loose Cargo	Unknown	Customs Warehouse: 11 Pieces of I Beams

Note.—Spirit/Ethanol shall only be sold to Excise Licensed Manufacturers. Sugar shall only be sold to those with valid Kenya Sugar Board Permits. Scrap metal shall only be sold to Registered Scrap Metal Dealers.

Dated the 22nd October, 2013.

TABITHA MWANGI,
for Deputy Commissioner, Port Operations.

GAZETTE NOTICE NO. 14306

THE CIVIL AVIATION ACT

(No. 21 of 2013)

THE KENYA CIVIL AVIATION AUTHORITY

APPLICATIONS FOR VARIATION OR ISSUE OF AIR SERVICE LICENCES

PURSUANT to the provisions of the Civil Aviation Act (No. 21 of 2013) and the Licensing of Air Services Regulations, 2009 (Regulation 25) notice is given that the applicants whose particulars are specified in the first column of the schedule below have applied for various air service licences. The particulars of the applications are specified in the second column and the duration required for the licence is in the third column.

Any representation in favour or against any application should be made in writing to the Director-General, Kenya Civil Aviation Authority, P. O. Box 30163 – 00100, Fax: 254-20-822300, Nairobi, so as to reach the Authority within twenty-one (21) days from the date of publication of this notice. Such representation should be sent by the person making it to the applicant by registered mail at the same time it is sent to the Authority.

SCHEDULE

Name and Address of Applicant	Type of Service Applied for	Duration
Polskie Linie Lotnicze LOT S.A. 17 Stycznia STR.39 00-906 Warsaw POLAND.	Inclusive tour charters on the route Warsaw-Mombasa-Warsaw once frequency per week using aircraft B787 based at Warsaw, Poland.	With immediate effect
Travel Service Polska Sp.z.o.o ul Gordana Benetta 2B, 02-159, Warsaw POLAND.	Inclusive tour charters on the routes: (i) WAW/HRG/RMF/ZNZ/MBA/HRG/RMF/WAW (ii) WAW/HRG/RMF/MBA/ZNZ/HRG/RMF/WAW (iii) WAW/HRG/RMF/ZNZ/MBA/ZNZ/WAW (iv) KTW/HRG/RMF/ZNZ/MBA/HRG/RMF/KTW (v) KTW/HRG/RMF/MBA/ZNZ/HRG/RMF/KTW (vi) KTW/HRG/RMF/ZNZ/MBA/ZNZ/HRG/RMF/KTW using aircraft B738,B737,A320 based at Warsaw, Poland. One frequency per week without traffic rights between Mombasa and Zanzibar/Hurghada/Marsa Alam and Vice Versa.	With immediate effect.
Saudi Arabian Airlines Corporation P.O. Box 620 Jeddah 21231 SAUDI ARABIA.	International non scheduled all cargo service on the routes: (i) JED/NBO/JED (ii) JED/NBO/MOW (iii) JED/JNB/NBO/JED v.v (iv) JED/ADD/NBO/JED v.v (v) JED/DAR/NBO/JED v.v (vi) JED/NDJ/NBO/JED v.v (vii) JED/LOS/NBO/JED v.v (viii) JED/EDL/NBO/JED v.v (ix) JED/NBO/BRU (x) JED/NBO/MSE Using aircraft MD 11,B747,A310 without traffic rights between Nairobi and Eldoret/Johannesburg/Addis Ababa/Dar es Salaam/N'djamena/Lagos and vice versa.	With immediate effect

<i>Name and Address of Applicant</i>	<i>Type of Service Applied for</i>	<i>Duration</i>
Airworks (K) Limited P.P. Box 27508-00506 NAIROBI.	Variation of current air service licence to include JKIA as an additional base and aircraft types ATR42, ATR72, DHC8, CRJ100, CRJ200, EMB135, EMB145, DO228, DO328.	With immediate effect
Kenya Airways Limited P.O. Box 19002-00501 NAIROBI.	Variation of current air service licence to include: (i) Aircraft type B787 on both the domestic and international scheduled air service. (ii) The route Nairobi/Mombasa to/from Wajir on the domestic scheduled air service based at JKIA and Moi airport, Mombasa.	With immediate effect
Mombasa Air Safari Limited P.O. Box 9396-80115 MOMBASA.	Variation of current air service licence to include on the domestic scheduled air service the route: (i) Mombasa/Mara/Kisumu v.v. (ii) Nairobi/Mara/Kisumu v.v. Using aircraft L410, C208, DC3 based at Wilson airport and Moi airport, Mombasa.	With immediate effect
East African Safari Air Express Limited P.O. Box 27763-00506 NAIROBI.	Variation of current air service licence to include on the domestic scheduled air service the routes: (i) Nairobi-Migori-Nairobi. (ii) Nairobi-Lokichar-Nairobi. Using aircraft C208 based at JKIA and Wilson airport.	With immediate effect
Jambojet Limited P.O. Box 19079-00501 NAIROBI.	(i) International scheduled air service for passengers and freight on the routes Nairobi/Mombasa to/from Juba/Hargeisa/ Kisangani/ Pemba/Moroni/ Entebbe/Dar es Salaam/ Mwanza/Bunjumbura/ Kigali/Dzaoudzi/ Goma/Mwanza/Antananarivo/Zanzibar/Kilimanjaro/Addis Ababa subject to designation by the Ministry of Transport and Infrastructure. (ii) Domestic scheduled air service on the routes Nairobi to/from Mombasa/ Kisumu/ Eldoret/ Wajir/ Lamu/ Malindi. Using aircraft B737 based at JKIA and Moi airport, Mombasa.	With immediate effect
AMREF Flying Doctors P.O. Box 18617-00500 NAIROBI.	Non-scheduled air service for passengers and freight within/out of Kenya to/from Africa and the rest of the world. Operations limited to emergency, medical evacuations, aero-medical and humanitarian medical outreach programs using aircraft C208, BE20 based at Wilson airport.	With immediate effect
Musiara Limited P.O. 48217-00100 NAIROBI.	(i) Non-scheduled air service for passengers and freight within/out of/into Kenya to/from East and Central Africa (ii) Domestic scheduled air service on the routes Wilson/Naivasha/MasaiMara/Mfangano/MasaiMara/ Wilson. Using aircraft C208, C206 based at Wilson airport and Musiara.	With immediate effect
Flight Training Centre Ltd P.O. Box 45538-00100 NAIROBI	Flying instructions within Kenya using C172, C152, BE58, BE76 and PA34 Based at Wilson Airport, Magadi, Kijipwa and Nyaribo.	With immediate effect
Heli Aviation Africa Limited P.O Box 52747-00100 NAIROBI.	(i) Non-scheduled air service for passengers and cargo within/out of/into Kenya to/from Eastern/Central and the rest of Africa. (ii) Flying instructions within Kenya. (iii) Aerial work service within Kenya/East and Central Africa. Using aircraft R44 and S300 based at Wilson Airport.	With immediate effect
West Rift Aviation Ltd P.O. Box 60091-00200 NAIROBI.	Flying instructions within Kenya using aircraft C172, PA23 based at Wilson Airport.	With immediate effect
KSC Aviation Limited P.O. Box 15018-00509 NAIROBI.	Non-scheduled air service for passengers and cargo within/out of/into Kenya to/from Eastern Africa and Islands off the Indian Ocean using aircraft C206 based at Wilson Airport.	With immediate effect
Ace Aviation Ltd P. O. Box 102504-00101 NAIROBI	(i) Non-scheduled air service for passengers and freight within/out of/into Kenya to/from Eastern and Southern Africa. (ii) Flying instructions within Kenya. Using aircraft C172, C152 based at Wilson Airport.	With immediate effect
Fanjet Express Limited P.O. Box 4993-0056 NAIROBI	Non-scheduled air service for passengers, cargo and mail within/out of/into Kenya to/from Eastern/Central/Southern Africa/Middle East using aircraft FK50 based at Wilson airport.	With immediate effect

Dated the 23rd October, 2013.

COL (RTD) HILARY K KIOKO,
Director-General.

GAZETTE NOTICE NO. 14307

THE POLITICAL PARTIES ACT

(No. 11 of 2011)

CHANGE OF PARTY OF LOCATION AND ADDRESS OF PARTY HEAD OFFICE AND PARTY OFFICIAL

IN EXERCISE of the powers conferred by Section 20 (1) of the Political Parties Act, 2011, the Registrar of Political Parties gives notice that the following parties intend to make changes as follows:

<i>Political party</i>	<i>Description of change</i>	<i>Previous</i>	<i>Current</i>
United Democratic Forum Party	Location	Laikipia Road, Kileleshwa	Loiyangalani Drive, off Convent Drive, Lavington
	Address	P.O. Box 50905 – 00100 Nairobi	P.O. Box 74391–00200 Nairobi
United Republican Party	Party Treasurer	Mohamud Abdi	Fatuma Mwamachache

Any person with written submissions concerning the intended change(s) by the political party shall within 7 days deposit them with the Registrar of Political Parties.

Further enquiries can be made through the Registrar's Offices, P.O. Box 45371 – 00100, Anniversary Towers, University Way, 21st Floor from 8:00 a.m. to 5:00 p.m.

Dated the 24th of September, 2013.

LUCY K. NDUNGU,
Registrar of Political Parties.

GAZETTE NOTICE NO. 14308

THE POLITICAL PARTIES ACT

(No. 11 of 2011)

STATEMENT OF ASSETS AND LIABILITIES UPON REGISTRATION OF A POLITICAL PARTY

IN EXERCISE of the powers conferred by section 16 (4) of the Political Parties Act, 2011, the Registrar of Political Parties gives notice that:

ROOTS PARTY OF KENYA

Has declared its assets and liabilities upon registration as follows:

Total Current Assets	60,000.00
Total Long Term Asset	735,000.00
Total Assets	795,000.00
Current Liabilities	Nil
Long Term Liabilities	Nil
Total Liabilities	Nil
Surplus/Deficit	795,000.00

Statement of income and expenditure

Income	
Membership fees	733,000.00
Total Income	733,000.00
Expenditure	
Salaries	192,000.00
Rent Paid	304,000.00
Transport	43,000.00
Electricity Bill	78,000.00
Stationery, Printing, Photocopying	27,000.00
Total Expenditure	644,000.00
Surplus/Deficit	89,000.00

Further enquiries can be made through the Registrar's Offices, Anniversary Towers, University Way, 21st Floor P.O. Box 45371–00100, Nairobi (8.00 a.m. to 5.00 p.m. Weekdays.

Dated the 24th September, 2013.

LUCY K. NDUNGU,
Registrar of Political Parties.

GAZETTE NOTICE, No. 14209

IN THE CHILDREN'S COURT AT NAIROBI

MISC. CHILDREN CASE NO. 132 OF 2012

IN THE MATTER OF FRIDA RESIAN LENGU, SYLVIA SIALO,
NANCY SILOLE LENGU AND BENJAMIN SHARIF LENGU
(MINORS)

MIRIAN NASERIAN ENOLEYENKO—(1ST APPLICANT)
MICHAEL KASAINI LENGU—(2ND APPLICANT)

IN CHAMBERS ON 6TH DAY OF DECEMBER, 2012
BEFORE HON. A. K. MWICIGI, SENIOR RESIDENT
MAGISTRATE

ORDER

THIS MATTER coming up for hearing on 6th day of December, 2012 before Hon. A. K. Mwicigi, Senior Resident Magistrate And Upon Hearing the counsel for Applicant AND WHEREAS the same coming up for Ruling:

IT IS HEREBY ORDERED:

THAT the Applicants Mirian Naserian Enoleyenko and Michael Kasaine Lengua be and are appointed legal guardians of Frida Resian Lengua, Sylvia Sialo, Nancy Silole Lengua and Benjamin Sharif Lengua.

THAT the Applicants do continue providing for the children.

GIVEN under my hand and the seal of this Honourable Court on the 6th day of December, 2012.

ISSUED at NAIROBI 10th day of December, 2012.

A. K. MWICIGI,
MR/3551659 Senior Resident Magistrate, Nairobi Children's Court.

GAZETTE NOTICE NO. 14310

THE ADVOCATES ACT

THE COMPLAINTS COMMISSION

91ST QUARTERLY REPORT

1. PURSUANT to Section 53(9) of the Advocates Act and Rule 12(1) of the Advocates (Complaints Commission) Rules, 1991 it is notified for general information that from 1st July, 2013 to 30th September 2013, the Commission received a total of two hundred and sixty six (266) new complaints out of which forty (40) were classified and files opened. Two hundred and twenty six (226) were submitted for further enquiry under Preliminary Enquiry Initiative.

2. The nature of new complaints is as shown below:

Nature of complaints *No. of complaints*

(a) Failure to account	11
(b) Failure to keep client informed	1
(c) Failure to render professional services	8
(d) Withholding funds	15
(e) Issuing Dishonoured Cheques	2
(f) Delay	Nil
(g) Withholding documents	1
(h) Others	2
Total	40

3. Complaints filed against advocates/firms of advocates were disposed of in the following manner:

(i) *Classified Complaints* *No. of Complaints*

(a) Abandoned	5
(b) Settled	12
(c) Closed: no misconduct disclosed	9
(d) Dismissed	1
(e) Withdrawn	2
(f) Others	3
Total	32

(ii) Preliminary Enquiry (PE) complaints

- Total number of complaints subjected to Preliminary Enquiry (PE) was two hundred and twenty six (226).
- Total number of complaints settled under the Preliminary Enquiry (PE) was two hundred and forty (240).

4. The matters referred to the Disciplinary Committee (DC) during the same period for further action and in accordance with Section 57(1) of the Advocates Act were forty five (45).

5. During the same period a further twenty one (21) cases were disposed of as follows:-

	<i>No. of Complaints</i>
(a) Advocates Struck off the Roll of Advocates	2
(b) Advocates suspended	1
(c) Advocates acquitted	1
(d) Settled (matters resolved)	15
(e) Withdrawn	10
(f) Dismissed	3
(g) Others	2
Total	34

6. In pursuant to Section 53(4) and in the spirit of Section 53(5) of the Advocates Act, eight (8) complaints were settled amicably at the Advocates' Complaints Commission.

Dated the 30th September, 2013.

NAOMI WAGEREKA,
Commissioner.

GAZETTE NOTICE NO. 14211

THE BANKRUPTCY ACT

(Cap. 53)

RECEIVING ORDER AND FIRST CREDITORS' MEETING

(Under Rule 145 of the Bankruptcy Rules)

Debtor's name.—Patrick J. Kisiero.

Address.—P.O. Box 156, Kitale.

Description.—Farmer.

Date of filing petition.—17th September, 2013.

Court.—High Court of Kenya at Kisumu.

Date of Order.—10th October, 2013.

Cause No.—BC 8 of 2013.

Whether debtor's or creditors petition.—Debtor's petition.

Act or acts of bankruptcy.—Inability to pay debts.

Date and time of first creditors' meeting.—3rd December, 2013.

Venue.—Haki House, 1st Floor, Room 10.

Time.—11.00 a.m.

Last day of filing proof of debt forms.—29th November, 2013.

Dated the 14th October, 2013.

MR/3564476 DORCAS MUSILA,
for Deputy Official Receiver.

Gazette Notice No. 14312

THE CO-OPERATIVE SOCIETIES ACT

(Cap. 490)

INQUIRY ORDER

WHEREAS I have on my own accord, decided that an inquiry be held into the—

(a) by-laws,

(b) working and financial conditions; and

(c) the conduct of the management committee, and past present members or officer.

of the following co-operative societies and in accordance with section 58 as read together with section 73 of the Co-operative Societies Act of the laws of Kenya.

Now therefore, I authorize the officers named below to carry out inquiries at such place and time as may be expedient and duly notified by them.

<i>Name</i>	<i>Inquiry Officer</i>	<i>Duration</i>
Konza Ranching and Farming Co-operative Society Limited (CS/117)	F. M. Maina Boniface Karanja	15 days
Nyambomite FCS Limited (CS/394)	David Nzomo Lawrence Magaju	15 days
Kangumu FSC Limited CS/S8591	Josephine Ngandu Zachary Njeru	20 days
KTTC Sacco Limited (CS/9516)	Nancy Muguro Daniek Nguti	30

The attention of the officers and members of the society is directed to the following sections of the Co-operative Societies Act.

Section 60 (1)—Cost of inquiry.

Section 60 (2)—Recovery of costs of expenses.

Section 73—Surcharge.

Section 94—Offences

Dated the 9th October, 2013.

P. L. M. MUSYIMI,
Ag. Commissioner for Co-operative Development.

Gazette Notice No. 14313

THE CO-OPERATIVE SOCIETIES ACT

(Cap. 490)

APPOINTMENT OF LIQUIDATOR

WHEREAS I am of the opinion that the following societies should be dissolved, pursuant to section 61(1) of the said Act, I cancel the registration of the said societies and order that they be liquidated.

Any members of the Societies may within six (60) days from the date of this Order appeal to the Hon. Cabinet Secretary responsible for Co-operative against the order. If no such appeal is presented within the time specified, the order shall take effect upon expiry thereof.

And further, pursuant to section 65, I appoint the following officers to be liquidators for a period not exceeding one year and authorize them to take into their custody all properties of the said societies including such books and documents as are deemed necessary for completion of the liquidation.

<i>Name of Society</i>	<i>Liquidator and Address</i>	<i>Designation</i>
Lolwe Housing Co-operative Society Limited (CS/3308)	Michael Obiero, P.O. Box 312, Kisii	County Director of Audit
Boulevard Hotel Sacco Society Limited (CS/3585)	Stephen W. Kamau, P.O. Box 40811, Nairobi	Senior Co-operative Officer
Eva Sacco Society Limited (CS/5527)	Agnes W. Kariuki (Ms.), P.O. Box 51, Kikuyu	Senior Co-operative Officer

Dated the 10th October, 2013.

P. L. M. MUSYIMI,
Ag. Commissioner for Co-operative Development.

GAZETTE NOTICE NO. 14314

THE CONSTITUTION OF KENYA
THE ELECTIONS ACT
(No. 24 of 2011)

THE ELECTIONS (GENERAL) REGULATIONS, 2012
MEMBERS NOMINATED TO THE COUNTY ASSEMBLY
WARDS

Corrigenda

IN Gazette Notice No. 9794 of 2013 amend and insert where appropriate the changes as specified here below:

Page 3585; Row—7, Second (2nd) & Fourth (4th) Column – 2,4

County: Kajiado County Code: 34 List: Gender Top-Up Nominee No. 3

Delete: Marryan Waithira Wangare Mugami; 22919556

Insert: Everlyne S. Ketuta; 26548289

Dated the 30th October, 2013.

A. I. HASSAN,
*Chairperson,
Independent Electoral and Boundaries Commission.*

GAZETTE NOTICE NO. 14315

THE PHYSICAL PLANNING ACT
(Cap. 286)

COMPLETION OF PART DEVELOPMENT PLAN

(PDP No. CKR/352/12/1 for Existing Sites for Gathigiriri Primary School, Wetland for Gathigiriri G.K. Proson and Gathigiriri Secondary School)

NOTICE is given that the above-mentioned development plan was on 2nd March, 2012, completed.

The development plan relates to land situated within Kirinyaga County Council, Mwea East District.

Copies of the part development plan has been deposited for public inspection at the offices of the District Physical Planning, Officer, Kirinyaga, District District Commissioner's office, Kirinyaga Central and the Kerugoya/Kutus Municipal Offices.

The copies so deposited are available for inspection free of charge by all persons interested at offices of District Physical Planning, Officer, Kirinyaga, District District Commissioner's office, Kirinyaga Central and the Kerugoya/Kutus Municipal Offices, between the hours of 8.00 a.m. to 5.00 p.m. Monday to Friday.

Any interested person who wishes to make any representation in connection with or objection to the above-named part development plan may send such representations or objections in writing to be received by the Director Physical Planning Officer, P.O. Box 483, Kerugoya, within sixty (60) days from the date of publication of this notice and such representation or objection shall state the grounds on which it is made.

Dated the 14th October, 2013.

MR/3564445 W. L. LOKA,
for Director of Physical Planning.

GAZETTE NOTICE NO. 14082

THE ENVIRONMENTAL MANAGEMENT AND
CO-ORDINATION ACT
(No. 8 of 1999)

THE NATIONAL ENVIRONMENT MANAGEMENT AUTHORITY
ENVIRONMENTAL IMPACT ASSESSMENT STUDY REPORT
FOR THE PROPOSED PETROLSERVICE STATION ON L.R No.
THIKA MUNICIPALITY BLOCK 8/181 ALONG THE GARISSA
HIGHWAY

INVITATION OF PUBLIC COMMENTS

PURSUANT to regulation 21 of the Environmental Management and Co-ordination (Impact Assessment and Audit) Regulations, 2003, the National Environment Management Authority (NEMA) has

received an Environmental Impact Assessment Study Report for the above proposed project.

The Proponent (Vishal Shah Nemchand) is proposing to construct a petrol service station involving installation of four pumps (2 petrol, 1 diesel and 1 kerosene), 4 underground tanks (2 petrol with 20,000-litre capacity, 1 diesel with 10,000-litre capacity and 1 kerosene with 5,000-litre capacity), a car washing bay and a convenient store.

The following are the anticipated impacts and proposed mitigation measures:

<i>Environmental Impact</i>	<i>Suggested Mitigation Measures</i>
Soil disturbance leading to potential soil erosion	<ul style="list-style-type: none"> Put in place soil protection measures such as vegetation planting, landscaping and installation of gabions. Backfilling of dug out areas.
Removal of vegetation	<ul style="list-style-type: none"> Clear vegetation only where necessary Plant trees and carry out landscaping.
Soil and ground water contamination	<ul style="list-style-type: none"> Leakage tests prior to project commissioning. Ensuring tanks are emptied before removal. Inspection and maintenance programme for the tanks (routine leak tests). Careful removal of underground tanks. Remediation of any contaminated soil.
Ground water pollution	<ul style="list-style-type: none"> Construct channels (drains) for drainage of effluent. Construct an oil interceptor (oil-water separator) and channel effluent into it. Construct a bund (low wall) at the off loading area for containment of any accidental spillage. Ensure that wastewater from the oil interceptor is channeled into a conservancy tank. Carry out routine sampling and analysis of effluent from the station. Apply for effluent discharge license from NEMA. Proper disposal of wastes.
Solid waste generation	<ul style="list-style-type: none"> Reuse and recycling of material where possible such as dug out soil for backfilling. Provision of solid waste receptacles. Proper disposal of all wastes in provided bins. Engagement of a licensed waste collector for waste collection.
Increased demand for water and electricity	<ul style="list-style-type: none"> Provision of adequate water storage facilities for use at the site. Water and electricity conservation (saving measures). Installation of water and electricity meters and monthly readings. Provision of a standby generator. Maximizing on natural lighting. Rainwater harvesting and water re-use.
Fire risk	<ul style="list-style-type: none"> Installation of firefighting equipment. Training station operators on fire fighting. Administrative controls including no smoking at all, no naked fires etc. Fire safety signage. Conducting fire safety audits.
Occupational Health and safety impacts	<ul style="list-style-type: none"> Provision of suitable personal protective equipment.

- Creation of health and safety awareness.
- Provision of a first aid kit manned by a trained first aider.
- Formulation and implementation of an health and safety policy.
- Safety signage.
- Reporting and recording of any accidents occurring at site.
- Use of well maintained and suitable machines and equipment.
- Use of permits to work for hazardous operations & tasks.

The full report of the proposed project is available for inspection during working hours at:

(a) Director-General, NEMA, Popo Road, off Mombasa Road, P.O. Box 67839-00200, Nairobi.

(b) Principal Secretary, Ministry of Environment and Mineral Resources, NHIF Building, Community, P.O. Box 30521, Nairobi.

(c) County Director of Environment, Kiambu County.

The National Environment Management Authority invites members of the public to submit oral or written comments within thirty (30) days from the date of publication of this notice to the Director-General, NEMA, to assist the Authority in the decision making process of the plan.

B. M. LANGWEN,
for Director-General,

MR/3564200 National Environment Management Authority.

GAZETTE NOTICE NO. 14316

THE ENVIRONMENTAL MANAGEMENT AND CO-ORDINATION ACT

(No. 8 of 1999)

THE NATIONAL ENVIRONMENT MANAGEMENT AUTHORITY ENVIRONMENTAL IMPACT ASSESSMENT STUDY REPORT FOR THE PROPOSED COMPREHENSIVE MIXED GOLF, LEISURE AND RESORT DEVELOPMENT ON PLOT L.R. NO. 26781, IN LAMU COUNTY

INVITATION OF PUBLIC COMMENTS

PURSUANT to regulation 21 of the Environmental Management and Co-ordination (Impact Assessment and Audit) Regulations, 2003, the National Environment Management Authority (NEMA) has received an Environmental Impact Assessment Study Report for the above proposed project.

The Proponent (Bajabar Salt Works Limited.) is proposing to develop on 1674.1 hectares (about 36 km from Lamu Town), a project that will comprise several land use patterns which will include golf courses, low, medium and high density residential, commercial nodes, offices, institutional structures, tourism and support infrastructure such as sewerage, water, motorways and recreational centres. Other proposed constructions will include 5 star hotels and shopping malls.

The following are the anticipated impacts and proposed mitigation measures:

<i>Impacts</i>	<i>Proposed Mitigation Measures</i>
Canal drenching, soil erosion and compaction	<ul style="list-style-type: none"> • Control earthworks. • Install appropriate drainage structures. • Install sediment traps. • Ensure management of soil extraction activities. • Ensure drenching standards as supervised by engineers. • Designate a main access route for heavy machinery
Air and dust pollution	<ul style="list-style-type: none"> • Stockpiles of earth be sprayed with water or covered during dry seasons. • Trucks handling soil, sand, and other

loose materials should be covered.

Noise and excessive vibration	<ul style="list-style-type: none"> • Provide dust masks for the personnel in dusty areas. • Sensitize construction workers. • Spray stock piles of earth with water. • Avoid pouring dust materials from elevated areas to the ground. • Provide dust screens where necessary. • Maintain vehicles, while machines must not be left idling. • Sensitize workforce including drivers of construction vehicles. • Place signs to indicate construction activities • Use silenced machinery and instruments. • Workers in the vicinity of high level noise to wear safety and protective gear. • Employ temporary noise barriers
Loss of Vegetation and habitat for wildlife	<ul style="list-style-type: none"> • Conduct planned vegetation clearance and re-vegetation and retain trees of high cultural value • Reserve the wetland and establish a buffer zone around the wetland
Fire outbreak	<ul style="list-style-type: none"> • Provide safety equipment including firefighting equipment and fire exits. • Install smoke detectors in various premises. • Ensure adequate water stocks and operational pressures for firefighting. • Post warning NO SMOKING signs at fire prone areas • Mount safety signs indicating emergency exits, restricted area and assembly points.
Increased water and energy consumption	<ul style="list-style-type: none"> • Put off electric machines when not in use. • Use high energy saving bulbs and systems. • Install water storage tanks. • Promote rain water harvesting and maximizing on water recycling techniques. • Install automatic water conserving taps and toilets.
Solid waste generation	<ul style="list-style-type: none"> • Provide garbage receptacles • Apply integrated solid waste management approach (reduce, recycle, combustion and sanitary land-filling). • All refuse generated should be properly transported and disposed. • Provide private waste collection and disposal services.
Occupational health and safety	<ul style="list-style-type: none"> • Ensure proper solid disposal and collection facilities. • Ensure dustbin cubicles are protected from animals, rains and are well covered. • Provide all employees with suitable safety and protective gears. • Ensure proper disposal of waste water. • Ensure that all machinery used is properly maintained and inspected before use. • Place warning signs for hazardous or flammable substances.

- Ensure chemicals are stored safely and MSDS are made available.
 - Ensure full compliance to the Occupational Health and Safety Act of 2007
- Road safety and Traffic management
- Install road signs on the main roads.
 - Enforce speed limits for construction vehicles.
 - Minimizing exposure to risk.
 - Trip reduction measures.
 - Encouraging use of safer modes of transport.
 - Minimizing disruption to non-project road users.
 - Safety Impact Assessments.

The full report of the proposed project is available for inspection during working hours at:

- (a) Director-General, NEMA, Popo Road, off Mombasa Road, P.O. Box 67839-00200, Nairobi.
- (b) Principal Secretary, Ministry of Environment and Mineral Resources, NHIF Building, Community, P.O. Box 30521, Nairobi.
- (c) County Director of Environment, Lamu County.

The National Environment Management Authority invites members of the public to submit oral or written comments within thirty (30) days from the date of publication of this notice to the Director-General, NEMA, to assist the Authority in the decision making process of the plan.

B. M. LANGWEN,
for Director-General,

MR/3551678

National Environment Management Authority.

GAZETTE NOTICE NO. 14317

THE COMMISSION FOR THE IMPLEMENTATION OF CONSTITUTION

QUARTERLY REPORT FOR THE PERIOD JULY TO SEPTEMBER 2012

Message from the Chairperson

It is my pleasure once more to present to you the Quarterly Report of the Commission for the Implementation of the Constitution (CIC) for the period July to September 2012. This period was unique as it coincided with the second anniversary of the promulgation of the Constitution and the submission of the CIC Annual Report for the period 2011/2012. Having received feedback on the format and content of our quarterly reports, this report, the seventh, in our series of quarterly reports, takes a slightly different structure. The report now focuses on the strategic outcomes arising from the day to day operations of CIC guided by our vision of a united, peaceful and prosperous Kenya in which all citizens including leaders respect the rule of law, uphold national values and live by the Constitution.

The journey of implementing the Constitution has been fruitful as key milestones were achieved, often under tight timelines, and sometimes in a less than hospitable environment. The Commission worked tirelessly alongside the Kenyan people to thwart attempts to derail the implementation process and ensured that challenges were addressed expeditiously to keep the implementation of the Constitution on course.

The Commission experienced a setback with the alteration of the Leadership and Integrity Bill. The Bill was watered down in Parliament, resulting in a law without adequate enforcement mechanisms. The events surrounding the passage of the Leadership and Integrity Act, 2012 are indeed a low moment for the Commission and the people of Kenya. Some reforms under the Constitution are still pending, including, setting up of key institutions and appointments to key offices. The Inspector General of Police, the two Deputy Inspectors, the National Land Commission and other Constitutional Commissions were yet to be set up by the close of the third quarter of the year.

In the course of discharging our mandate, the Commission continues to espouse the constitutional principles of the rule of law, constitutionalism and public participation. In this regard, we remained vigilant and decisive in our actions to avert breaches of the Constitution, including direct appeals to contravening parties, informing the public on imminent breaches and seeking judicial intervention where necessary. As we move forward, it is not lost on the Commission that the Constitution heralds fundamental change, and as such, is likely to face resistance from those opposed to such change. Notwithstanding the challenges faced in the implementation process, I can state that the constitution implementation agenda is firmly on course and we have realised key legislative targets.

In conclusion, I would like to emphasize that the rights and benefits in the Constitution place attendant responsibilities on each one of us. As we move forward, we should all strive to discharge our individual and collective responsibility of defending, protecting and upholding the Constitution with utmost vigilance and dedication.

CHARLES NYACHAE,
CHAIRPERSON

Executive Summary

This is the seventh quarterly report of the Commission for the Implementation of the Constitution since its establishment. It covers the period of July to September 2012.

The mandate, specific functions and objects of the Commission as stipulated in the Constitution and the Commission for the Implementation of the Constitution Act, (CIC Act), is to monitor, facilitate and oversee the development of legislation and administrative procedures required to implement the Constitution; to coordinate with the Attorney-General and the Kenya Law Reform Commission (KLRC) in preparing for tabling in Parliament the legislation required to implement the Constitution; and to report every three months to the Constitutional Implementation Oversight Committee on the progress and challenges faced in the implementation of the Constitution.

Other functions of the Commission are to work with other constitutional commissions to ensure that the letter and spirit of the Constitution is respected, the sovereignty of the people of Kenya protected, observance by all State organs of the democratic values and principles is observed and constitutionalism is promoted.

The Commission has defined six key result areas which guide its work on its mandate and provide the basis for accountability to other institutions and the people of Kenya. These result areas are:

- Result 1:** A respected, well-functioning and independent Commission effectively delivering on its mandate.
- Result 2:** Policies which are compliant with the letter and the spirit of the Constitution.
- Result 3:** Laws which are compliant with the letter and the spirit of the Constitution.
- Result 4:** Effective institutional frameworks and administrative procedures for the implementation of the Constitution.
- Result 5:** Improved service delivery and quality of life of the People of Kenya in all 47 Counties.
- Result 6:** Observance by all State organs of the national values and principles.

During the reporting period, the Commission worked on policies, legislation and regulations received from various Ministries as reported under the six key result areas. To deliver on its mandate, the Commission strengthened its Secretariat by recruiting additional technical staff and created two directorates for Programs and Management Services.

The Commission also encouraged generation of comprehensive policies to guide development of legislation. In this regard, the Commission initiated the process of developing a public participation framework and received the Kenya Health Policy and a policy framework on Education and Training from Ministries of Health and Education respectively.

On development of laws, the Commission received 20 Bills from various Ministries for review. Eight bills were reviewed and forwarded to the AG, including the three Family Law Bills, the Election

Campaign Financing Bill, among others. At least six Bills were enacted into law. The Ratification of Treaties Bill went through the Third Reading in Parliament, while the Consumer Protection Bill, was introduced to Parliament as a private member's Bill. The Commission also received advance copies of the Office of the Attorney-General Bill, the Office of the Director of Public Prosecutions Bill, the Contempt of Court Bill and the Magistrates' Courts (Amendment) Bill. The Commission also audited the four devolution Acts to ensure they are not inconsistent with each other.

On establishing institutional frameworks and administrative procedures, the Commission received a number of regulations including those related to elections, public service commission, the guide for implementing human rights, and transition to devolved government, among others.

Towards ensuring public participation, the Commission organised diverse activities to facilitate engagement with stakeholders, issued public advisories on breaches of the Constitution and instituted litigation to enforce implementation of the Constitution. The Commission held meetings with ministries, civil society organizations, and used online and social media platforms for communication.

The Commission faced challenges including the curious urgency of the Executive to fast track and table Bills in parliament before the Commission had completed reviewing the Bills for consistency with the Constitution. The Leadership and Integrity Act, 2012, for example, did not reflect the input and recommendations given by the Commission and the public. In these circumstances, most of the draft Bills are under-researched and therefore incapable of facilitating effective implementation of the Constitution.

Other challenges include the inordinate focus on developing legislation at the expense of the requisite policies, administrative procedures and institutional frameworks that form an enabling environment. During the reporting period only two policies were received in CIC, against over 20 Bills.

To address some of these challenges, the Commission recommends increased public participation. In addition, Bills already reviewed by the Commission should not be amended unless completely necessary. Parliament should make an effort to enact the Bills identified as priority in the stipulated timeframes. This will allow prompt implementation of the prioritized legislation and especially with the upcoming general elections and the taking off of the county governments.

Introduction

This is the seventh quarterly report of the Commission for the Implementation of the Constitution (CIC) and it covers activities between July and September 2012. The report discusses the progress in and the state of implementation of the Constitution of Kenya, 2010. It highlights the achievements, challenges, impediments and lessons learned in this period and makes recommendations to address those challenges.

To facilitate its work, CIC has organized itself into eight thematic areas. These are Citizenship and Bill of Rights; Land and Environment; Public Service and Leadership; Representation of the People and the Legislature; the Executive and Security; the Judiciary and Constitutional Commissions; Devolved Government; and Public Finance. Each thematic area team, led by a Commissioner, monitors, oversees and facilitates the implementation of the Constitution and works with relevant agencies, public institutions, state and non-state actors, development partners and the people of Kenya on various implementation issues.

The report has seven sections. The first section summarizes the mandate and role of the Commission. The second presents an overview of the Commission's activities relating to review of policies, draft legislations and draft regulations. Section three focuses on other Commission activities, including stakeholder engagement during the reporting period. The section also summarizes reports from ministries and state corporations on the activities with regard to implementation of the constitution. Section four of the report highlights the challenges and lessons learnt, with recommendations on how to address the emerging challenges. Finally, the fifth section gives an overview of the major activities planned for the fourth quarter of 2012.

Mandate and Role of the Commission for the Implementation of the Constitution

The Commission is established under Paragraph 5(6) of the Sixth Schedule of the Constitution. The mandate and specific functions and objects of CIC are found in the Constitution and the Commission for the Implementation of the Constitution Act, 2010. These functions are:

1. To monitor, facilitate and oversee the development of legislation and administrative procedures required to implement the Constitution;
2. To coordinate with the Attorney-General and the Kenya Law Reform Commission (KLRC) in preparing for tabling in Parliament the legislation required to implement the Constitution;
3. To report every three months to the Constitutional Implementation Oversight Committee on:
 - a. progress in the implementation of the Constitution; and
 - b. any impediments in its implementation;
4. To work with each constitutional commission to ensure that the letter and spirit of the Constitution are respected; and
5. To exercise such other functions as are provided for by the Constitution or any other written law.

This mandate is further amplified by Article 249 (1), which sets out that these functions are intended to protect the sovereignty of the people, secure observance by all State organs of democratic values and principles, and promote constitutionalism. The Commission is independent in the performance of its mandate and is not subject to the direction and control of any person or authority, other than the Constitution and relevant laws. This enjoins the Commission to remain accountable to the people of Kenya, to uphold the principle of public participation and to secure from all State organs, without fear or favour, the compliance with the values and principles of governance in the Constitution.

In its operations, the Commission is guided by the national values and principles of governance as stipulated in Article 10(2) (*see box 1 below*) and other articles of the Constitution. These provisions regulate all public policy decisions and are binding upon all State organs, State officers, public officers and all persons whenever any of them interprets or applies the Constitution or any law thereof.

National Values and Principles of Governance

- (a) Patriotism, national unity, sharing and devolution of power, the rule of law, democracy and participation of the people;
- (b) Human dignity, equity, social justice, inclusiveness, equality, human rights, non-discrimination and protection of the marginalized;
- (c) Good governance, integrity, transparency and accountability; and
- (d) Sustainable development.

The Commission plays a coordinating role in implementation of the Constitution and it is imperative that it has access to information on all initiatives, activities and actors involved in the implementation of the Constitution.

1.1 Implementation in the Context of the Commission's Mandate

The implementation of the Constitution with regard to the mandate of the Commission involves:

- (a) Facilitating the development of new laws, policies, administrative procedures and regulations required to implement the Constitution;
- (b) Reviewing existing laws, policies, administrative procedures, regulations and legislation required to implement the Constitution;
- (c) Ensuring that the institutional and legislative structures necessary to give effect to the Constitution, especially in relation to the devolved government, are in place;
- (d) Ensuring the participation by the people of Kenya in the review process. The Constitution protects the power of the people to determine how they wish to be governed at the national and county levels in accordance with the national values and principles set out in Articles 1, 10, 118 and 232;
- (e) Ensuring that where new laws are developed or existing ones are amended the new laws and the policies which informed

development of the laws are to be forwarded to the AG, KLRC and the Commission for review;

- (f) Ensuring that the legislative process adheres to the provisions of Article 261 of the Constitution on consequential provisions;
- (g) Coordinating with the AG and KLRC in drafting Bills in coordination with originating institutions;
- (h) Coordinating with the AG and KLRC, the Parliamentary Constitution Implementation Oversight Committee (CIOC) and other parliamentary committees to ensure timely enactment of legislation.
- (i) Coordinating development of change-management strategies.
- (j) Monitoring effective implementation of the Constitution in devolved units of governance.

The Commission notes that the Constitution can only be fully implemented when all state and non-state actors involved in its implementation play their part complementarily. To facilitate that process, the Commission has adopted a cooperative and consultative approach and regularly engages with all partners in diverse forums.

1.2 Key Result Areas

In the execution of its mandate, CIC has adopted the results-based approach and defined key result areas highlighted in Box 2 below to guide its work and provide the basis for accountability to other institutions and the people of Kenya.

CIC Key Result Areas

Result 1: A respected, well-functioning and independent Commission effectively delivering on its mandate.

Result 2: Policies, which are compliant with the letter and the spirit of the Constitution.

Result 3: Laws, which are compliant with the letter and the spirit of the Constitution.

Result 4: Effective institutional frameworks and administrative procedures for the implementation of the Constitution.

1.3 Technical Arrangements

To achieve its constitutional mandate as stipulated in CIC Act and other constitutional provisions, the Commission has designed and adopted appropriate organizational structures and strategies. These include thematic area teams as well as monitoring, facilitating and overseeing the implementation of the Constitution.

The Commission has a Secretariat headed by a Chief Executive Officer. The Secretariat has two directorates, each headed by a director. They are:

- (a) Programmes Directorate.
- (b) Management Services Directorate.

The Commission has also organized itself into eight Thematic Areas drawn from the subject matter of the different chapters of the Constitution. These are:

1. Citizenship and Bill of Rights – this thematic area coordinates activities dealing with human rights and citizenship as found in Chapters Three and Four of the Constitution.
2. Land and Environment – this thematic area coordinates the implementation of Chapter Five on land and environment.
3. Public Service and Leadership – this thematic area coordinates the implementation of Chapter Six on leadership and integrity and Chapter Thirteen on public service.
4. Representation of the People and the Legislature – this thematic area deals with the implementation of Chapters Seven and Eight on representation of the people and the legislature.
5. Executive and Security – this thematic area coordinates the implementation of Chapters Nine and Fourteen on the Executive and on security.
6. The Judiciary and Constitutional Commissions – this thematic area coordinates the implementation of Chapter

Ten on the Judiciary and Chapter Fifteen constitutional commissions and independent offices.

7. Devolved Government – this thematic area coordinates the implementation of Chapter Eleven and the Sixth Schedule, paragraph 15(2)(d) on devolution.
8. Public Finance – this thematic area coordinates the implementation of Chapter Twelve which deals with public finance management.

Each Thematic Area team is convened by a Commissioner, working with one or more Commissioners as co-conveners. The teams spearhead engagement with relevant sectors and reports to the Commission.

2. Status Update on the Implementation of the Constitution

The Commission supported enactment of all laws which had to be in place by the second anniversary of promulgation of the Constitution, which is August 27 2012. Annex 1 contains a list of laws that have been enacted. This section highlights key outcomes including enactment of laws, development of policies and administrative procedures, operationalization of constitutional commissions, progress in implementation of devolved government and preparedness for the next general elections.

2.1 Development of Policies

The Commission continues to encourage implementing agencies to develop policies to guide development of laws, systems and structures to implement the Constitution. During the quarter, the Commission initiated the process of developing a public participation framework. It also received two policies: the Kenya Health Policy and a policy framework on education and training, which are discussed below.

(a) Development of a Framework on Public Participation

The principle of public participation is fundamental in the implementation of the Constitution and is encouraged as a national value, in management, protection and conservation of the environment, in the conduct of Parliament, in national and county assemblies, as an object of devolution, and as a principle of public finance.

Public participation relates to an open, accountable process through which individuals and groups within selected communities can exchange ideas and influence decision-making. It is a democratic process of engaging people, deciding, planning and playing an active part in development and operation of services that affect their lives.

In partnership with the Ministry of Justice, National Cohesion and Constitutional Affairs and civil society organizations, the Commission facilitated a three-day stakeholder conference in September 2012 on public participation. The co-convening civil society organisations included URAIA, Kenya Human Rights Commission, Katiba Institute and The Institute for Social Accountability. The forum brought together over 75 representatives from the three arms of Government, civil society organizations and academia as well as international speakers from South Africa and Brazil. The conference had the following objectives:

- (i) To create an environment that will enable concerned individuals, experts and organizations to meet and take stock of the state of public participation within the new constitutional order;
- (ii) To evaluate the extent of public participation in government and private sector programmes;
- (iii) To provide an opportunity for the public to give input in designing how they should participate in the formulation and implementation of programs that affect them; and
- (iv) To discuss and agree on the most suitable framework on public participation and a plan of action for developing the framework.

The key recommendation that arose from the conference was the need to put in place a policy framework that will guide effective implementation and monitoring the observance of the principle of public participation. The delegates noted that since the principle is provided for under the Constitution, there was no need for specific legislation since the policy would suffice to guide in development of sectoral legislation as well as development of legislation under county governments. The proposed policy should:

- (i) Provide standards for public participation by defining what constitutes public participation in different areas;
- (ii) Identify gaps in public participation under the various sectors;
- (iii) Provide a mechanism for monitoring the implementation of public participation by addressing the efficiency and quality of public participation.
- (iv) Provide guidance on issues of inclusivity, fairness, while mitigating against elite capture of citizen spaces; and
- (v) Enhance access to information by tapping local information and knowledge for effective public engagement.

The Commission will continue to work with the Ministry of Justice, National Cohesion and Constitutional Affairs and civil society organizations in developing a policy that will guide effective implementation of the principle of public participation.

(b) Kenya Health Policy, 2012 – 2030

The Ministry of Health submitted to the Commission the Kenya Health Policy 2012-2030. The Policy guides the improvement of health services in line with the country's long-term development agenda set out in Vision 2030, in the Constitution and in global commitments. The Policy, which focuses on six objectives, and seven orientations to attain the overall government's goals in health care takes into account the functional responsibilities between the two levels of government (county and national) with respective accountability, reporting and management lines. It is currently under review by the Commission.

(c) A Policy Framework for Education and Training

The Commission received from Ministry of Education a draft policy framework for education and training which aims to reform the education and training sectors in Kenya in line with the Constitution.

The Constitution makes education a right of every Kenyan, and in particular, guarantees every child a free and compulsory basic education. It further provides for access to affordable tertiary education, training and skills development. The policy, which is under review by the Commission, will provide a comprehensive framework to develop laws that guide education at both national and county levels.

2.2 Development of Legislation

During the reporting period, the Commission received twenty Bills from various Ministries for review. By the end of the quarter, twelve Bills had been reviewed and forwarded to Attorney General, of which seven were enacted. The remaining Bills will be processed during the last quarter of 2012.

(a) The Immigration Related Bills

Two immigration bills were submitted to CIC and are undergoing internal review. They include the National Registration and Identification Bill 2012, and the Refugee Bill 2012, which seek to give effect to Chapter Three of the Constitution.

The National Registration and The Identification Bill, 2012:

CIC facilitated a stakeholder forum in November 2011 to review the Identification and Registration of Persons Bill 2011, Births and Deaths Registration Bill 2011 and the Refugee Bill 2012, which are among the bills from the Ministry of State for Immigration and Registration of Persons. The bills aim at reforming the registration and immigration systems.

One of the key recommendations from the stakeholder forum convened to discuss these Bills was the need to consolidate the Identification and Registration of Persons Bill, 2011 and Births and Deaths Registration Bill, 2011. This would be the first step towards creating an integrated civil registration mechanism that will enhance access to service delivery for citizens, avoid duplicity in the registration process and assist the government to monitor citizen's compliance with their civic duties.

Subsequently, the Commission held a meeting with the Ministry of State for Immigration and Registration of Persons in March 2012 on

the consolidation of the two bills, which were consolidated into the National Registration and Identification Bill, 2012. The consolidated bill was forwarded to CIC, which circulated it to relevant stakeholders for review. The bill will be finalized during the next quarter and forwarded to the Attorney General for publication.

The Refugee Bill 2012: the Commission is keen on ensuring that the Refugee Bill and the National Registration and Identification Bill 2012 are processed together. Because of that, the Refugee Bill was put on hold pending finalization of the National Registration and Identification Bill 2012. The two bills have since been forwarded to stakeholders for review.

(b) The Family Law Bills

One of the key achievements in the last quarter was the finalization of the review of the Family Law Bills, which aim to give effect to Article 45 of the constitution. There are three family related bills: The Marriage Bill, 2012, the Matrimonial Property Bill, 2012 and the Protection against Domestic Violence Bill, 2012. Following county stakeholder forums held in second quarter, the Commission organized final consultation in August 2012 with top leadership of faith-based organizations (Christians, Muslims, Hindu and Bahai) and traditional elders (from Kisii, Kuria, Ogiek, Pokot, Maasai and Turkana) with unique practices relating to marriage.

The proposals from the stakeholder consultations were incorporated into the bills. The Commission then held an internal plenary meeting in August 2012 followed by a retreat by the Ministry of Gender, Children and Social Development and the Office of the Attorney General in August 2012 where each clause in the three bills was reviewed to incorporate comments made by the Commission.

The Marriage Bill, 2012: The Marriage Bill 2012 will repeal seven prior Acts of parliament relating to various regimes of marriage, thus consolidating the different systems into one. This process of consolidation has raised several concerns among stakeholders:

- (i) Consolidation of marriage laws into one law is untenable: The harmonization of these laws and particularly the provision of general overarching principles relating to the different marriage systems created an impression among interested parties, especially religious groups, that doctrines and rules conflicting with their belief systems would be forced on them. It was clear, for example, that the concept of marriage varied from one regime to another among Civil, Christian, Customary Hindu and Islamic marriages. The various systems differ in the manner of celebration and dissolution. Whereas the 21 days notice of marriage is applicable and relevant to Civil and Christian marriages, it is not applicable to the customary and Islamic marriages. The Muslims clearly indicated that they would like their marriages to be governed by Islamic law and not to be subjected to a harmonized law that may subject them to practices that do not apply to Muslims. Further, they would not want to compromise on any of their practices as they subject themselves to a consolidated law. They emphasized that Article 24 of the Constitution saved the application of Islamic law in matters relating to the family. In an attempt to address this challenge, the Marriage Bill was divided into different sections providing for the celebration, registration and dissolution of each of the different systems of marriage. In addition, a general statement was added to cater for all other systems where individuals may feel that they are not adequately covered either under the Christian, civil, customary, Hindu or Islamic systems of marriage.
- (ii) Customary marriages are not adequately covered in the Bill: The description of customary marriages was not adequately provided in the Bill. Stakeholders raised concern on the evidence that would be used to certify conclusion of a customary marriage for registration purposes. Under the Bill, every marriage irrespective of the system under which it is concluded must be registered. As such, the Bill was revised to provide general guidance on the celebration of customary marriages to the Director of Marriages on their registration.
- (iii) Payment of Dowry: It was clear from the engagement with different religious groups and community elders that the concept of dowry is fundamental to the institution of

marriage. They all opposed the idea of abolishing or making it optional. It was also noted that dowry payment is a legal obligation under Islamic law and most African customs noted that this is part of the central forms of evidence for a valid marriage.

In this regard payment of dowry was retained in the Bill with provisions prohibiting commercialization of dowry while also ensuring that any person who wants to exercise their right to found a family will do so without being hindered by the dowry related issues.

- (iv) **Presumption of Marriage:** There were different schools of thought on the presumption of marriage or the recognition of so-called 'come-we-stay' relationships. Muslims, Christians and traditional leaders opposed the idea of giving the status of marriage to such casual relationships. Whereas most stakeholders agreed that many people live in these kinds of relationships, they nonetheless felt that the way forward should be to facilitate easy and accessible registration of marriages. It was argued that marriages create serious obligations and therefore the institution should be upheld and treated with respect it deserves. Thus, provisions relating to presumption of marriage were deleted from the Marriage bill.

The Matrimonial Property Bill 2012: The Matrimonial Property Bill did not have major concerns save for the need to ensure clarity in the division of matrimonial and other property in polygamous marriages. The Bill was revised to provide guidance on the rights of every wife over property acquired together with her husband as against the rights of other wives. The Bill also provides clarity on ownership and division of ancestral land and cultural homes.

The Protection against Domestic Violence Bill 2012: Discussion on this bill focused on the following:

- (1) **Protection of Victims of Domestic Violence:** One of the key proposals by stakeholders was that the previous title of the bill was misleading since the bill focuses on protection of victims of domestic violence and not for the general protection of the family. The title of the bill was revised from Family Protection Bill to Protection against Domestic Violence Bill, 2012.
- (2) **Protection Fund:** The bill provided for the establishment of a protection fund for victims of domestic violence. However, following stakeholder and deliberations by the Commission, the provisions for the proposed fund were deleted.

The Protection against Domestic Violence Bill, 2012, was revised to include suitable mechanisms and services that will be devolved to the county level. It further allows for each county to determine the most suitable temporary relief and protection mechanisms to ensure adequate protection of victims against stigmatization and other forms of discrimination, and to enhance accountability in protection mechanisms.

The Commission facilitated a roundtable meeting on the Bills with the Ministry of Gender, Children and Social Development; Office of the AG and KLRC in September 2012 after which they were forwarded to the Attorney General for final drafting and onward transmission to the Cabinet.

(c) **The Ratification of Treaties Bill 2012**

The Ratification of Treaties Bill, which is aimed at giving effect to Article 2 of the Constitution went through the Third Reading on 27th September 2012 and currently awaits presidential assent.

(d) **The Freedom of Information Bill 2012 and the Data Protection Bill 2012**

The Commission reviewed the Freedom of Information Bill, 2012 and the Data Protection Bill, 2012 with various proposals for incorporation alongside proposals by other stakeholders who reviewed them. They included the Ministry of State for Defence; National Intelligence Service; Open Society Initiative for East Africa (OSIEA), the Ministry of Information and Communication and the Media council of Kenya.

The key amendment to the Bills related to oversight mechanism. The Commission facilitated extensive consultations on the most effective mechanism to oversee and ensure effective realization of the right to privacy (Article 31) and the right of access to information (Article 35). It was determined that the Commission on Administrative Justice was the most suitable entity to facilitate implementation of these rights.

(e) **The Consumer Protection Bill, 2011**

The Consumer Protection Bill is designed to give effect to Article 46 of the Constitution and should therefore contain provisions that enhance protection mechanisms for consumers in all sectors. It affects every citizen and is about every sector. The Commission learned through the media that Parliament had discussed and moved on the Bill to the Second Reading. However, in its current form the Bill does not comprehensively cover protection across all sectors and is not properly cross-referenced and aligned to other pieces of legislation. The Commission is currently determining how best to proceed in ensuring that all relevant elements that should be in this Bill are covered even if the Bill goes through the enactment process as a private members bill.

(f) **The Election Campaign Financing Bill, 2012**

The Election Campaign Financing Bill, 2012 seeks to regulate the amount of money that may be spent by or on behalf of a candidate or party in respect of any election. It provides for the management, spending controls, regulation and transparent accountability of funds during an election and referendum campaigns, thus giving effect to Articles 88 and 91 of the Constitution.

The Commission reviewed the bill and thereafter sent it to AG in August 2012. By the end of the quarter, the Bill had not been published and worryingly, the next general elections were merely five months away.

(g) **The Office of the Attorney-General Bill, 2012**

The Commission is in receipt of an advance copy of the Office of the Attorney-General Bill, 2012. The Bill, which is expected to be finalized during the months of October to December, seeks to give effect to Article 156 of the Constitution and provides for the administration and discharge of functions of the Attorney-General.

(h) **The Director of Public Prosecutions Bill, 2012**

The Commission received an advance copy of the Office of the Director of Public Prosecutions Bill, 2012, which seeks to give effect to Article 157 of the Constitution and other relevant Articles. The Bill provides for the composition, administration, functions and powers of the Director of Public Prosecutions. The Office of the Director of Public Prosecutions must be independent and must be prioritize the public interest, the administration of justice and prevention of abuse of prosecutorial powers. Review of the bill will commence once the draft is completed.

(i) **The Contempt of Court Bill, 2012 and the Magistrates' Court (Amendment) Bill, 2012**

The Commission convened a technical meeting in September to collect views on technical and general issues arising from the draft Contempt of Court Bill, 2012. The stakeholders included representatives from the KLRC, the AG's Office, the Judiciary and the Law Society of Kenya's Committee on Law Reform and Constitutional Implementation.

The Commission also discussed with the AG and KLRC the need to enact fresh legislation and repeal the Magistrates' Courts Act (Chapter 10 of the Laws of Kenya) to bring it in line with the Constitution instead of amending the law through the Magistrates' Court (Amendment) Bill, 2012 merely to address matters relating to pecuniary jurisdiction of the courts. The Commission is in the process of preparing a draft Bill that will enact a new Magistrates' Court law and repeal the current Act as agreed in the meeting.

(j) **The Leadership and Integrity Bill, 2012**

Article 80 of the Constitution requires Parliament to:

1. Establish procedures and mechanisms for the effective administration of leadership and integrity (Chapter Six);
2. Prescribe the penalties, in addition to the penalties referred to in Article 75 that may be imposed for contravention of this Chapter;
3. Provide for the application of this Chapter, with the necessary modifications, to public officers; and
4. Make any other provision necessary for ensuring the promotion of the principles of leadership and integrity mentioned in this Chapter, and its enforcement.

The legislation must be enacted within two years from the date of promulgation of the Constitution. The Leadership and Integrity Bill, 2012 was received by the Commission towards the end of the second quarter and was reviewed during this quarter. The Bill also recognized the responsibility of the Ethics and Anti-Corruption Commission as the primary institution for ensuring compliance with and enforcement of the provisions on leadership and integrity.

In line with the principle of public participation, the Commission involved the public in the review of Leadership and Integrity Bill through the website and a stakeholder's review forum in July 2012 with representatives from different institutions in the 47 counties. Recommendations were received and incorporated. During the same month, the Commission held a roundtable meeting with the Ethics and Anti-Corruption Commission, the Ministry of Justice, National Cohesion and Constitutional Affairs, the Public Service Commission and the Ministry of State for Public Service to review the Bill. The reviewed draft was forwarded to the office of the AG for publication. The Bill was debated and enacted in Parliament and it received presidential assent on 27th August 2012.

However, the final version of the Act was not the version that the Commission had reviewed with various stakeholders before forwarding to the AG's office. The Act omitted some of the key provisions required to implement Chapter Six of the Constitution. (Annex 1B contains the Commission's advisory opinion on this matter).

(k) The Public Service Commission Act, 2012

The Public Service Commission Act, 2012 seeks to establish the Public Service Commission in line with Article 233 of the Constitution. It also spells out the functions of the Public Service Commission as contemplated in Article 234 of the Constitution.

The Commission finalized the review of the Bill and forwarded it to the office of the Attorney General in January 2012. However, it was not until 24th July 2012 that the Bill was enacted and assented to by the president. The delay in enactment consequently led to the delay in the release of the draft regulations required under Section 31 of the Public Service Commission Act, 2012.

(l) The Petitions to Parliament (Procedure) Act, 2012

The Petitions to Parliament (Procedure) Act, 2012 seeks to give effect to Article 119 of the Constitution which gives every person the right to petition Parliament to consider any matter within its authority, including enacting, amending or repealing any legislation. CIC received the Petitions to Parliament (Procedure) Bill in July 2012, and held a consultative meeting with various stakeholders in the same month. The Commission subsequently reviewed the Bill and released it to the AG for publication. The Bill was enacted and received Presidential assent on 27th August 2012.

(m) The Assumption of Office of President Act, 2012

The National Assembly enacted the Assumption of Office of President Act, 2012 on 23rd August 2012 following review and consultative forums by the Commission. The Act gives effect to Article 141 of the Constitution, which obligates Parliament to enact legislation to provide for the procedure and ceremony for the swearing in of the President-elect. The Act makes provisions for the requisite arrangements for assumption of office by the President-elect including the establishment

of the Assumption of the Office of President Committee and providing for the procedure for assumption of the office by the President-elect.

The Act states that the swearing in of the President-elect shall be conducted in a public ceremony, which shall be held in the capital city. The Committee is legally obligated to publish, by notice in the Gazette, the date and place for the conduct of the swearing-in ceremony. The Act further provides for the swearing in of the Deputy President-elect.

(n) The National Security Related Acts

During the reporting period, three bills related to national security were enacted into law. These are: The Kenya Defence Forces Bill, the National Intelligence Service Bill and the National Police Service Bill.

- (1) **The Kenya Defence Forces Act, 2012:** The Commission held a meeting with the Ministry of State for Defence and the Kenya Defence Forces on the implementation of Chapter Fourteen of the Constitution. In particular, the implementation of Articles 239(6), 240 and 241 of the Constitution and the review of the Kenya Defence Forces Bill, 2012, now an act of Parliament awaiting publication. The Commission is now reviewing administrative procedures and subsidiary legislation to operationalize the Kenya Defence Forces Act, to ensure that the requisite administrative procedures conform to the letter and spirit of the Constitution and the Kenya Defence Forces Act, 2012.

The participation of serving and retired members of the Kenya Defence Forces was significant in enriching the Bill. The public, civil society amongst others contributed both online and in various forums held by the Commission to discuss the Bill.

- (2) **The National Intelligence Service Act, 2012:** The National Intelligence Service Bill, 2012 was enacted and is now awaiting publication. The bill was jointly reviewed by the Commission, the National Intelligence Service, the Attorney-General and KLRC and the Ministry of State for Provincial Administration and Internal Security. The Commission is now working closely with the National Intelligence Service and the Ministry of State for Provincial Administration and Internal Security in the formulation of the requisite administrative measures, policies and regulations to operationalize the National Intelligence Service Act, 2012. In particular, the Commission is keenly following the formulation and implementation of the necessary regulations for vetting persons seeking elective and appointive positions ahead of the forthcoming general elections.
- (3) **The National Police Service Act, 2012:** The Commission notes that despite the enactment of the National Police Service Act and National Police Service Commission Act, the two Acts are yet to be operationalized. The inordinate delays by the executive and National Assembly to appoint the Inspector-General and establishment of the National Police Service Commission is a significant drawback in the realization of requisite reforms in the police sector as envisioned in the Constitution and the two Acts. The Commission has sought the intervention of the Executive and National Assembly to get the process moving.

(o) The Audit of Devolution Acts

Due to tight timelines required to develop the devolution Acts, development of the five acts was done separately. Further, with a limited timeframe to review the Bills, the Commission focused on the constitutionality of the Acts. An audit of the Acts is aimed at ensuring that they are coherent and consistent with each other. The Commission is thus currently auditing the following devolution Acts.

- (a) The County Governments Act, 2012
- (b) The Intergovernmental Relations Act, 2012
- (c) The Urban Areas and Cities Act, 2011
- (d) Transition to Devolved Government Act, 2012
- (e) The Public Finance Management Act, 2012

2.3 Development of Administrative Procedures and Regulations

Regulations enable the actual carrying out of the mandate of an institution or organization. For state actors, such regulations must be in

line with the laws governing the operations of the institution and in line with the Constitution. Further, regulations must be easy to understand and apply and should not be complex. They must not be used to undermine the provisions of legislation or the Constitution.

In the reporting period, the Commission received and reviewed regulations on elections and public service commission. The Commission also started review of regulations on devolution and the guide to the implementation of human rights. These reviews will continue to the next quarter.

(a) The Election Regulations, 2012

The Elections Regulations outline operations for voter registration, voter education, nomination of candidates for election, campaigns, voting at polling stations, transmission of results of polls, counting of votes and declaration of results. The Constitution Implementation Commission received four sets of Election Regulations in August 2012, namely:

- (a) the Elections (Registration of Voters) Regulations;
- (b) the Elections (Voter Education) Regulations;
- (c) the Elections (General) Regulations;
- (d) the Elections (Kenyan living abroad registration and voting) Regulations.

The Commission reviewed and released the regulations in the same month. It is noteworthy that the Commission recommended that the regulations on Kenyans living abroad should only be developed based on a policy which defines and operationalizes the constitutional requirement that the registration and voting be progressive. Section 109(3) of the Elections Act 2011 requires Parliament to approve the regulations at least six months before an election, which should have been by 4th September 2012 for the March 2013 elections. However, Parliament amended the Elections Act to extend the last day for approval of the regulations to four months preceding a general election, thus making the 4th day of November 2012 the latest date by which Parliament should have approved all the regulations.

(b) on Transition to Devolved Government

The Commission is currently reviewing the following regulations developed for transition to devolved government;

- (a) the County Government Regulations, 2012;
- (b) the Transition to Devolved Government Regulations, 2012
- (c) the Intergovernmental Relations Regulations, 2012
- (d) the Urban Areas and Cities Regulations, 2012

(c) Existing By-laws

By-laws are powerful legislative measures, which if not effectively used, can undermine the letter and spirit of the Constitution. The current by-laws by local authorities may not be in line with the legislation currently being enacted on matters relating to devolution. In particular, the by-laws may not help in activities of cities, municipalities and towns created by the Cities and Urban Areas Act, 2011. CIC is therefore reviewing by-laws, to ensure that they are in line with the Constitution, policy and legal framework, and provide a system for devolved government to operate. These by-laws are numerous. Those identified for review will be reported in the next quarter.

(d) Public Service Commission Regulations, 2012

During this quarter, the Commission formally received the Public Service Commission Regulations for review. The regulations shall apply to public bodies and all persons holding and acting in public offices except those specified in Article 234(3) of the Constitution.

(e) A Guide for the Implementation of Human Rights

The Commission is currently developing a manual that will guide the integration and implementation of constitutional values and principles of human rights and freedoms in all sectors. The first draft of this Guide has been consolidated and shared with key implementing ministries for feedback. A graphic designer, an editor and an editorial team comprising of experts in matters relating to human rights have been engaged for quality control of the manual. The second draft will

be subjected to a technical forum for review and approval before adoption and implementation.

2.4 Establishment and Operationalization of New Constitutional Commissions and Independent Offices

Chapter 15 of the Constitution establishes ten commissions (Table 1 below). The Human Rights and Equality Commission was restructured into 3 commissions, namely; the National Gender and Equality Commission, the National Commission on Administrative Justice and the Kenya National Commission on Human Rights. The National Land Commission Act was enacted in May 2012 and potential commissioners were interviewed but the commission yet to be made operational.

	Commission	Status
1	The Kenya National Human Rights and Equality Commission	✓
2	The National Land Commission	X
3	The Independent Electoral and Boundaries Commission	✓
4	The Parliamentary Service Commission	✓
5	The Judicial Service Commission	✓
6	The Commission on Revenue Allocation	✓
7	The Public Service Commission	X
8	The Salaries and Remuneration Commission	✓
9	The Teachers Service Commission	X
10	The National Police Service Commission	X
11	Ethics and Anti-Corruption Commission	✓
12	National Gender and Equality Commission	✓
13	National Commission on Administrative Justice	✓

The Public Service Commission and the Teachers Service Commission, though operational have not yet been reconstituted to comply with the Constitution. The process is ongoing. The Ethics and Anti-Corruption Commission was established but the Court annulled the appointment of the Chairperson. The process of appointment of the Chairperson has not been concluded.

Despite the enactment of the National Police Service and the National Police Service Commission Acts, the two Acts are yet to be operationalized. The delay in appointing Inspector-General and the establishment of the National Police Service Commission is a major drawback on reforms in the police sector as envisioned in the Constitution and in the legislation. This is even more acute as the country prepares for the next general elections.

The offices of the Auditor-General and the Controller of Budget are independent offices according to Article 248 of the Constitution. Both offices were appointed in accordance with the Independent Offices (Appointment) Act, 2011, and are functional. The Controller of Budget Bill is in development.

The Judicial Service Commission appointed a Committee of five members to oversee the establishment of an International Crimes Division in the High Court of Kenya as contemplated by section 8(2) of the Kenyan International Crimes Act of 2008. The Committee completed the task and presented its report to the Judicial Service Commission on 30th October 2012. The Commission resolved to engage the stakeholders in the administration of justice sector and receive comments on the document before the implementation of its recommendations. In that regard, the Constitutional Implementation Commission has been requested through the NCAJ to review the report and submit its comments.

2.5 Transition to Devolved Government

Section 15(d) of the Sixth Schedule to the Constitution mandates the Commission to effectively monitor the implementation of the system of devolved government. The Commission interprets effective devolution to include the following six pillars:

- (1) The process of functional assignment.
- (2) Capacity building of devolved government, especially the county governments.
- (3) Financing operations of county governments.
- (4) Service delivery.
- (5) Public participation.
- (6) Intergovernmental relations and conflict resolution.

Pursuant to this, the Commission is developing a monitoring framework for use in monitoring, facilitating, overseeing and reporting on critical aspects of the implementation of devolution including transition to the system of devolved government as envisaged in the Constitution and the Transition to Devolved Government Act, 2012. The framework is scheduled to be ready in the next quarter.

The Commission has held several meetings with the Transition Authority to set the agenda for the transition activities and getting the Transition Authority's plan of action in motion under Phase One of its mandate. The Commission and the Authority have agreed to fast track civic education on devolution, and complete Phase One activities by December 2012 which will in avoiding political interference during the heightened campaigns.

3. Promoting Constitutionalism and Protecting Sovereignty of the People of Kenya

3.1 Stakeholder Engagements

The Commission is mandated to work with each constitutional commission to ensure that the letter and spirit of the Constitution is respected. In addition, Article 249(1) of the Constitution requires all constitutional commissions to carry out their functions with the object of protecting the sovereignty of the people of Kenya, ensuring observance of democratic values and principles of governance and promoting constitutionalism.

The Commission strives to ensure that the objects set out in Article 249 are met. Activities to ensure this include: engagement with stakeholders, issuance of public advisories on apparent breaches of the Constitution and litigation to enforce implementation of the Constitution.

This section highlights some of the stakeholder engagements undertaken during the reporting period, including meetings with ministries, civil society organizations, online and social media engagement with stakeholders, and judicial interventions.

(a) Roadmap for the Implementation of Socio-Economic Rights

As the Commission awaits a meeting with the President on the establishment of an inter-ministerial team to set the guidelines and standards for effective realization of socio-economic rights guaranteed in the Constitution, the Commission continues to engage with implementing organs on progressive realization of socio-economic rights. The Commission is scheduled to work with the Office of the Prime Minister to facilitate a conference that will provide an opportunity for stakeholders to deliberate on the principle of progressive realization and an understanding of their role in the implementation process.

(b) Engagement with the Ministry of State for Public Service

During the quarter, the Commission held consultative meetings with the Ministry of State for Public Service on the values and principles of public service. Although the Fifth Schedule to the Constitution has provided a timeline of four years for the development of legislation relating to the values and principles of public service, it was agreed that, with the formation of county governments, it would be prudent to have the development of the legislation fast-tracked to ensure that these values and principles are also entrenched in public service at both levels of government.

The Commission also engaged with the Ministry of State for Public Service in the development of the Public Service Management Bill. A taskforce was formed by the Ministry to research further and establish whether there would be need for a Public Service Management Bill given that there are different pieces of legislation and subsidiary legislation that touch on different aspects of the public service. These include the Public Officers Ethics Act, 2003, the draft Public Service Commission regulations and the Leadership and Integrity Act, 2012. The Commission will continue to work with the Ministry and the taskforce to ensure that all public officers including those who are not under the Public Service Commission are subjected to universal norms and standards which cut across the public service.

(c) Engagement with the Ministry of Education:

The Commission held a meeting with Parliamentary Departmental Committee on Education and Technology in August 2012 to discuss the roadmap and timelines of key education reforms in Kenya. The meeting was attended by members of the Departmental Committee, the Minister for Education, the Minister for Higher Education, Science and Technology, Office of the Attorney General, the Constitutional Implementation Oversight Committee and the Kenya Law Reform Commission, among others. The meeting deliberated on the prioritization of key legislation within the education sector, namely: the Kenya National Examination Council (Amendment) Bill, the Education Bill, the Universities Bill, the Science and Technology and Innovation Bill, the Technical and Vocational Education Training Bill, the Kenya Qualification Framework Bill and the Kenya Institute of Curriculum Development Bill.

A follow up meeting between Ministers agreed to prioritize the review of Bills, which are not outlined in the Fifth Schedule. Consequently, a meeting held between the Constitutional Implementation Oversight Committee, the CIC and the AG's office agreed on the finalized schedule of the prioritized Bills.

Following these meetings, the Commission has developed a framework for engagement with the Ministry of Education, to assist in the review of the Education and Training Policy and the various Bills in order to fast-track reforms within the Education Sector.

(d) Engagement with the Chief Justice:

The Judiciary, under Article 105 of the Constitution and Section 75 of the Elections Act, 2012 is mandated to hear and determine any question on the validity of an elected person or when a parliamentary, county or assembly seat becomes vacant. In addition, Article 140 of the Constitution requires the Supreme Court to determine disputes that may arise from a presidential election within 14 days of the announcement of the election result. In anticipation of possible disputes that may arise from nominations and elections, the Commission met with the Chief Justice in July 2012 to discuss the following issues:

1. The mechanisms in place for dispute resolution before the scheduled March 2013 elections;
2. The preparations made by the Judiciary to ensure that any questions of membership to Parliament or County Assemblies are heard and determined within six months of the date of lodging a petition; and
3. Any capacity gaps within the judiciary to handle disputes relating to nominations and general elections.

The Chief Justice reported having appointed a working committee to establish mechanisms to ensure timely determination of disputes, which may arise from the March 2013 general elections. He further emphasized the need for judges to have necessary expertise to handle and determine immediately electoral disputes after the elections. The same committee has worked on draft Supreme Court rules for presidential elections, which will be reviewed by the Supreme Court Technical Committee on rules.

In addition to the recommendations by the working committee, the following activities are currently being carried out to prepare for elections:

- (i) undertaking a rigorous training of judges on electoral dispute resolution;
- (ii) sharing of experiences from other jurisdictions to enhance the Judiciary's understanding of timely resolution to election disputes;
- (iii) fast tracking of existing cases to decrease the back log of cases within the Judiciary;
- (iv) working towards creating a High Court station in each county and recruiting new High Court judges to speed up the dispute resolution process after the next general elections;
- (v) working towards recruiting more High Court judges to hear and determine electoral disputes

Because of inadequate capacity, the Chief Justice expressed a time concern over the provisions of Article 140 of the Constitution which requires the Supreme Court to hear and determine any cases relating to disputes over presidential elections within 14 days of filing of a

petition which may be too short a timeframe to conclude a case of such magnitude. However, the Chief Justice gave an assurance that the Judiciary would innovatively work on a mechanism to ensure that all disputes were resolved within the required timelines to uphold the Constitution. In addition, he expressed concern that the ongoing process of vetting of judges and magistrates may result to less number of High Court judges to determine electoral disputes.

(e) Vetting of Judges and Magistrates Vetting Board:

The President assented to the Statute Law (Miscellaneous Amendments) Act, 2012 on 6th July 2012 despite the controversy surrounding some of the amendments in the law, including the amendment to Section 23(2) of the Vetting of Judges and Magistrates Act, 2011.

Section 23(2) of the Vetting of Judges and Magistrates Act, 2011 now reads as follows:

The Board shall be divided into three panels for purposes of vetting, and the three panels shall vet the judges simultaneously while the Judicial Service Commission shall vet the Magistrates.

The effect of this amendment was to extend the functions of the Vetting Board to the Judicial Service Commission (JSC).

On the day the President assented to the Statute Law (Miscellaneous Amendments) Act, the Chief Justice convened a stakeholders' meeting at the Supreme Court Building to consider whether or not JSC should take part in the vetting of magistrates. The stakeholders agreed that vetting of magistrates by JSC would erode public confidence in the vetting process and in the judicial reforms as a whole. It was agreed that a technical team comprising representatives of the Vetting Board, CAJ, CIC, and MOJNCA would propose an amendment to the Act to revert the vetting of magistrates to the Vetting Board. The Vetting of Judges and Magistrates (Amendment) Bill, 2012 was published on 28th September 2012.

(f) Engagement with National Council on the Administration of Justice:

The Commission attended a special meeting of the National Council on the Administration of Justice (NCAJ) in August 2012. The purpose of the meeting was to fast track the review and enactment of the following bills: the Contempt of Court Bill, 2012, the Office of the Director of Public Prosecutions Bill, 2012, the Transfer of Prisoners Bill, 2012 and the Coroners Bill, 2012.

In addition, the Commission has been working with various institutions in the justice sector including the Judiciary, the Office of the Attorney General, the Office of the DPP, MOJNCA, the Kenya Prison Service, the Law Society of Kenya, FIDA-Kenya, the CRADLE, the Ministry of Labour, the Ministry of Environment, the Ministry of Gender, Children and Social Development, Legal Resources Foundation, Office of the President, National Community Service Orders, KEPSA and the Witness Protection Agency to develop policies and administrative procedures for the operation of the National Council on the Administration of Justice. This includes the NCAJ Policy, Strategic Plan, Annual Work plan and Guidelines for Court User Committees.

(g) Engagement with the Transition Authority:

The Commission held a consultative meeting with the Transition Authority in July, 2012, to set the agenda for the transition activities and getting the Transition Authority's plan of action under Phase One of its mandate. The Commission and the Authority agreed to fast track civic education on devolution, with the Transition Authority developing an in-depth curriculum to guide civic education and the Commission monitoring its content and methodology to ensure that it's in line with the principles and spirit of devolution. It was agreed that transition activities under Phase One will be completed by December 2012, to avoid political interference during the heightened campaigns between December 2012 and March 2013.

(h) Engagement with SACCO Regulatory Authority (SASRA)

The SACCO Regulatory Authority sought a meeting with the Commission in August 2012 to discuss issues pertaining to

constitutional provisions on devolution and the authorities' role in the transition process. In particular, SASRA sought to clarify some provisions in the Constitution relating to devolution and discuss how best they can actualize their position of a regulator with national recognition under the new dispensation. The meeting resolved that the process of amending the SACCO Act should be in accordance with devolution as stipulated in the Constitution and be guided specifically by the 4th Schedule that provides for the distribution of functions to both national and county governments.

(i) Meeting with the Law Society of Kenya

The Law Society of Kenya Committee on Law Reform paid a courtesy call to the Commission in August 2012. The purpose of the meeting was to enable the two organizations to share experiences and their roles in implementation of the Constitution and need for a structured engagement. The meeting noted the need for LSK to take a more active role in the process. The meeting made the following observations and recommendations –

- (a) LSK, having been part of the reform process, should continue to be part and parcel of the implementation process;
- (b) The Commission should participate in LSK activities especially in sensitizing the LSK members on the Constitution and recent legislation;
- (c) There are many policies, bills and administrative procedures under development which should act as a platform for the Commission and LSK to work together.
- (d) The LSK has expertise in key legal issues that no other non-state actors have and should set the pace in reviewing existing legislation and managing the transition to devolution; and
- (e) LSK should look for mechanisms to ensure that lawyers from across the country are involved in the implementation of the Constitution.

(j) Meeting with Civil Society

In September, the Commission organized a meeting with civil society organizations, including CREAM, KPTJ, International Commission of Jurists, Law Society of Kenya, Katiba Institute and Transparency International to review the status of public interest litigation on the implementation of the Constitution, and more specifically, to determine how judicial intervention can be used in the best interest of the people of Kenya. An exponential increase in cases related to implementation of the Constitution was noted. It was agreed that different state and non-state actors keen on monitoring the implementation process should develop a criteria for determining situations that need judicial intervention in the interest of the public. The meeting established a working committee to delve deeper into issues affecting public interest litigation and propose working modalities for the different actors.

(k) Meeting with FIDA-Kenya

FIDA-Kenya paid a courtesy call to the Commission to discuss progress on the implementation of the Constitution and various issues connected therewith. FIDA-Kenya wanted to know from the Commission the status of enactment of the Family Law Bills, and implementation of affirmative action on gender parity in elective posts. The Team commended the Commission for the good work done so far in discharging its mandate. They noted that the Constitution recognizes the rights of women as contained in the CEDAW and other international treaties and emphasized the importance of realisation of the rights. The meeting made the following observations:

- (i) The women's movement needs to develop a strategy for addressing Parliament's position on gender parity to ensure amendment of the Constitution to provide for nomination should the elections fail to deliver the requisite minimum representation of women;
- (ii) All stakeholders should explore means of determining whether there is need for affirmative action law or an equality law to address the different specializations and previously marginalized communities;
- (iii) FIDA-Kenya was requested to put in place a mechanism for reviewing all the Bills whether to ensure that women's issues are integrated and mainstreamed into all laws

including laws on mining, leadership and integrity and land laws; and

- (iv) There is need for concerted effort to ensure the Leadership and Integrity Act is revised to include mechanisms for implementing the provisions in Chapter Six of the Constitution.

(l) Engaging with Stakeholders Online and Social Media

The Commission maintains an active website (www.cickenya.org) to engage with the public on the implementation of the Constitution. The website is used to update the public on the Commission's activities, provide access to the Constitution, draft Bills, enacted legislation and other documents. It is also a forum for the public to submit their comments on bills, which are subsequently examined by the Commission and incorporated as views from the public and stakeholders.

Social Media has been a great tool in connecting the Commission with Kenyans, especially the youth. Through its Facebook page and Twitter account (@cickenya), the Commission responds to queries from members of the public, and interacts with the media in a bid to build publicity on the implementation process. Below is a sample of posts on the Commission Facebook and Twitter pages.

Email to CIC
Dear sir,

Following the recent developments in Parliament, raging discussions are going around on the way the legislature is mutilating our constitution. This is to appeal for your urgent action based on your mandate of ensuring that any bill or amendment is in line with the letter and spirit of the Constitution to assure Kenyans/Wanjiku that the recent amendments on the elections and political parties acts are getting the resistance through legal actions as they deserve. Find on the trail mail some of the boiling discussions going on. As CIC, you can save this country from going the Syrian/Egyptian/Libian way. We want our constitution to be followed to the letter. The trail mail is just the iceberg of discussions going around the country.

Please save our beautiful country.

(m) Preparation and Dissemination of Annual Report:

The Commission prepared the Annual Report for the period 2011/2012 to communicate major achievements for the reporting period, the challenges, impediments faced and proposals to move the implementation process forward. The report was submitted to the head of state and parliament. There are plans to print copies of the report and distribute in different parts of the country to keep the people of Kenya abreast of progress and other issues on the implementation of the Constitution.

3.2 Consultative Workshops

(a) Workshops with Local Authority Chief Officers

A seamless transition to devolved government is critical for the successful implementation of the devolved system of government. The Commission is committed to ensuring that implementation of devolution including transition activities are done in such a way that service delivery to the people is not disrupted. The Commission regards local authorities as key stakeholders in the transition process and therefore arranged consultative meetings with local authority chief officers across the country to sensitize the staff on the provisions of the Constitution and the relevant Acts dealing with devolution. The Commission invited the Transition Authority and the Commission for Revenue Allocation to the consultative process to jointly develop a shared understanding of the concept of transition to devolved government.

The consultative meetings took place in eight regions and two counties as follows:

- (a) Kisumu County: 2nd August, 2012
- (b) Kakamega County: 3rd August, 2012
- (c) South Rift-Nakuru County: 30th -31st of August 2012.
- (d) North Rift-Eldoret County: 30th-31st August, 2012

- (e) Nyanza Region-Kisumu County: 30th-31st August, 2012
- (f) Central: Nyeri and Nairobi combined: 30th August, 2012
- (g) Eastern: Machakos: 3rd and 4th September, 2012.
- (h) Western: Bungoma: 3rd and 4th September, 2012.
- (i) Coast: Mombasa: 10th- 11th September, 2012.
- (j) North Eastern: Garissa: 17th and 18th September, 2012

(b) Media Training Workshops

Media training workshops on the role of media in reporting on devolution, including activities relating to transition to devolved government were undertaken in Mombasa, Kisumu, Nakuru and Eldoret. The workshops were organized because of the centrality of communication to the successful implementation of the constitution, in general and devolution in particular. This arises from the fact that the full implementation of the Constitution and devolved system of government involves multiplicity of actors whose effective participation requires that they be well informed about the Constitution and devolution.

(c) Joint workshop with the Commission on Revenue Allocation and the Transition Authority:

Effective collaboration by key stakeholders is critical in the journey to full implementation of the transition to devolved government. To that end, the Commission organised a consultative meeting in August 2012 with the Transition Authority and the Commission for Revenue Allocation. The purpose of the meeting was to create a platform for collaboration on the implementation of the transition in line with the Transition to Devolved Government Act, 2012.

(d) Induction Workshop for the Transition Authority:

The Commission attended an induction workshop for the Transition Authority in Mombasa from 20th -24th August 2012. The workshop was to induct the Authority on its statutory responsibilities of ensuring a smooth transition to devolution and by largely setting mechanisms of achieving its goals under Phase One of its mandate by December 2012.

(e) Non-State Actors Stakeholders forum

The Public Finance Management Act is one of the statutes that has experienced very low levels of public awareness, hence the need to structure a partnership with non-State actors to create awareness on the Act. The Commission organized a post enactment consultative forum on the Public Finance Management Act with the objective of identifying:

- (i) the opportunities available in the Act for citizen engagement in the public finance management processes and how they can be actualized;
- (ii) the opportunities available for non state actors in facilitating effective implementation of the public finance management law;
- (iii) some of the implementation challenges that may arise and;
- (iv) possible methods of disseminating key information on the Act to the citizenry so that they can exploit the opportunities availed by the Act and the constitution.
- (v)

Such forums give Kenyans opportunities to interact with the Constitution and the laws that have been formulated to give effect to the various provisions of the constitution.

(f) Public Participation Framework Workshop

The Commission in partnership with the Ministry of Justice, National Cohesion and Constitutional Affairs, Civil society organizations, including URAIA, Kenya Human Rights Commission, Katiba Institute and The Institute for Social Accountability, facilitated a three-day stakeholder conference in September, bringing together over 75 representatives from the three arms of government, civil society organizations, academia and international speakers from South Africa and Brazil. The objectives of the conference were (see also section 3.1 the resolutions from the workshop):

- (a) To create an environment that will enable across section of concerned individuals, experts and

organizations to meet and take stock of the state of public participation within the new constitutional order;

- (b) To evaluate the extent of public participation in government and private sector programs;
- (c) To provide an opportunity for the public to give input in the designing of how they should participate in the formulation and implementation of programs that affect them; and
- (d) To discuss and agree on the most suitable framework on public participation and a plan of action for developing the framework.

(g) Meeting with Implementing Agencies

During the period under review, CIC also met with the following state (implementing) agencies:

- (a) Kenya Intellectual Property Institute;
- (b) Central Bank of Kenya;
- (c) Kenya Investment Authority;
- (d) Export Promotion Council, and
- (e) Industrial and Commercial Development.

The purpose of the meetings was to gauge the implementing agencies operational activities and their compliance with the Constitution. From these meetings, it was clear that all state agencies should have to recalibrate their administrative and operational processes to conform to the standards set in the Constitution.

(h) Engagements with Ministries on the Effective Implementation of the Constitution

Each of the eight CIC thematic areas works with allocated ministries and state corporations to ensure effective implementation of the Constitution. The thematic areas have held periodic consultative meetings with these ministries and received constitution implementation progress reports.

3.3 Public Advisories

During the reporting period, the Commission issued public advisory opinions on constitutional issues on four Acts to provide clarity and guide the implementation process. These were, the Elections Act, 2011, the Political Parties Act, 2011, the Leadership and Integrity Bill, 2012 and the Mining Bill, 2012. The full content of the advisory opinions are contained in Annex 1.

3.4 Judicial Intervention

In its endeavour to promote constitutionalism, the Commission has sought judicial intervention from time to time for various declarations and for the interpretation of constitutional provisions. Annex 2 details cases the Commission has filed or participated in and their status.

3.5 Support by Development Partners

The Commission acknowledges and appreciates the support of various development partners, especially, the IDLO, UNDP, OHCHR and Swedish, Japan and The Netherlands Embassies, among others, in the implementation process.

3.6 Summary of Reports from Ministries and State Corporations

Ministries submit quarterly reports on the implementation of the constitution to the Commission. During the quarter, the Commission received progress reports from 11 government ministries and 12 state corporations highlighting progress of the implementation of the Constitution. The ministries include the Ministry of Health (Medical Services and Public Health and Sanitation), the Ministry of East African Community, the Ministry of Gender, Children and Social Development, the Ministry of Livestock Development, the Ministry of Trade, the Ministry of Forestry and Wildlife, the Ministry of State for Development of Northern Kenya and Arid Lands, the Ministry of Defence, the Ministry of Lands, the Ministry of Social Programmes, and the Ministry of Tourism. The state agencies include Kenya Post

Office Savings Bank, the Kenya Police Service, Office of the Controller of Budget, Youth Enterprise Fund Board, Capital Market Authority, the Kenya National Examination Council, the Multimedia University, the National Museum of Kenya, Geothermal Development Company, and the University of Nairobi.

The reports highlight progress made on areas deemed critical to the implementation of the Constitution. They include having overall sectoral policies, administrative instruments, laws institutions are responsible for, and subsidiary legislation. Other areas include efforts made to familiarize the staff with the Constitution and integration of the Constitution into performance contracts. The reporting requires the institutions to isolate sector specific provisions in the Constitution and provide progress on the audit of policies, development of laws and administrative procedures. Further, the implementation of the Constitution requires a number of institutional changes. The reporting therefore seeks to establish those institutions that have developed change management strategies.

All the institutions that reported between July and September 2012, indicated the policies, laws and regulations that have been identified for review and those already reviewed for consistency with the Constitution; those to be developed by end of December 2012, by 2013 and in the long term, including ratified international treaties to be integrated into institutional instruments. The institutions also highlighted measures taken for devolution during the two faces of transition: before and after the March 2013 general elections.

Annex 4 gives a summary of status for each institution on their internal measures to align to the Constitution. A follow-up will be made in the next quarter on institutions that have not submitted reports.

4. Challenges, Impediments and Recommendations

4.1 Challenges and Impediments

(a) Deliberate disregard for CIC mandate:

One of the key challenges faced by the Commission was the unusual rush by the Executive to fast-track and publish Bills for tabling before parliament before the Commission's review process on each Bill was completed, even though the parent Ministries and related institutions were kept abreast on the status of review. These include the Freedom of Information Bill, 2012, the Data Protection Bill 2012 and the Family Law Bills. The Commission found that it had to intervene to prevent publication of these bills before finalization of the review process.

(b) The Leadership and Integrity Act, 2012

Chapter Six of the Constitution is clear on the standard of leadership that is integral for the country. Disturbingly, the final version of the Leadership and Integrity Act, 2012 did not reflect the input and recommendations given by the Commission and the people of Kenya. Following various consultations with different institutions and organizations the CIC reviewed bill was amended by Parliament, altering or removing critical sections designed to implement the Constitution.

(c) Content of Draft Bills

Most of the draft Bills are under-researched and substantially weak in terms of the relevant provisions to facilitate the implementation of the Constitution.

4.2 Suggested Solutions and Recommendations

To address these challenges, the Commission makes the following recommendations:

Public participation:

The Commission recommends that the Executive should work with the Commission and stakeholders to ensure effective public engagement in the development of legislation compliant with the letter and spirit of the Constitution.

Desisting from amendment of legislation that has been reviewed by CIC:

Once a bill has been reviewed by the Commission, which means that it includes views from the public and relevant stakeholders and is

consistent with the Constitution, it is inadvisable to make fundamental amendments to the Bill before enactment. If some clauses in a bill that has been reviewed and finalised are to be changed, the due process of public participation should be followed.

Agreed timelines for priority Bills:

For bills identified as priority, Parliament should make an effort to have them enacted in the stipulated timeframes. This will allow prompt implementation of the prioritized legislation and especially with the upcoming general elections and subsequent devolution to county governments.

5. Focus for the Next Quarter

The Commission has prioritized in the last quarter of the year the development and review of polices, legislation, administrative procedures and regulations, preparing for March 2013 elections, transition to devolved government, and consultative forums.

Development of Policies

- (a) Review and finalization of the first draft of the implementation guide on the bill of rights and constitutional principles in the public service
 - (b) Engage the Ministry of Justice, National Cohesion and Constitutional Affairs on the development of a policy to give effect to the principle of Public Participation.
 - (c) Review the National Health Policy.
 - (d) Review the policy framework for education and training to align education and training sectors in Kenya.
 - (e) Review the National Security Policy formulated by the National Security Council.
 - (f) Review the military and defence policies formulated by the Ministry of State for Defence and the Kenya Defence Forces.
 - (g) Review the National Intelligence policy formulated by the National Intelligence Service.
 - (h) Review the national policing policy developed by the Ministry of State for Provincial Administration and Internal Security and the Inspector-General of the National Police Service.
- Review the national prosecutions policy formulated by the Office of the Director of Public Prosecutions.

Development of Legislation

- (a) Finalization of Freedom of Information Bill, 2012 and the Data Protection Bill, 2012.
- (b) Finalization of National Registration and Identification Bill, 2012 and Refugee Bill 2012.
- (c) Engage with the relevant institutions including the Ministry of State for Public Service on the development, if need be of the Public Service Management Bill.
- (d) Review the following Bills—
 - (i) The National Coroner's Bill;
 - (ii) The Private Securities Regulations Bill;
 - (iii) The Office of the Director of Public Prosecutions Bill
 - (iv) The Office of the Attorney-General Bill;
 - (v) The Contempt of Court Bill; and
 - (vi) The Magistrates' Courts Bill.

Development of Administrative Procedures and Regulations

- (a) Engage Ministry of State for Public Service and the taskforce formed by the Ministry in the development of Values and Principles of Public Service Commission in overseeing the legislation of values and principles as contemplated in the Constitution (Article...)
- (b) Engage with the Public Service Commission to review the Code of Regulations for the Public Service.
- (c) Review administrative measures required to implement the Constitution and operationalize the following legislation:
 - (i) the National Police Service Act, 2011;
 - (ii) the National Police Service Commission Act, 2011;
 - (iii) the Kenya Defence Forces Act (once enacted);
 - (iv) the National Intelligence Service Act (upon enactment);
 - (v) the Independent Policing Oversight Authority Act, 2011;
 - (vi) the Power of Mercy Act, 2011
 - (vii) the Assumption of Office of the President Act, (upon enactment); and
 - (viii) the National Security Council Act (upon enactment).

Preparedness for 2013 General Elections

- (a) Hold regional forums, including one final in Nairobi to highlight the type of leadership we expect as a country, and as envisioned in the Constitution.
- (b) Working with the Registrar of Political Parties and Independent Electoral and Boundaries Commission to monitor the application of the rules and regulations governing political parties and those relating to nomination of candidates, voter registration and voting.
- (c) Meetings with women in marginalized regions to discuss inclusion of women and utilization of the gender quarter stipulated in the constitution.

Towards Transition to Devolved Government.

- (a) Work with Transition Authority and other key stakeholders to ensure timely completion of phase one of transition activities.
- (b) Finalize a monitoring framework for transition to devolved government.
- (c) Carry out media training in Nyeri, Isolo, Garissa, Machakos, Malindi and Voi.
- (d) Carry out county visit sensitization of the public, ministries, state agencies, public corporation and local authorities on matters relating to transition activities and devolution generally.
- (e) Partner with non state actors to roll out a comprehensive plan of action on public awareness creation of opportunities and the importance of participation in the PFM processes to monitor expenditure of public finances.
- (f) Produce manuals, ICT material and radio broadcasts for sensitizing members of the public at the national and county levels of government for both NSA's and government officials.

Consultative Forums

- (a) Hold a consultative forum on Access to Justice;
- (b) Hold a consultative forum on the draft Contempt of Court Bill, 2012 and the Magistrates' Courts Bill, 2012.
- (c) Hold a consultative forum on Traditional Dispute Resolution Strategies.

ANNEXES

Annex 1a: Status of Legislation Development (July – September)

S/No.	Bills	Constitution Chapter	Article(s)	Status/Date Enacted
1	The Marriage Bill, 2012	Four	45(1), (2), (3), (4)(a-b)	Reviewed and submitted to AG
2	The Matrimonial Property Bill 2012:	Four	45(1), (2), (3), (4)(a-b)	Reviewed and submitted to AG
3	The Protection Against Domestic Violence Bill 2012	Four	45(1), (2), (3), (4)(a-b)	Reviewed and submitted to AG
4	The Ratification of Treaties Bill, 2012	One	2	3 rd reading in Sept. 2012.
5	The Election Campaign Financing Bill	Seven	88(i), 91(e)	Reviewed and submitted to AG
6	The Leadership and Integrity Act, 2012	Six, Eight,	80, 99(1)(b), 193(1)(b)	Enacted in August 2012
7	The Public Service Commission Act, 2012	Thirteen	233, 234	Enacted in July 2012

S/No.	Bills	Constitution Chapter	Article(s)	Status/Date Enacted
8	The Petitions to Parliament (Procedure) Act, 2012	Eight	119	Assented to in August, 2012
9	The Assumption of Office of President Act, 2012	Nine	141	Enacted in August 2012.
10	The Kenya Defence Forces Act, 2012:	Thirteen	239(6), 240, 241	Enacted in August 2012
11	The National Intelligence Service Act, 2012	Fourteen	242	Enacted in August 2012
12	National Security Council Act, 2012	Fourteen		Enacted.

Annex 1b: Status of Enactment of Legislation to Date

S/No.	Bills	Constitution Timeline	Status/Date Enacted
A1	Legislation Enacted by 26th August, 2011 Under the Fifth Schedule to The Constitution and The Agreed Schedule of Bills		
1	Supreme Court: The Supreme Court Act, 2011 (Article 163)	One year	Enacted in June 2011
2	Independent Electoral and Boundaries Commission: The Independent Electoral and Boundaries Commission Act, 2011 (Article 88)	One year	Enacted in July 2011
3	System of Courts: The Industrial Court Act, 2011 (Article 162)	One year	Enacted in August 2011
4	Urban areas and Cities: The Urban Areas and Cities Act (Article 184)	One year	Enacted in August 2011
5	System of Courts: The Environment and Land Court Act, 2011 (Article 162)	One year	Enacted in August 2011
6	Kenya National Human Rights and Equality Commission: The National Gender and Equality Commission Act, 2011 (Article 59)	One year	Enacted in August 2011
7	Ethics and Anti-corruption Commission: The Ethics and Anti-Corruption Commission Act, 2011 (Article 79)	One year	Enacted in August 2011
8	Legislation on elections: The Elections Act, 2011 (Article 82)	One year	Enacted in August 2011
9	Legislation on citizenship: The Kenya Citizenship and Immigrations Act, 2011 (Article 18)	One year	Enacted in August 2011
10	Commission on Revenue Allocation: The Commission on Revenue Allocation Act, 2011 (Article 215)	Five years	Enacted in August 2011
11	Power of mercy: The Power of Mercy Act, 2011 (Article 133)	One year	Enacted in August 2011
12	Vetting of Judges and Magistrates: The Vetting of Judges and Magistrate Act, 2011 (Article Sixth Schedule Section 23)	One year	Enacted in August 2011
13	The Judicial Service Act, 2011 (Chapter 10)	One year	Enacted in August 2011
14	Attorney General and Independent offices: The Independent Offices (Appointment) Act, 2011 (Article 156&248)	Five years	Enacted in August 2011
15	Kenya National Human Rights and equality Commission: The Kenya National Human Rights Commission Act, 2011 (Article 50)	One year	Enacted in August 2011
16	Kenya National Human Rights and equality Commission: The Commission on Administrative Justice Act, 2011 (Article 59)	One year	Enacted in August 2011
17	Legislation on political parties: The Political Parties Act, 2011 (Article 92)	One year	Enacted in August 2011
18	Salaries and Remuneration Commission: The Salaries and Remuneration Commission Act, 2011 (Article 230)	One year	Enacted in August 2011
A2	Legislation Enacted By 26th February, 2012 Under The Fifth Schedule To The Constitution and The Agreed Schedule of Bills		
1	Legislation on Chapter 11: The Transition to Devolved Government Act, 2012 (Article 200 & Sixth schedule, Section 15)	Eighteen months	Enacted in February 2012
2	Legislation on Chapter 11: The Intergovernmental Relations Act, 2012 (Article 200 & Sixth schedule, Section 15)	Eighteen months	Enacted in February 2012
3	Legislation on Land: The Land Registration Act, 2012 (Article 68)	Eighteen months	Enacted April 2012
4	Legislation on Land: The Land Act, 2012 (Article 68)	Eighteen months	Enacted April 2012
5	National Land Commission: The National Land Commission Act, 2012 (Article 67)	Eighteen months	Enacted April 2012
6	Legislation on Chapter 11: The County Government Act, 2012 (Article 200 & Sixth schedule, Section 15)	Eighteen months	Enacted in June 2012
7	Teachers Service Commission: The Teachers Service Commission Act, 2012 (Article 237)	Five years	Enacted June 2012
8	Legislation on Chapter 12: The Public Financial Management Act, 2012 (Chapter 12)	Two years	Enacted July 2012
9	The Public Service Commission: The Public Service Commission Act, 2012 (Article 233)	Five years	Enacted August 2012

S/No.	Bills	Constitution Timeline	Status/Date Enacted
A3	Legislation Enacted By 26th August, 2012 Under The Fifth Schedule To The Constitution		
1	Judiciary Fund (Article 173)	Two years	Provided for in the Judicial Service Act, Enacted in March 2011
2	Determination of Questions of Membership of Parliament (Article 105)	Two years	Provided for in the Elections Act, 2011
3	The Public Finance Management Act, 2012	Two years	Enacted May 2012
4	Financial Control (Article 225)	Two years	Legislation included in Public Finance Management Act, 2012. Enacted May 2012
5	Legislation on Leadership: The Leadership and Integrity Bill, 2012 (Article 80)	Two years	Enacted in August 2012
6	Right to Petition Parliament: The Petition to Parliament (Procedure) Bill, 2012 (Article 119)	Two years	Enacted in August 2012
7	Assumption of Office of the President: The Assumption of the Office of the President Bill, 2012 (Article 141)	Two years	Enacted in August 2012
8	National Security Organs: National Intelligence Service Bill, 2012 (Article 239)	Two years	Enacted in August 2012
9	National Security Organs: National Security Council Bill, 2012 (Article 239)	Two years	To be enacted by August 2012
10	National Security Organs (Article 239): Kenya Defence Forces Bill, 2012	Two years	Enacted in August 2012
11	Command of the Police Service: National Police Service Act, 2011 (Article 245)	Two years	Enacted in August 2011
12	Independent Police Oversight Authority Act, 2011	Two years	Enacted in November 2011

Annex 2: Public Advisories issued by CIC

1. The Mining Bill, 2012

The Constitution is the supreme law of the land and is binding on all state organs, state officers and public officers when they exercise their authority. Constitution has clearly set out a procedure that should be followed for preparation of legislation such as the Mining Bill, 2012, that are required for purposes of giving effect and implementing the Constitution. Therefore, the Commission wishes to bring to the attention of the people of Kenya the Constitutional provisions and principles that should be anchored in the Mining Bill and the laid down procedures to be followed.

Background of the Mining Bill

CIC is yet to receive the official copy of the Mining Bill, 2012 from the Office of the Attorney-General for review in accordance with Article 261(1) and (4) and section 5 (6) of the Sixth Schedule to the Constitution. Nonetheless, the Commission has in its possession an advance copy of the Bill from the Ministry of Environment and Mineral Resources, which is accessible for comments on CIC website www.cickenya.org

Owing to the significance of land, minerals and natural resources to the people of Kenya and more so, under the devolved system of governance, the Commission has scheduled a number of consultative meetings involving representatives of all the 47 Counties, civil society, relevant local and international organization, business community, relevant private and public sector institutions, community leaders and groups, amongst others. The purposes of the meetings and this advisory is to convey to the people of Kenya the Constitutional dictates on matters relating to land, mineral and natural resources, salient issues in the Mining Bill, international best practices, and to raise Constitutional, legal and practicality challenges in the Bill.

The Mining Bill and the Constitution

Article 72 of the Constitution obligates Parliament to enact legislation to give full effect of Part 2 of Chapter Five to the Constitution, which provides for matters of environment and natural resources. The Mining Bill, 2012 is one of the laws required to give full effect to the aforementioned provisions of the Constitution. Article 60 of the Constitution states that land in Kenya shall be held, used and managed in a manner that is equitable, efficient, productive and sustainable. Under Article 62(1)(f) of the Constitution all minerals and mineral oils as defined by law, are categorized as public land. Additionally, according to Article 62(3) of the Constitution, all minerals and mineral oils vest in and shall be held by the national government in trust for the people of Kenya and shall be administered on their behalf by the National Land Commission.

Key Issues in the Mining Bill

Principle of compensation

The Bill does not adequately address the principle of compensation for disturbance of owners or lawful occupiers of land subject to a mineral right. It is important that the issue of compensation is adequately addressed by the Bill as required by Article 60(1)(b) of the Constitution. Legal regimes of most countries where mineral activities take place do recognize the principle of compensation in respect of land access. When the landowner's rights are taken for the purposes of mineral development, the owner or lawful occupier must be compensated for any loss or damages that may be caused by the holder of the mineral right. The owner or lawful occupier of the land may be an individual or a community as provided for under article 63 of COK, 2010.

CIC is of the opinion that the Bill must state in clear terms, the mechanisms which mineral right holders would have to follow if it becomes necessary that a community or certain persons have to be resettled to make way for mining operations.

These mechanisms should include:

- (i) Persons or communities would have to decide freely whether they would like to be resettled;
- (ii) The Minister/Cabinet Secretary responsible for mines/the county government shall ensure that communities or persons that agree to be resettled are settled on suitable alternate land without necessarily losing their permanently;
- (iii) Due consideration for the economic wellbeing, social and cultural values of the community or persons to be resettled; and (iv) Due consideration shall be given to the relevant town planning laws.

Additionally, the Bill must make it clear that the above conditions have to be met or satisfied before the mineral right holder can enter the land which the right relates to undertake any mineral operations.

Role of the National Land Commission established under Article 67(1) of the Constitution

CIC notes the role of the National Land Commission in administering all public land as stipulated in Articles 62(3) and 67(2)(a). Regrettably, the Bill makes no reference to the role of National Land Commission. The Bill should set out clearly the relationship between the competent authority and the Commission. This must accord to the provisions of the Constitution and the National Land Commission Act, 2012

Overlap/Duplication of Roles/Functions

The Bill envisages the creation of a semi-independent body to be known as the Kenya Geology, Minerals and Mining Authority

(KGMMA). It is worth noting that Articles 62(1)(f), 62(3) and 67(2)(d) of the Constitution of Kenya raise some constitutional issues concerning the conduct of research involving the use of natural resources and the administration of public lands that contain natural resources (in this case minerals). There is a likely overlap of functions when these Articles of the constitution are compared with the functions of the KGMMA as outlined in clause 17(2)(d) of the Bill.

The Bill requires further review to ensure that it does not violate the Constitution. As drafted, the Bill is in violation of the Constitution.

Ratification of Mining Licences

Article 71(1)(a) of the Constitution of Kenya requires that any agreement, right or concession for the *exploitation* of any natural resource (in this case minerals) of Kenya must be **ratified** by Parliament of Kenya. Consequently, all *mining licences* and *mineral agreements* that have been granted (existing licences/contract/leases/permits/agreements in so far as they are for exploitation only) or may be issued in future must be so ratified.

The CIC is of the view that reconnaissance and prospecting licences as well as prospecting permits are for *exploration* and not *exploitation* of minerals. Such exploration licences or permits need not go to Parliament for ratification. However, in the case of all mining licences, the CIC thinks that there must be a provision in the mining Bill to **re-emphasize** this constitutional provision.

Transparency, accountability and good governance

To safeguard the interest of people of Kenya, it is important that the Bill emphasizes on the principle of transparency and accountability as part of the national values and principles as laid out in Article 10(2) which must include the mandatory publication of all large scale licences granted for the **exploitation of any mineral and all development agreements**. The Ministry of Environment and Mineral Resources, National Land Commission and the competent authority must publish this crucial information for the people of Kenya's information and scrutiny.

Sustainable and Productive Management of Land Resources (Article 60(1)(c))

The Mining Bill, 2012 has no provision to deal with value addition. Over the years, a number of mineral-rich countries particularly those in Africa have called for beneficiation or the addition of value to the minerals that are exploited. This is to maximize the contribution of the industry to the local economy especially where the deposits of some minerals are very large and the exploitation could last for decades. Typical examples include the cutting and polishing of diamonds in Botswana and Angola and attempts by Ghana and Guinea to ensure that their large reserves of Bauxite are smelted and refined in the country. The bill is silent on this critical issue.

Dispute Resolution

The Bill does not adequately address matter of dispute resolution, which is a key facet for consideration in the Mining realm to avert economic losses and to attract investors and competitiveness. This lacuna causes legal and constitutional challenges. Articles 60(1) and 159(2)(c) recognize the need to embrace alternative dispute resolution. This matter ought to be clarified in the Bill so that the same does not pose an economic danger to the Nation.

The CIC is of the opinion that for Kenya to be able to compete globally and attract investment, the possibility of allowing international arbitration (which has become an international practice) for disputes between the holders (foreign investors/companies) of mineral rights and the government as a way of enhancing security of tenure cannot be over-emphasized.

Constitutional Procedure for Preparation of Bills for Tabling Before Parliament

It is imperative that laid down procedure is followed to the letter by all relevant state and public officers. Non-compliance with the procedure shall have the effect of denying the people of Kenya, in whom sovereign power vests, their right to participate in their governance and their right to information. The lack of transparency in a hurried and secretive process violates the Constitution and creates an enabling environment for impunity to thrive through the disregard of the rule of

law. Those state and public officers who blatantly show contempt for the Constitution must be held accountable under chapter six of the Constitution with regard to their remaining in office.

Other Issues:

CIC also note other issues that must be adhered to before the Mining Bill may be published, tabled in Parliament or enacted by Parliament. These include—

- (a) the necessity to ensure adequate public participation
- (b) the need to factor in the law on community land where most of these minerals and mineral oils will be found and how to resolve disputes or manage conflicts that may arise out of the discovery of minerals and other natural resources
- (c) clarifying the role of the National Land Commission which is constitutionally mandated to manage and administer mineral and mineral oils
- (d) addressing the issue of how the mineral will be shared for the benefit of the people of Kenya: cost benefit sharing
- (e) transparency in the management and administration of minerals

The purpose of this advertisement is to afford the people of the Kenya an opportunity to participate in the law making process as required under the Constitution. We seek public views, comments, suggestions and proposals on the Bill and how best the aforementioned issues, and other Constitutional principles and provisions may be addressed. Members of the Public are invited to submit their memorandum either in hard copy or by email within a period of one month. **(By 19th October, 2012).**

The Bill may be accessed from our website: <http://cickenya.org>. Written memorandum may be delivered, posted or emailed to the address herein below.

2. The Leadership and Integrity Bill, 2012

Pursuant to section 5(6) of the Sixth Schedule to the Constitution, Section 4 of the Commission for the Implementation of the Constitution Act, 2010 and in the spirit of upholding the principle of public participation under Article 10 of the Constitution, the Commission for the Implementation of the Constitution (CIC) hereby **seeks public views on the Leadership and Integrity Bill**.

On 19th June, 2012, the Commission for the Implementation of the Constitution received the Leadership and Integrity Bill from the office of the Attorney General. The Commission notes the significance and necessity of enacting the Leadership and Integrity Bill within the stipulated timeframe of 26th August, 2012 to ensure the implementation process is firmly on track.

Chapter Six of the Constitution and Background of the Bill

Chapter Six of the Constitution of Kenya 2010 focuses on Leadership and Integrity. This Chapter dictates the Responsibilities of Leadership (Article 73(1) and expects State Officers to be responsible and guided by principles of leadership and integrity as contemplated in Article 73(2). State Officers shall take and subscribe the oath or affirmation of office (Article 74). The Chapter further elaborates on the conduct of State Officers (Article 75), financial probity (76), restriction on activities (Article 77) and citizenship and leadership (Article 78). It is on the basis of this Chapter that the Ethics and Anti-Corruption Commission is established (Article 79) for purposes of ensuring compliance with, and enforcement of the provisions of Chapter Six. The Leadership and Integrity Bill, 2012 gives effect to Article 80 which states that Parliament shall enact legislation—

- (a) establishing procedures and mechanisms for the effective administration of this Chapter;
- (b) prescribing the penalties, in addition to the penalties referred to in Article 75, that may be imposed for a contravention of this Chapter;
- (c) providing for the application of this Chapter, with the necessary modifications, to public officers; and
- (d) making any other provision necessary for ensuring the promotion of the principles of leadership and integrity mentioned in this Chapter, and the enforcement of this Chapter.

Summary of the Leadership and Integrity Bill, 2012

I. General Outline of the Leadership and Integrity

It has 9 parts, 86 clauses and 5 schedules. It has the following Parts:-
1. Preliminary 2. General Leadership and Integrity Code 3. Specific Leadership and Integrity Codes, 4. Enforcement of The Leadership and Integrity Code 5. Declarations of Income, Assets and Liabilities, 6. Offences and Penalties 7. Kenya Leadership Forum 8. General 9. Transitional arrangement 10. 5 Schedules (responsible commissions, designated state officers, registrable interests, appropriate authorities, declarations)

II. Objective of the Bill

This Bill seeks to

- (a) establish and give effect to mechanisms for the effective administration of Chapter Six of the Constitution promote ethics, integrity and servant leadership among State officers,
- (b) make provision for leadership and integrity standards applicable to State officers.
- (c) give effect to provisions of the Public Officer Ethics Act, 2003

III. Enactment of Leadership and Integrity Codes by responsible commissions

The Bill directs responsible commissions e.g. Parliamentary Service Commission (for MPs), the Judicial Service Commission (for Judges and Magistrates) and the Ethics and Anti-corruption Commission (for Cabinet) to enact and enforcement of specific leadership and integrity Codes for specific categories of State Offices under their responsibility. The leadership and integrity Codes, in line with Chapter 6 of the Constitution, contains aspirational and mandatory standards to be practiced by these State Officers. Specifically the Code demands that State Officers observe the rule of law up, principles on transparency and accountability, professionalism, financial integrity, avoid conflicts of interest and be impartial and political neutrality etc.

IV. Other important provisions

The Bill also proposes

1. various enforcement and penalty mechanisms following breaches of the Constitution, this proposed Bill or specific leadership codes such as investigation, removal from office, censure, surcharge, civil action, criminal prosecution, demotion, etc.;
2. an open, transparent and accountable declarations system and in particular declarations wealth, declaration of conflict of interest, declaration of gifts received, of wealth register, declaration of foreign bank accounts etc;
3. to establish an unincorporated multi-sectoral consultative forum, to be known as the Kenya Leadership and Integrity Forum. The Forum is meant to—
 - (a) develop, facilitate, monitor, review and evaluate the implementation of a national integrity plan
 - (b) plan, prioritize, mainstream and implement activities that build and enhance public-private partnership in leadership, integrity and good governance
 - (c) hold national and regional consultative forums for the implementation of integrity and governance programmes and initiatives
 - (d) share information and best practices on sectoral leadership and integrity issues.

The purpose of this advertisement is to afford the people of the Kenya an opportunity to participate in the law making process as required under the Constitution. We seek public views, comments, suggestions and proposals on how best to attain the objects of Chapter Six and other relevant Articles of the Constitution. This is to ensure the realization of the values and principles enshrined in the Constitution. Other than general comments on the Leadership and Integrity Bill, 2012, we are seeking view on the following pertinent issues;

1. What better preventative measures can be adopted to promote ethics and integrity in public service?
2. Article 77(1) of the Constitution states that "A full-time State

Officer shall not participate in any other gainful employment"

- (a) How should "participate in any other gainful employment" be defined? (b) Does this mean for example that if a State Officer is currently engaged in farming outside of his/her working hours and there is no conflict of interest that he/she should cease these farming activities by virtue of being a State Officer?
3. Should a State officer who has faced disciplinary action under this proposed law have his/her name publicized in the gazette and at least one newspaper with national circulation?
4. Part IV of the Leadership and Integrity Bill proposes to establish a Kenya leadership and Integrity Forum which is a citizens' forum pursuant to Article 80(d) of the Constitution to foster the promotion of leadership and integrity principles through multi-sectoral consultations, implementation, and peer-review among public, private, civil society, professional and religious and other sectors.
 - (a) Should this forum be established by way of legislation either in this proposed Leadership and Integrity Bill or in other legislation?
 - (b) Should the Ethics and Anti-Corruption Commission serve as the Forum's secretariat?
5. What should be done with assets and monies recovered from State Officers which is undeclared or ill-gotten?
 - (a) Should a certain percentage be retained by the Ethics and Anti-Corruption Commission?
 - (b) Should the proceeds be deposited in the consolidated fund or equalization fund? And why?
 - (c) How else can the assets and monies recovered be treated?

Members of the Public are invited to submit their memorandum either in hard copy or by email By Friday, 20th May, 2012).

The Bills may be accessed from our website: <http://cickenya.org>. Written memorandum may be delivered, posted or emailed to the address herein below.

3. The Elections Act, 2011; and the Political Parties Act, 2011 1. Mandate of the Commission (CIC)

CIC makes this statement in line with its constitutional mandate as defined in section 5(6) of the sixth schedule to the Constitution of Kenya, 2010. Under this section, CIC's mandate is to monitor, facilitate and oversee the development of legislation and administrative procedures required to implement the Constitution of Kenya, 2010. The ultimate goal is to protect the sovereignty of the people, secure the observance by all state organs of democratic values and principles; and to promote constitutionalism.

2. The Process of Implementation:

In carrying out its mandate CIC seeks to ensure that State Agencies and indeed the people of Kenya adhere to the requirements of the Constitution of Kenya 2010. It is in this context that CIC seeks to address matters relating to the current attempt by Parliament to introduce far-reaching amendments to the Elections Act, 2011 and the Political Parties Act, 2011, which go to the root of the Constitution and violate various provisions and spirit of the 2010 Constitution.

Of particular concern to CIC is the proposed amendment by Parliament of the two statutes mentioned above in contravention of the established process for the preparation of any legislation intended to implement the Constitution. Article 261(4) requires all legislation intended to implement the Constitution to be prepared by the Attorney General in consultation with CIC before presentation to Parliament for Enactment. Article 10(2) prescribes the national values and principles of democracy and public participation in such a process.

3. The Statute Law (Miscellaneous Amendments) Bills, 2012

Statute Law (Miscellaneous Amendments) Bills are essentially intended to consolidate various minor amendments from different Statutes. These relate to the elimination of anomalies, repeal of any obsolete and unnecessary enactments and for general simplification. It is NOT the primary means by which substantive amendments to the law should be effected, particularly amendments that go to the root of

the Constitution or otherwise impact on the process of implementation. The Commission's considered view with regard to substantive amendments to existing statute laws is that proposals for such amendment and resultant amendment Bills should ordinarily result from proposals made by the Executive after following due process as set out in the Constitution.

It is light of this view that CIC expresses concern regarding the legislative process presently applied by the National Assembly to amend various Acts of Parliament that have been enacted since the promulgation of the Constitution of Kenya, 2010 through the Statute Law (Miscellaneous amendments) Bill 2012. The Commission (CIC) has reviewed the Bill and the proposed amendments thereto that have been proposed by Members of Parliament and finds this trend deeply disturbing.

In the case of proposed substantive amendments that impact on the implementation of the Constitution and significantly alter the provisions of any existing Act, such proposals to amend should follow the full mandatory legislative process as outlined in Article 261 of the Constitution. This Article requires the Attorney General to consult with CIC in the preparation of any Bill intended for implementation of the Constitution before its tabling in Parliament. The purpose of CIC's involvement in the preparation of any such Bill is to ensure that its content is in line with the letter and spirit of the Constitution. In addition, the Constitution requires thorough and meaningful consultative process that satisfies the imperatives of public participation required by Article 10 in relation to all legislation and subsequent amendments that impact on the implementation of the Constitution.

The Commission is greatly alarmed by the numerous proposals by the National Assembly to use the Statute Law (Miscellaneous Amendments) Bill to amend crucial provisions of the Elections and Political Parties Acts. Worryingly some of the proposed amendments are clearly not intended for the purpose of reforming the law. Evidently, they are designed to secure the personal interest of currently serving Members of Parliament. This is in direct contravention of Article 116 of the Constitution as a few of the following examples demonstrate.

CIC is particularly concerned by the proposal:

- (a) to introduce additional remuneration to Members of Parliament and other Parliamentary officials through the Bill in violation of Article 116(3) (which prohibits legislation designed to confer benefits to sitting members of Parliament) which is an affront to the role of the now operational Salaries and Remuneration Commission and conflicts with Articles 73 and

75 (prohibition of State Officers acting with conflict of interest);

- (b) to waive the educational requirements for serving and previous elected officials in contravention of Articles 27 (on non-discrimination), 116(3) and 10 (which prescribes democratic ideals violated in this process);
- (c) to allow candidates seeking elective office to stand for one or more elective offices, which conflicts with Article 201 (prudent use of public funds, which multiple candidature would misuse through consequent wasteful by-elections).
- (d) to allow presidential candidates and their running mates to be included in party lists which are intended to give opportunity to apply the principle of affirmative action contemplated by Article 90 of the Constitution in relation to representation of women, the youth, persons with disabilities and marginalized groups and communities. Such an amendment would defeat the intent of Article 90 if such candidates are allowed to take positions reserved for disadvantaged groups and;
- (e) other proposed amendments seek to legalize party hopping by current members of Parliament despite clear prohibitions on the same by Article 103 and Section 40 of the previous Constitution under which the MPs were elected.

4. The Need for Urgent Intervention:

The process being applied by Parliament to make these substantive amendments violates the constitutional process and the letter and spirit of the Constitution. Accordingly, if Parliament proceeds to pass the amendments as proposed, CIC will be duty bound to seek court intervention on grounds of unconstitutionality, unless His Excellency the President intervenes by declining to assent to such Bills.

In the meantime, CIC has requested the Speaker of the National Assembly to reject any attempt by members to use the Statute Law (Miscellaneous Amendment) Bills to amend the law through a unconstitutional process or to allow the passage of unconstitutional amendments.

We also call on all parliamentarians of good will to exercise their constitutional mandate in such a way as to unreservedly support the established constitutional process and guard against any attempt to water down legislation required to implement the Constitution. More than ever before, we must all remain vigilant and guard against any attempt to subvert the due process and the Constitution.

Contact details:

COMMISSION FOR THE IMPLEMENTATION OF THE CONSTITUTION PARKLANDS PLAZA, CHIROMO LANE, WESTLANDS
P. O. BOX 48041-00100 Tel. No: 07083266404, 0202462374 Email: manager@cickenya.org, info@cickenya.org

Annex 3: A List and Status Report of Judicial Interventions

Item	Particulars of case/application	CIC	Advocates representing CIC	Nature of Complaint	Status	Remarks
1	Nrb. H. C. Petition No. 65 of 2011 consolidated with Petitions No. 123 of 2011 and 185 of 2011 John Harun Mwau & 3 Others - vs- The Hon. Attorney General & 2 Others	2nd Respondent	M/s Letangule & Co. Advocates	Constitutional Petition challenging the constitutionality of paragraphs 9(1) and 10 of the Sixth Schedule of the Constitution of Kenya 2010 in so far as they imply that the next general elections may be held on a date other than the second Tuesday of August 2012.	Judgment delivered on 13/1/12. In its judgment, the High Court gave two options as to when the first general election, under the current Constitution, should be held. The first option was that the first general election under the current Constitution should be held within 60 days of the dissolution by the two Principals of the current Coalition Government while the second option was that they be held on a date within 60 days of 14th January 2013 when the term of the present Parliament expires. The Centre for Rights Education and Awareness and the Caucus for Women	
	Civil Appeal No. 74 & 82 of 2012 Centre for Rights Education and Awareness & 2 Others -vs- John Harun Mwau & 6 Others	6th Respondent				

Item	Particulars of case/application	CIC	Advocates representing CIC	Nature of Complaint	Status	Remarks
					Leadership filed a Notice of Appeal against the Judgment of the Court on 19/1/12. Petition allowed. The Court set aside the Order given by the High Court to the effect that the first elections should be held in the year 2012 within 60 days from the date on which the National Coalition is dissolved by written agreement between the President and the Prime Minister and held that the only body left to fix the date for the first general election under the current and held that Constitution is the Independent Electoral and Boundaries Commission (IEBC) and the date of 4th March 2013 that it has fixed being within sixty days of 14th January 2013 is lawful.	
2.	Nrb. H. C. Petition No. 237 of 2011 Daniel Kipchirchir Sang –vs- The Hon. Attorney General and 4 Others	3rd Respondent	M/s Ojiambo & Co. Advocates	Constitutional Petition challenging the constitutionality of the removal of the members of the Parliamentary Service Commission.	The Petitioner formally withdrew the matter on 2/3/12.	
3.	Kisii H. C. Petition No. 45 of 2011 Kerosi Ondieki – vs- Public Service Commission and 2 Others	Interested Party		Constitutional Petition challenging the constitutionality of the failure by PSC to carry out its mandate and pay CIC commissioners their salaries. Amended Petition Filed on 6/9/11.	Petition dismissed. The Court held that the Petition was prematurely made since a constitutional issue had not yet arisen.	
4.	Kisii H.C. Misc. App. No. 27 of 2012 Republic -vs- The Independent Electoral and Boundaries Commission Ex parte John Munga Mingusa and 2 Others	1st Interested Party		Judicial Review application for orders to quash IEBC's erroneous the delimitation of Kogweno Oriang' East and Kogweno Oriang' West sub-locations from Central Ward of Karachuonyo constituency to Kanyaluo Ward contrary to the views the resident.	The application was consolidated under Nairobi JR Misc. App. 94 of 2012 Republic v Independent Electoral and Boundaries Commission & another Ex-Parte Councillor Eliot Lidubwi Kihusa & 5 others Judgment delivered on 9/7/12. The court issued orders quashing IEBC's delimitation of the delimitation of Kogweno Oriang' East and Kogweno Oriang' West sub-locations on the grounds that IEBC failed to take into account the community of interest between the residents of Kogweno Oriang East and Kogweno Oriang West and Central Ward.	
5.	Nbi. H.C. Petition No. 26 of 2012 James Oyugi & 2 Others –vs- The Independent Electoral and Boundaries Commission	Interested Party		Constitutional Petition challenging the constitutionality of IEBC's decision to delimit the boundaries of the proposed Suba North and Suba South Constituencies	The petition was consolidated under Nairobi JR Misc. App. 94 of 2012 Republic v Independent Electoral and Boundaries Commission & another Ex-Parte Councillor Eliot Lidubwi Kihusa & 5 others and dismissed. Judgment delivered on 9/7/12. Petition dismissed. The Court held that Ruma Location and Lambwe Settlement Scheme are located in the proposed Suba North and Suba South constituencies, and there is no justifiable reason or basis to move Ruma Location to the proposed Suba North Constituency. The boundaries	

Item	Particulars of case/application	CIC	Advocates representing CIC	Nature of Complaint	Status	Remarks
					of the both constituencies were not affected by the First Review.	
6.	Kisii H. C. Misc. App. No. 56 of 2011 Matiko Bohoko and another -vs- The Deputy Prime Minister and Minister for Local Government & 2 Others	1st Interested Party		A Constitutional application to restrain the Deputy Prime Minister and Minister for Local Government, Clerk of the National Assembly and the Hon. Attorney General from presenting the bills on devolved government to Parliament for debate until special seats are created or such safeguards are put in place to protect marginalized communities like the Kuria Community. Filed 3/9/11.	Hearing of the Further Amended Petition on 24/10/12.	Pending hearing
7.	Nrb. Petition No. 385 of 2012 Consortium for the Empowerment and Development of Marginalized Communities and others -vs- The Chairperson of the Selection Panel for Appointment of Chairperson and Commissioners to the Kenya National Commission for Human Rights	4th Respondent		Constitutional Petition challenging the constitutionality of the selection process of Commissioners to the Kenya National Human Rights Commission by the Selection Panel. Filed on 3/9/12. Application for orders seeking to restrain the Selection Panel, Minister for Justice National Cohesion and Constitutional Affairs and the Hon. Attorney General from appointing or recommending the appointment of the chairperson or members of the Kenya National Commission for Human Rights came up for hearing on 3/9/12.	On 24/9/12, the Court issued orders restraining the 1st, 2nd and 5th Respondent from appointing or recommending the appointment of the chairperson or members of the Kenya National Commission for Human Rights for 30 days. The matter was mentioned on 28/9/12.	Pending hearing
8.	Nbi. H.C. Petition No. 351 of 2012 Andrew Okiya Omtatah Okoit & 3 Others -vs- The Hon. Attorney General & The Commission for the Implementation of the Constitution	2nd Respondent		Constitutional Petition challenging the constitutionality of the Judgment of the High Court in Nairobi High Court Petition No. 208 of 2012 Centre for Rights Education & Awareness (CREAW) & 6 Others vs. The Hon. Attorney General. Filed on 14/8/12. The Petitioners contend that during the President's tenure of office under the former and the new Constitution no Court shall have jurisdiction to determine the legality of any action or omission of the President in the exercise of his powers under the former or new Constitution.	The matter came up for Hearing on 20/9/12.	Pending hearing
9.	Nbi. H.C. Petition No. 454 of 2012 The Commission for the Implementation of the Constitution -vs- Parliament of the Republic of Kenya and the Hon.	Petitioner	M/s Njoroge Regeru & Co. Advocates	Constitutional Petition challenging the constitutionality of procedures and mechanisms provided for in the Leadership and	Hearing on 10/10/12	Petition pending hearing

Item	Particulars of case/application	CIC	Advocates representing CIC	Nature of Complaint	Status	Remarks
	Attorney General			Integrity Act, 2012 to ensure effective administration of Chapter 6 of the Constitution.		
10.	Nbi. H.C. Petition No. 21 of 2012 Patrick Njuguna & 7 Others -vs- The Hon. Attorney General & 3 Others	1st Interested Party		Constitutional Petition challenging the constitutionality of persons charged with serious crimes taking up appointive or elective positions.	The 2nd and 7th Petitioners filed a Notice of Motion dated 27/8/12 and amended on 21/9/12 to strike out the further amendments joining the Right Hon. Prime Minister Raila Amolo Odinga, the Hon. Stephen Kalonzo Musyoka and the Hon. Wycliffe Musalia Mudavadi as Respondents. The application came up for Hearing on 3/10/12.	Petition pending hearing
11.	Nrb. H. C. Petition No. 102 of 2011 Federation of Women Lawyers Kenya (FIDA-K) & 5 Others -vs- The Hon. Attorney General and another	Amicus Curiae	M/s Murgor & Murgor Advocates	Constitutional Petition challenging the constitutionality of the recommendation made by the Judicial Service Commission to President for the appointment of one woman and four men as Judges of the Supreme Court (appointment of more than two thirds of the male gender and less than one third of the female gender for appointment to the office of Judges of the Supreme Court.	Judgment delivered on 25/8/11. Petition dismissed. The Court held that the principle of gender equity was subject to progressive realization.	
12.	Re The Matter of Commission for the Implementation of the Constitution Advisory Opinion (AO) No. 1 of 2011	Applicant	M/s Njoroge Regeru & Co. Advocates Azania Legal Consultants M/s Majanja Luseno And Company Advocates	Application seeking an Advisory Opinion on the question of nomination and appointment of constitutional and public officers and the effect of the provisions of the Sixth schedule (Transitional and Consequential Provisions) to the Constitution on these appointments.		

Annex 4a: Summary of Implementing Agencies Reports – Government Ministries

Variable	MOH	MoEAC	MoGCSD	MoL	MoLD	MoTR	MoFW	MoDNKAL	MoSD	Mo SP	MoT SM
Baseline information											
a) Overall Sectoral Policy	✓	x	x	✓	✓	✓	✓	x	✓		✓
b) Other Policies in the Sector	2	x	8	x	5	8	5	x	x		6
c) Laws the institution responsible for	2 3	2	7	2	2 6	5	2 7	3	1		1
d) List of Subsidiary Legislation	7	x	3	2	2 5	3	6	2	1		x
e) Administrative Instruments ¹	4	x	4	x	4	2	1 7	2	x		x
Familiarization with Constitution of Kenya, 2010											
a) Avail Copies to Staff	✓	✓	✓	✓	✓	✓	✓	x	x	✓	✓
b) Upload Soft	✓	✓	✓	✓	✓	✓	✓	x	x	✓	✓

Variable	MOH	MoEAC	MoGCSD	MoL	MoLD	MoTR	MoFW	MoDNKAL	MoSD	MoSP	MoTSM
Copy on Website											
c) Sensitization W/Shop for Staff	✓	✓	✓	✓	✓	✓	✓	x	x	✓	✓
d) Sector Specific Constitutional Provisions isolated	9	1	6	Chap. 5	1 7	x	2 6	2	Chap. 1 4		5
e) Integration of the Constitution into Performance Contracts	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Policies Development and Review											
a) Policies developed/reviewed	2	x	8	x	2	2	x	x	x		1
b) Policies to be developed by Dec 2012	2	x	x	1	1	2	1	1	x		x
c) Policies to be developed by Dec 2013	1	x	2	1	Complete 1 above	Align the 2 above	x	1	x		1
d) Policies to be developed long term	1	x	x	2	x	x	x	1			1
Laws Development and Review											
a) Laws developed/reviewed	x	2	2	3	5	x	x	x	x		1
b) Laws to be developed/reviewed by Dec 2012	1	1	1	3	1	6	1	1	x		x
c) Laws to be developed by Dec 2013	5	x	x	2	1 2	x	x	x	x		Yes, # not specified
d) Laws to be developed in the long term	7	x	x	2	1	x	x	x	x		Yes, # not specified
Administrative Procedures Development and Review											
a) Administrative procedures developed/reviewed	3	x	x	x	4	1	x	1	x		2
b) Administrative Procedures to be developed by Dec 2012	1	x	x	x	1	1	x	x	x		1
c) Administrative Procedures to be developed by Dec 2013	1	x	4	x	1	x	x	x	x		2
d) Administrative Procedures to be developed	x	x	x	x	x	x	Various	x	x		x

Variable	MOH	MoEAC	MoGCSD	MoL	MoLD	MoTR	MoFW	MoDNKAL	MoSD	MoSP	MoTSM
long term											
e) Ratified International Treaties	2 1	3	9	x	1 1	1 2	5	x	x		x
Change Management Strategy											
a) Availability of Strategy ²	✓	✓	x	✓	✓	x	x	x	x		x
b) Collaboration with CIC ³	✓	✓	✓	✓	✓	✓	✓	✓	✓		x

MOH- Ministry of Health, MoEAC – Ministry of East Africa Community, MoGCSD – Ministry of Gender, Children and Social Development, MoL – Ministry of Lands, MoTR – Ministry of Trade, MoFW – Ministry of Forestry and Wildlife, MoDNKAL – Ministry of Development for Northern Kenya and Arid Lands, MoD – Ministry of Defence, MoSP – Ministry of Special Programmes, MoTSM – Ministry of Tourism, MoSD – Ministry of State for Defence.

Key: (□) means the Ministry has undertaken the activity required, while (x) means not yet.

Annex 4b: Summary of Implementing Agencies Reports – State Corporations

Variable	Multimedia	NSSF	NHC	YEDFB	KWS	CMA	KPOSB	KPS	NMK	OCB	KNEC	UON
Baseline information												
a) Overall Sectoral Policy	x	x	x	x	✓	✓	x	x	x	✓	✓	x
b) Other Policies in the Sector	8	x	x	x	x	5	x	x	3 ⁴	7	6	13
c) Laws the institution responsible for	1	x	x	x	1	1	x	x	1	3	1	16
d) List of Subsidiary Legislation	6 ⁵	x	x	x	x	13	x	x	1	1	x	2
e) Administrative Instruments ⁶	4	x	x	x	x	6	x	x	4	2	2	9
Familiarization with Constitution of Kenya, 2010												
Avail Copies to Staff	✓	x	✓	x	✓	✓	✓	✓	✓	✓	✓	✓
Upload Soft Copy on Website	✓	✓	✓	x	✓	✓	✓	✓	✓	✓	x	✓
Sensitization W/Shop for Staff	✓	✓	✓	x	✓	✓	✓	✓	✓	✓	x	✓
Sector Specific Constitutional Provisions isolated	x	x	x	1	23	11	x	5	x	5	4	2
Integration of the Constitution into Performance Contracts	✓	✓	✓	✓	✓	✓	x	✓	✓	✓	x	✓
Policies Development and Review												
Polices developed/reviewed	1	1	x	x	4	1	5	?	1	x	x	13
Polices to be developed by Dec 2012	1	1	x	x	x	2	x	15	1	2	x	1
Polices to be developed by Dec 2013	1	x	x	x	7	1	x	9	1	1	x	x
Polices to be developed long term	1	x	x	x	x	2	x	x	1	1	x	x
Laws Development												

² Many institutions do not have change management strategies but have some guiding frameworks, e.g., strategic plans, service delivery charters, e.t.c, which they indicate have change management strategy elements

³ The type of collaboration reported relate to submission of reports and meetings.

⁴ Many, classified under three: management policy, research affiliation policy, data sharing policy.

⁵ Need to check responses to this question: Legal Notice, Education Act, KRA, NHIF, NSSF, NEMA.

⁶ Institutions indicate they have many of these but only list a few.

Variable	Multimedia	NSSF	NHC	YEDFB	KWS	CMA	KPOSB	KPS	NMK	OCB	KNEC	UON
and Review												
Laws developed/reviewed	x	1	2	1	x	2	x	3	1	2	x	1
Laws to be developed/reviewed by Dec 2012	x	1	x	x	2	1	x	5	x	2	x	x
Laws to be developed by Dec 2013	x	x	x	x	x	4	x	5	1	x	x	x
Laws to be developed in the long term	x	x	x	x	x	1	x	x	x	x	x	x
Administrative Procedures Development and Review												
Administrative procedures developed/reviewed	1	x	x	7	1	2	x	1	1	1	x	5
Administrative Procedures to be developed by Dec 2012	x	x	x	x	x	2	x	1	1	3	x	2
Administrative Procedures to be developed by Dec 2013	x	x	x	x	x	1	x	X	x	1	x	x
Administrative Procedures to be developed long term	x	x	x	x	x	x	x	X	x	x	x	x
Ratified International Treaties	x	x	x	x	9	1+	x	X	4	x	x	4
Change Management Strategy												
Availability of Strategy ⁷	✓	x	✓	x	✓	x	x	X	✓	✓	x	✓
Collaboration with CIC ⁸	✓	✓	✓	x	✓	✓	✓	X	✓	✓	✓	✓

⁷ Many institutions do not have change management strategies but have some guiding frameworks, e.g., strategic plans, service delivery charters, e.t.c, which they indicate have change management strategy elements.

⁸ The type of collaboration reported relate to submission of reports and meetings.

GAZETTE NOTICE NO. 14318

ALI JAMA ABDI

DISPOSAL OF UNCOLLECTED GOODS

NOTICE is issued pursuant to the provisions of section 5 of the Disposal of Uncollected Goods Act (Cap. 38) of the laws of Kenya, to the owners of Land-Rover 110 pick-up, reg. No. KPN 211, green in colour and a posho mill together with a 50 horse power mortar, to collect the from L.R. No. No. 2116/221, situated within Kitale Municipality, along Central Elgon Road, which land belongs to Ali Jama Abdi, upon payment of storage charges within twenty-one (21) days from the date of publication of this notice, failure of which the said goods will be sold by public auction as scrap, to defray the storage charges in accordance with the provisions of the Disposal of Uncollected Goods Act.

AL JAMA ABDI,
Land Owner.

GAZETTE NOTICE NO. 14319

APIYAA AUTO INVESTMENT COMPANY

DISPOSAL OF UNCOLLECTED GOODS

NOTICE is issued pursuant to the provisions of section 5 of the Disposal of Uncollected Goods Act (Cap. 38) of the laws of Kenya, to the owners toyota Corolla, reg. No. KAU 698 M and Toyota Corolla, reg. No. KAV 455P, motor vehicles, to take delivery of the said same from the premises of Apiyaa Auto Investment Company, Outering Road, near Total Petrol Station, Kariobangi South, Nairobi, within thirty (30) days from the date of publication of this notice upon payment of all outstanding repair cost/storage charges including the cost of publishing this notice, failure to which the said motor vehicles will be sold either by public auction or private treaty and the proceeds of the sale shall be defrayed against any accrued repair costs/storage charges and the balance if any, shall remain at the owners credit, but should there be a shortfall, the owner shall be liable thereof.

F. ORONDO,
Operations Manager.

GAZETTE NOTICE NO. 14320

CORPORATE INSURANCE COMPANY LIMITED

(Incorporated in Kenya)

Head Office: P.O. Box 34172, Nairobi

LOSS OF POLICY

Policy No. CL/20/11858 in the name and on the life of Benjamin Kipkoech Menjo.

APPLICATION has been made to this company for the issue of duplicate of the above numbered policy, the original having been reported as lost or misplaced. Notice is given that unless objection is lodged to the contrary at the office of the company within thirty (30) days from the date of this notice, duplicate policy will be issued, which will be the sole evidence of the contract.

Dated the 17th October, 2013.

MR/3564461

JOAN NJUKI,
Life Department.

GAZETTE NOTICE NO. 14321

CFC LIFE ASSURANCE LIMITED

Head Office: P.O. Box 30364-00100, Nairobi

LOSS OF POLICY

Policy No. 3548339 in the name and on the life of David Mwaure Waihiga.

APPLICATION having been made to this company on the loss of the above numbered policy, notice is given that unless objection is lodged to the contrary at the office of the company within thirty (30) days from the date of this notice, duplicate policy will be issued, and shall be used as the only valid document by the company for all future transactions.

Dated the 4th October, 2013.

MR/3564412 ROSELYNE KHAMALA,
Ag. Head of Customer Service, CFC Life.

GAZETTE NOTICE NO. 14322

CFC LIFE ASSURANCE LIMITED

Head Office: P.O. Box 30364-00100, Nairobi

LOSS OF POLICY

Policy No. 8119877 in the name and on the life of Gibson Wainaina Kamande.

APPLICATION having been made to this company on the loss of the above numbered policy, notice is given that unless objection is lodged to the contrary at the office of the company within thirty (30) days from the date of this notice, duplicate policy will be issued, and shall be used as the only valid document by the company for all future transactions.

Dated the 4th October, 2013.

MR/3564412 ROSELYNE KHAMALA,
Ag. Head of Customer Service, CFC Life.

GAZETTE NOTICE NO. 14323

CFC LIFE ASSURANCE LIMITED

Head Office: P.O. Box 30364-00100, Nairobi

LOSS OF POLICY

Policy No. 8150799 in the name and on the life of Ann Nduta Njeri.

APPLICATION having been made to this company on the loss of the above numbered policy, notice is given that unless objection is lodged to the contrary at the office of the company within thirty (30) days from the date of this notice, duplicate policy will be issued, and shall be used as the only valid document by the company for all future transactions.

Dated the 4th October, 2013.

MR/3564412 ROSELYNE KHAMALA,
Ag. Head of Customer Service, CFC Life.

GAZETTE NOTICE NO. 14324

CFC LIFE ASSURANCE LIMITED

Head Office: P.O. Box 30364-00100, Nairobi

LOSS OF POLICY

Policy No. 6986321 in the name and on the life of Wasua Obed Matel.

APPLICATION having been made to this company on the loss of the above numbered policy, notice is given that unless objection is lodged to the contrary at the office of the company within thirty (30) days from the date of this notice, duplicate policy will be issued, and shall be used as the only valid document by the company for all future transactions.

Dated the 4th October, 2013.

MR/3564412 ROSELYNE KHAMALA,
Ag. Head of Customer Service, CFC Life.

GAZETTE NOTICE NO. 14325

CFC LIFE ASSURANCE LIMITED

Head Office: P.O. Box 30364-00100, Nairobi

LOSS OF POLICY

Policy No. 8131482 in the name and on the life of Russel Tracy Onyango.

APPLICATION having been made to this company on the loss of the above numbered policy, notice is given that unless objection is lodged to the contrary at the office of the company within thirty (30) days from the date of this notice, duplicate policy will be issued, and shall be used as the only valid document by the company for all future transactions.

Dated the 17th October, 2013.

MR/3551708 ROSELYNE KHAMALA,
Ag. Head of Customer Service, CFC Life.

GAZETTE NOTICE No. 14326

CFC LIFE ASSURANCE LIMITED

Head Office: P.O. Box 30364-00100, Nairobi

LOSS OF POLICY

Policy No. 4137944 in the name and on the life of Anil Binul Pitrola.

APPLICATION having been made to this company on the loss of the above numbered policy, notice is given that unless objection is lodged to the contrary at the office of the company within thirty (30) days from the date of this notice, duplicate policy will be issued, and shall be used as the only valid document by the company for all future transactions.

Dated the 17th October, 2013.

MR/3551708 ROSELYNE KHAMALA,
Ag. Head of Customer Service, CFC Life.

GAZETTE NOTICE No. 14327

CFC LIFE ASSURANCE LIMITED

Head Office: P.O. Box 30364-00100, Nairobi

LOSS OF POLICY

Policy No. 6930158 in the name and on the life of Siboe Joseph Mauka.

APPLICATION having been made to this company on the loss of the above numbered policy, notice is given that unless objection is lodged to the contrary at the office of the company within thirty (30) days from the date of this notice, duplicate policy will be issued, and shall be used as the only valid document by the company for all future transactions.

Dated the 17th October, 2013.

MR/3551708 ROSELYNE KHAMALA,
Ag. Head of Customer Service, CFC Life.

GAZETTE NOTICE No. 14328

PIONEER ASSURANCE COMPANY LIMITED

Head Office: P.O. Box 20333-00200, Nairobi

LOSS OF POLICY

Policy No. 270000219 in the name and on the life Margaret Wanyama Beda.

REPORT having been made to this company on the loss of the above numbered policy, notice is given that unless objection is lodged to the contrary at the office of the company within thirty (30) days from the date of this notice, a duplicate policy will be issued and shall be used as the only valid documents by the company for all future transactions.

Dated the 10th May, 2013.

MR/3551626 TIMOTHY MUTUA,
Life Manager.

GAZETTE NOTICE No. 14329

MADISON INSURANCE

LOSS OF POLICY

Policy No. SM1465561 in the name of Top Range Limited, of P.O. Box 11558-00400, Nairobi.

NOTICE is given that evidence of loss or destruction of the above policy documents has been submitted to the company and any person in possession of the policy documents or claiming to have interest therein should communicate within thirty days (30) by registered post with the company, failing any such communication, certified copies of the policies which shall be the sole evidence of the contracts, will be issued.

MR/3564495 M. G. SABALA,
Head of Underwriting and Claims, Life Business.

GAZETTE NOTICE No. 14330

CHANGE OF NAME

NOTICE is given that by a deed poll dated 2nd July, 2013, duly executed and registered in the Registry of Documents at Nairobi as Presentation No. 1322, in Volume DI, Folio 183/3262, File No. MMXIII, by my client, Winnie Nyambura Kimani, of P.O. Box 30128-00600, Nairobi in the Republic of Kenya, formerly known as Winfred Nyambura Kimani, formally and absolutely renounced and abandoned the use of her former name Winfred Nyambura Kimani, and in lieu thereof assumed and adopted the name Winnie Nyambura Kimani, for all purposes and authorizes and requests all persons at all times to designate, describe and address her by her assumed name Winnie Nyambura Kimani only.

Dated the 22nd October, 2013.

MR/3564480 ODERA WERE,
*Advocate for Winnie Nyambura Kimani,
formerly known as Winfred Nyambura Kimani.*

GAZETTE NOTICE No. 14331

CHANGE OF NAME

NOTICE is given that by a deed poll dated 5th September, 2013, duly executed and registered in the Registry of Documents at Nairobi, as Presentation No. 839, in Volume DI, Folio 193/3419, File No. MMXIII, by my client, Lucy Wanjiru Chesiyna, of P.O. Box 8830-00200, Nairobi in the Republic Kenya, formerly known as Lucy Wanjiru Chege, formally and absolutely renounced and abandoned the use of her former name Lucy Wanjiru Chege, and in lieu thereof assumed and adopted the name Lucy Wanjiru Chesiyna, for all purposes and authorizes and requests all persons at all times to designate, describe and address her by her assumed name Lucy Wanjiru Chesiyna only.

Dated the 17th October, 2013.

MR/3564439 J.K. BOSEK & COMPANY,
*Advocate for Lucy Wanjiru Chesiyna,
formerly known as Lucy Wanjiru Chege.*

GAZETTE NOTICE No. 14332

BRITISH AMERICAN INSURANCE COMPANY (K) LIMITED

(Incorporated in Kenya)

Head Office: P.O. Box 30375, Nairobi

LOSS OF POLICY

Policy No. 161-22818 in the name and on the life of Charles Okumu Aloise Odero.

REPORT having been made to this company on the loss of the above numbered policy, notice is given that unless objection is lodged to the contrary at the office of the company within thirty (30) days from the date of this notice, a duplicate policy will be issued and shall be used as the only valid documents by the company for all future transactions.

MR/3551617 J. K. MITEI,
Underwriting Manager, Life.

GAZETTE NOTICE No. 14333

CHANGE OF NAME

NOTICE is given that by a deed poll dated 14th May, 2013, duly executed and registered in the Registry of Documents at Nairobi, as Presentation No. 752, in Volume DI, Folio 157/2936, File No. MMXIII, by our client, Sneha Bhavesh Luhar, of P.O. Box 34244-

00100, Nairobi in the Republic Kenya, formerly known as Urvil Kamal Vara, formally and absolutely renounced and abandoned the use of her former name Urvil Kamal Vara, and in lieu thereof assumed and adopted the name Sneha Bhavesh Luhar, for all purposes and authorizes and requests all persons at all times to designate, describe and address her by her assumed name Sneha Bhavesh Luhar only.

DALY & FIGGIS,

*Advocates for Sneha Bhavesh Luhar,
formerly known as Urvil Kamal Vara.*

MR/3564432

GAZETTE NOTICE NO. 14334

CHANGE OF NAME

NOTICE is given that by a deed poll dated 29th August, 2013, duly executed and registered in the Registry of Documents at Nairobi as Presentation No. 1243, in Volume D1, Folio 180/3228, File No. MMXIII, by our client, Bob Netto Otieno Onyango, of P.O. Box 62398-00200, Nairobi in the Republic of Kenya, formerly known as Bob Otieno Onyango, formally and absolutely renounced and abandoned the use of his former names Bob Otieno Onyango, and in lieu thereof assumed and adopted the name Bob Netto Otieno Onyango, for all purposes and authorizes and requests all persons at all times to designate, describe and address him by his assumed name Bob Netto Otieno Onyango only.

OGOLA OKELLO & COMPANY,

*Advocates for Bob Netto Otieno Onyango,
formerly known as Bob Otieno Onyango.*

MR/3564097

GAZETTE NOTICE NO. 14335

CHANGE OF NAME

Notice is given that by a deed poll dated 26th June, 2013 duly executed and registered in the Registry of Documents at Nairobi as presentation no.1649, in volume D 1, Folio 184/ 3285, file no.MMXII, by our client Feisal Abdallah Ahmed Albaity as father and next friend of Rumasya Feisal Abdallah Ahmed ,of P.O Box 18604-00500, Nairobi in the Republic of Kenya formerly known as Rumasya Feisal Abdallah Islam ,formally and absolutely renounced and abandoned the use of her former name Rumasya Feisal Abdallah Islam and in lieu thereof assumed and adopted the name Rumasya Feisal Abdallah Ahmed, for all purposes and authorizes and requests all persons at all times to designate, describe and address her by her assumed name Rumasya Feisal Abdallah Ahmed only.

Dated the 15th October, 2013.

KHASOA & COMPANY,

*Advocates for Feisal Abdallah Ahmed Albaity,
father and next friend of Rumasya Feisal Abdallah Ahmed
formerly known as Rumasya Feisal Abdallah Ahmed.*

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