

# **SPECIAL ISSUE**



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**NAIROBI, 1st August, 2017**

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GAZETTE NOTICE No. 7405

## **THE PUBLIC HOLIDAYS ACT**

(Cap. 110)

### **DECLARATION OF A PUBLIC HOLIDAY**

IT IS notified for general information of the public that the Acting Cabinet Secretary for Interior and Co-ordination of National Government, in exercise of the powers conferred by section 2 (4) of the Public Holidays Act, declares that Tuesday, the 8th August, 2017, to be a public holiday to accord Kenyans the opportunity to participate in the 2017 General Election.

Dated the 1st August, 2017.

FRED MATIANG'I,  
*Ag. Cabinet Secretary for Interior  
and Co-ordination of National Government.*

GAZETTE NOTICE No. 7406

## **THE PROCEEDS OF CRIME AND ANTI-MONEY LAUNDERING ACT**

(No. 9 of 2009)

### **PRESERVATION ORDERS**

IN EXERCISE of the powers conferred by section 83(1) of the Proceeds of Crime and Anti-Money Laundering Act, 2009, the Agency Director gives notice to—

**PAMELA ABOO**

that the High Court has issued preservation orders in High Court Miscellaneous Civil Application No.58 of 2017 as specified in the Schedule hereto.

### **SCHEDULE**

**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT NAIROBI**

**MILIMANI LAW COURTS**

**ANTI- CORRUPTION AND ECONOMIC CRIMES DIVISION**

**APPLICATION No. 58 OF 2017**

**IN THE MATTER OF AN APPLICATION FOR ORDERS UNDER SECTIONS 81 AND 82 OF THE PROCEEDS OF CRIME AND ANTI-MONEY LAUNDERING ACT (POCAMLA) AS READ TOGETHER WITH ORDER 51 OF THE CIVIL PROCEDURE RULES**

AND

**IN THE MATTER OF PRESERVATION ORDERS FOR KSHS. 19,688,152.35 HELD IN BANK ACCOUNTS NUMBERS 0820165680743, 0820167691973 AND 0820372051630 IN THE NAME OF PAMELA ABOO EQUITY BANK LIMITED, DONHOLM BRANCH NAIROBI**

**BETWEEN**

**ASSETS RECOVERY AGENCY—(Applicant)**

**VERSUS**

**PAMELA ABOO—(Respondent)**

**IN CHAMBERS ON 14TH JULY, 2017**

**BEFORE THE HON. LADY JUSTICE L. ACHODE**

**ORDER**

### **APPLICATION FOR ORDERS**

1. This Honourable Court be pleased to certify this application as urgent and to be heard exparte on a priority basis.
2. This Honourable Court be pleased to issue preservation orders prohibiting the Respondent and/or her agents or representatives from transacting, transferring and/or any other dealing with respect to the funds held in the following accounts:
  - (a) KSh.10,214,762.35 in Account number 0820165680743 in the name Pamela Aboo held at Equity Bank Limited, Donholm Branch.
  - (b) KSh. 7,473,390.00 in Account number 0820167691973 in the name of Pamela Aboo held at Equity Bank Limited, Donholm Branch.
  - (c) KSh. 2,000,000.00 in account number 0820372051630 in the name if Pamela Aboo held at Equity Limited , Donholm Branch.
3. This Court do make any other ancillary orders it may deem appropriate for the proper, fair and effective execution of the preservation order.
4. The costs be in the cause.

UPON READING the Originating Motion dated 10th July, 2017 and presented to this Court on 14th July, 2017 by Director, Assets Recovery Agency, under Sections 81 & 82 of the Proceeds of Crime and Anti-Money Laundering Act and Order 51 Rule 1, AND UPON READING the Supporting Affidavit of MUTHONI KIMANI sworn on 10th July, 2017 together with annexure thereto, AND WHEREAS this matter coming up exparte in chambers;

IT IS HEREBY ORDERED:

1. THAT pending the conclusion of the investigations herein there is need to preserve the subject matter in account numbers:-

- (1) 0820165680743
- (2) 0820167691973
- (3) 0820372051630

All of Equity Bank Donholm Branch Nairobi in the name of Pamela Aboo holding a total of Kshs. 19,688,152/35 for a period of 90 days from the date of gazettelement which must be within 21 days of this date.

2. THAT the Applicant be and is hereby directed to serve this order upon the Respondent and the relevant banks as soon as possible and also serve the Statutory Notice within 21 days.

GIVEN under my Hand and Seal of this Honourable Court this 14th day of July, 2017.

ISSUED at Nairobi this 7th day of July, 2017.

DEPUTY REGISTRAR  
HIGH COURT OF KENYA NAIROBI

MUTHONI KIMANI,  
*Agency Director.*

GAZETTE NOTICE NO. 7407

THE PROCEEDS OF CRIME AND ANTI-MONEY LAUNDERING  
ACT, 2009

(No. 9 of 2009)

PRESERVATION ORDERS

IN EXERCISE of the powers conferred by section 83(1) of the Proceeds of Crime and Anti-Money Laundering Act, 2009, the Agency Director gives notice to—

STEPHEN VICKER MANGIRA  
NABIL LOO MOHAMED  
BAKARI KILA BAKARI

that the High Court has issued preservation orders in High Court Miscellaneous Civil Application No.195 of 2017 as specified in the Schedule hereto.

SCHEDULE

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MOMBASA

MISC CIVIL APPLICATION NO. 195 OF 2017.

AN APPLICATION FOR ORDERS UNDER SECTIONS 81 & 82 OF THE PROCEEDS OF CRIME AND ANTI-MONEY LAUNDERING ACT (POCAMLA) AS READ TOGETHER WITH ORDER 51 OF THE CIVIL PROCEDURE RULES.

AND

PRESERVATION ORDERS FOR KSHS 18, 500, 000.00, KENYA SHILLINGS THREE HUNDRED AND FORTY EIGHT THOUSAND (KSH. 348,000), KENYA SHILLINGS TWO MILLION SIX HUNDRED AND FORTY THOUSAND THREE HUNDRED AND THIRTY NINE AND SIXTY CENTS (KSH. 2,640,339.60), US DOLLARS ONE THOUSAND FIVE HUNDRED (1,500 USD) AND MOTOR VEHICLES REGISTRATION NUMBERS KCJ 596 H, KCK 444 A, KBV 628 K, KBP 768 Q, KCK 768Q, KCH 723 Z, KCK 444 B, AND KCH 328 R.

BETWEEN

ASSETS RECOVERY AGENCY—(Applicant)

VERSUS

STEPHEN VICKER MANGIRA—(1st Respondent)  
NABIL LOO MOHAMED—(2nd respondent)  
BAKARI KILA BAKARI—(3rd respondent)

AND

ALI CARS LIMITED—(Interested Party)

ORDER

UPON READING the Application dated 12th July, 2017 and brought under Sections 81 and 82 of the Proceeds Of Crime And Anti-Money Laundering Act No 9 of 2009 as read together with Order 51 of the Civil Procedure Rules, AND UPON READING the Supporting Affidavits of MUTHONI KIMANI, Director Assets Recovery Agency

and Chief Inspector of Police MIKE KINGOO MUIA filed on 13th July, 2017.

IT IS HEREBY ORDERED:

1. THAT this Application be and is hereby certified urgent.

2. THAT Preservation Order be granted against each one of the Respondents and or their employees, agents, servants or any other persons acting on their behalf prohibiting the sale transfer or disposal off or other dealings with the following motor vehicles;

- (a) KCJ 596 H Toyota Velfire registered in the name of the 1st Respondent
- (b) KCK 444 A Toyota Prado registered in the name of the 1st Respondent
- (c) KBV 628 K, Toyota Station Wagon registered in the name of the 1st Respondent
- (d) KBP 768 Q BMW registered in the name of the 1st Respondent
- (e) KCK 768Q BMW registered in the name of the interested party but the 1st Respondent as the beneficial owner
- (f) KCH 723 Z Toyota Alphard registered in the name of the 1st Respondent
- (g) KCK 444 B Toyota Landcruiser registered in the name of the 3rd Interested Party but 1st Respondent as the beneficial owner
- (h) KCH 328 R Toyota Vitz registered in the name of the 3rd Respondent,

3. THAT the Respondents be directed to surrender the original logbooks of the motor vehicles specified in 2 above to the Applicant within 7 days herein.

4. THAT an order directing the Director General of National Transport and Safety Authority to register a caveat against the records of each of the motor vehicles specified in order 2 above.

5. THAT an order of preservation be and is hereby granted prohibiting the 1st Respondent and or his employees, agents, servants or any other persons acting on their behalf prohibiting them from dealing in any manner with the cash money;

Eighteen Million Five Hundred Thousand Kenya Shillings (KSh. 18, 500,000) seized from the 1st Respondent and which is held by the Director of Criminal Investigation.

6. THAT an order of preservation be granted against the 3rd Respondent and or his employees, agents, servants or any other persons acting on their behalf prohibiting them from accessing, transacting and/or dealing in respect of seized cash amounting to Kenya Shillings Three Hundred and Forty Eight Thousand (KSh. 348,000) and US dollars One Thousand Five Hundred (1,500 USD).

7. THAT the monies in paragraph 5 and 6 above be deposited into the Assets Recovery Account held at the Central Bank of Kenya.

8. THAT an order of preservation be granted against the 1st Respondent and or their employees, agents, servants or any other persons acting on their behalf prohibiting them from accessing transacting and/or dealing in respect of seized Kenya Shillings Two Million Six hundred and Forty Thousand Three Hundred and thirty Nine and Sixty cents (KSh. 2,640,339.60) held at Standard chartered Bank Kericho Branch Account Number 0100309390100.

9. THAT the orders be served upon the following persons.

- (a) Director General-National Transport and Safety Authority
- (b) Officer In Charge Anti Narcotics Unit, DCI Headquarters Nairobi
- (c) Regional Criminal Investigations Officer Coast Region.
- (d) Bank Manager Standard Chartered Kericho.

10. THAT the Applicant will effect service of the application and issues mention notices for 31st July, 2017.

11. THAT any party at liberty to apply before the mention date.

Cost in the cause.

GIVEN under my hand and seal of the Court this 13th day of July, 2017.

DEPUTY REGISTRAR,  
*High Court, Mombasa.*

ISSUED at MOMBASA this 14th day of July, 2017.

MUTHONI KIMANI,  
*Agency Director.*