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Paper laid by the
Hon. William Chepkwony
MP

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PARLIAMENT OF KENYA

THE NATIONAL ASSEMBLY

TWELFTH PARLIAMENT – SECOND SESSION

DEPARTMENTAL COMMITTEE ON JUSTICE AND
LEGAL AFFAIRS

REPORT ON:

VETTING OF HON. FLORENCE KAJUJU, MR.
WASHINGTON OPIYO SATI AND MRS. LUCY
KAMUNYE NDUNG’U AS CHAIRPERSON AND
MEMBERS OF THE COMMISSION ON
ADMINISTRATIVE JUSTICE

Directorate of Committee Services,
National Assembly,
Parliament Buildings,
NAIROBI.

July, 2018

25 JUL 2018

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LIST OF ABBREVIATIONS AND ACRONYMS

CAJ	-	Commission on Administrative Justice
CV	-	Curriculum Vitae
DCI	-	Directorate of Criminal Investigation
EACC	-	Ethics and Anti-Corruption Commission
EBS	-	Elder of the Order of the Burning Spear
HELB	-	Higher Education Loans Board
HON	-	Honourable
HSC	-	Head of State Commendation
ICJ	-	International Commission of Jurists
KRA	-	Kenya Revenue Authority
KNCHR	-	Kenya National Commission on Human Rights
KNHREC	-	Kenya National Human Rights and Equality Commission
LSK	-	Law Society of Kenya
LVCT	-	Liverpool Voluntary Counselling Testing
MBS	-	Moran of the Order of the Burning Spear
MP	-	Member of Parliament
ORPP	-	Office of the Registrar of Political Parties
NGO	-	Non-Governmental Organisation
Ph.D	-	Doctor of Philosophy
PNU	-	Party of National Unity
RPP	-	Registrar of Political Parties
UON	-	University of Nairobi
UN	-	United Nations
USD	-	United States Dollar

LIST OF ANNEXURES

- Annexure 1: Minutes of Committee sittings
- Annexure 2: Letter from the Office of the President conveying to the National Assembly the names of three (3) nominees for approval for appointment
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CHAIRPERSON'S FOREWORD

Pursuant to provisions of Article 250(2) of the Constitution, Section 5 of the Public Appointments (Parliamentary Approval) Act, No 33 of 2011 and Section 11 of the Commission on Administrative Justice Act No 23 of 2011, His Excellency the President of the Republic of Kenya forwarded to the Clerk of the National Assembly, a notification of appointment containing the names and Curricula Vitae of three (3) nominees for appointment to the offices of Chairperson and Members of the Commission on Administrative Justice (CAJ), namely-

- (i) Hon. Florence Kajuju, - Chairperson
- (ii) Mr. Washington Opiyo Sati- Member
- (iii) Mrs. Lucy Kamunye Ndung'u, - Member

Pursuant to Section 6(1) of the Public Appointments (Parliamentary Approval) Act and Standing Orders 45(1) and 216(5)(f) the Honourable Speaker on 27th June, 2018 forwarded to the Departmental Committee on Justice and Legal Affairs the notification of the nominees for appointment, for vetting.

Section 11 of the Commission on Administrative Justice Act gives a timeline of twenty-one (21) days within which a Committee must conclude vetting and report to the House. The twenty- one (21) days include seven (7) days of receiving memoranda from the public on the suitability of the nominees for appointment.

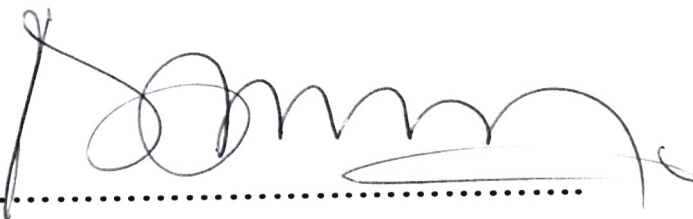
The Committee held a total of five (5) sittings from 17th July to 24th July, 2018. All the three (3) nominees appeared before the Committee for vetting on 18th July, 2018. The Committee considered and unanimously adopted its report on 23rd July, 2018.

This report is in two (2) volumes. Volume 1 comprises the main report with the Minutes of the sittings, while volume 2 comprises the annexures.

May I take this opportunity to express gratitude to the Honourable Members of the Committee for their resilience and devotion to duty which made the vetting exercise successful. May I also take this opportunity to express gratitude to the Committee's secretariat for its exemplary performance in provision of technical and logistical support services which made the work of the Committee a success. May I also,

on behalf of the Committee, appreciate the media for covering the Committee proceedings thereby enhancing transparency and accountability.

On behalf of the Committee and pursuant to the provisions of Article 124(4)(b) of the Constitution, Section 8 (2) of the Public Appointments (Parliamentary Approval) Act No. 33 of 2011 and provisions of Standing Orders 45(4) and 199 (6) of the National Assembly Standing Orders, it's my pleasant privilege to present to the House the Committee's report on the approval hearings of the three (3) nominees namely: Hon. Florence Kajuju, nominee for chairperson, Mr. Washington Opiyo Sati, and Mrs. Lucy Kamunye Ndung'u, nominees for members of the Commission on Administrative Justice.

Signed.....

Hon. William Cheptumo, M.P.
Chairperson, Departmental Committee on Justice and Legal Affairs

Date.....24.07.18.....

EXECUTIVE SUMMARY

In exercise of powers conferred to him by Article 250(2)(b) of the Constitution of Kenya, pursuant to provisions of Section 11 of the Commission on Administrative Justice Act, No 23 of 2011 and Sections 3 and 5 of the Public Appointments (Parliamentary Approval) Act No. 33 of 2011, His Excellency the President of the Republic of Kenya forwarded to the Clerk of the National Assembly a notification of appointment containing names and Curriculum Vitae of Hon. Florence Kajuju, Mr. Washington Opiyo Sati, and Mrs. Lucy Kamunye Ndung'u as nominees for appointment as Chairperson and Members of the Commission on Administrative Justice (CAJ) respectively.

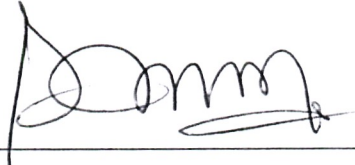
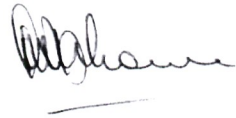




The Committee held a total of five (5) sittings from 17th July to 24th July, 2018. All the three (3) nominees appeared before the Committee for vetting on 18th July, 2018. The Committee considered and unanimously adopted its report on 23rd July 2018, recommending the approval of the three (3) nominees for appointment as Chairperson and Members of the Commission on Administrative Justice. The Minutes of the sittings are attached to this report.




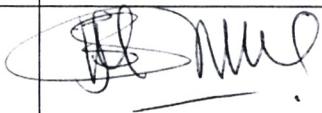
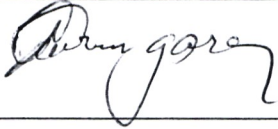

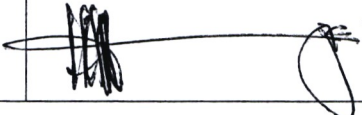
Among the issues that the Committee considered were the procedure used to arrive at the nominees, any constitutional or statutory requirements relating to the office in question, and the suitability of the nominee for appointment proposed with due regard as to whether the nominees' abilities, experience and qualities meet the requirements of the body to which the nomination is made.

The Committee noted that the only memorandum received from the public, which is from Prof. Mbae M'Mbijiwe contesting the suitability of Hon. Florence Kajuju, did not comply with the provisions of Section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011, as it was not a written statement on oath as required. Further it was received after the stipulated deadline for submission of memoranda. Section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011, provides that *any person may submit written statements on oath on the suitability of a nominee*. The Committee draws the attention of the public to that provision and the need to comply with it.

ADOPTION OF THE REPORT OF THE DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS ON THE VETTING OF THREE (3) NOMINEES FOR APPOINTMENT AS CHAIRPERSON AND MEMBERS OF THE COMMISSION ON ADMINISTRATIVE JUSTICE (CAJ)

We, the Honourable Members of the Departmental Committee on Justice and Legal Affairs today the 23rd July 2018 do hereby affix our signatures to this report on the vetting of three (3) nominees for appointment as Chairperson and members of the Commission on Administrative Justice (CAJ) to affirm our approval, support, accuracy, credibility and authenticity:-

No.	NAME OF MEMBER	SIGNATURE
1.	Hon. William Cheptumo, M.P. – <i>Chairperson</i>	
2.	Hon. Alice Muthoni Wahome, M.P. – <i>Vice Chairperson</i>	
3.	Hon. John Olago Aluoch, M.P.	
4.	Hon. Roselinda Soipan Tuya, M.P.	
5.	Hon. Charles Gimose, M.P.	
6.	Hon. Johana Ng'eno Kipyegon, M.P.	
7.	Hon. William Kamoti Mwamkale, M.P.	
8.	Hon. Ben Orori Momanyi, M.P.	

9.	Hon. Peter Opondo Kaluma, M.P.	
10.	Hon. Zuleikha Hassan, M.P.	
11.	Hon. Beatrice Adagala, M.P.	
12.	Hon. Jennifer Shamalla, M.P.	
13.	Hon. Gladys Boss Shollei, CBS, M.P.	
14.	Hon. John Munene Wambugu, M.P.	
15.	Hon. George Gitonga Murugara, M.P.	
16.	Hon. Anthony Githiaka Kiai, M.P.	
17.	Hon. Japheth Mutai, M.P.	
18.	Hon. John Kiarie Waweru, M.P.	
19.	Hon. Adan Haji Yussuf, M.P.	

PART 1

1. PREFACE

1.1. Mandate of the Committee

The Departmental Committee on Justice and Legal Affairs derives its mandate from Standing Order No. 216(5) which provides for the functions of Departmental Committees as follows-

- (a) investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned ministries and departments;*
- (b) study the programme and policy objectives of ministries and departments and the effectiveness of their implementation;*
- (c) study and review all legislation referred to it;*
- (d) study, assess and analyse the relative success of the ministries and departments as measured by the results obtained as compared with their stated objectives;*
- (e) investigate and enquire into all matters relating to the assigned ministries and departments as they may deem necessary, and as may be referred to them by the House;*
- (f) vet and report on all appointments where the Constitution or any law requires the National Assembly to approve, except those under Standing Order 204 (Committee on Appointments);*
- (g) examine treaties, agreements and conventions;*
- (h) make reports and recommendations to the House as often as possible, including recommendation of proposed legislation;*
- (i) consider reports of Commissions and Independent Offices submitted to the House pursuant to provisions of Article 254 of the Constitution; and*
- (j) examine any questions raised by Members on a matter within its mandate.*

The Second Schedule of the Standing Orders on Departmental Committees further outlines the Subjects of the Committee, as follows-

- (a) Constitutional affairs;
- (b) The administration of law and Justice
- (c) The Judiciary;
- (d) Public prosecutions;
- (e) Elections;
- (f) Ethics, integrity and anti-corruption; and
- (g) Human rights.

1.2. Committee Membership

The Committee was constituted on Thursday, 14th December, 2017 and comprises the following Honourable Members-

Hon. William Cheptumo, M.P.	-	<i>Chairperson</i>
Hon. Alice Muthoni Wahome, M.P.	-	<i>Vice Chairperson</i>
Hon. John Olago Aluoch, M.P.		
Hon. Roselinda Soipan Tuya, M.P.		
Hon. Charles Gimose, M.P.		
Hon. Johana Ng'eno, M.P.		
Hon. William Kamoti Mwamkale, M.P.		
Hon. Ben Orori Momanyi, M.P.		
Hon. Peter Opondo Kaluma, M.P.		
Hon. Zuleikha Hassan, M.P.		
Hon. Jennifer Shamalla, M.P.		
Hon. Beatrice Adagala, M.P.		
Hon. Gladys Boss Shollei, CBS, M.P.		
Hon. John Munene Wambugu, M.P.		
Hon. George Gitonga Murugara, M.P.		
Hon. Anthony Githiaka Kiai, M.P.		
Hon. John Kiarie Waweru, M.P.		
Hon. Japheth Mutai, M.P.		
Hon. Adan Haji Yussuf, M.P.		

1.3. Committee Secretariat

Mr. George Gazemba	-	Senior Clerk Assistant
Mr. Denis Abisai	-	Principal Legal Counsel I
Ms. Doreen Karani	-	Legal Counsel II
Ms. Halima Hussein	-	Clerk Assistant III
Ms. Fiona Musili	-	Research Officer III
Mr. Omar Abdirahim	-	Fiscal Analyst III

Mr. James Macharia	-	Media Liaison Officer
Ms. Roselyne Ndegi	-	Serjeant-at-Arms
Mr. Richard Sang'	-	Serjeant-at-Arms
Mr. Ian Otieno	-	Audio Officer

PART 2

2. INTRODUCTION AND BACKGROUND

2.1. Establishment of the Commission on Administrative Justice

The Commission on Administrative Justice (CAJ) is one of the successor Commissions to the Kenya National Human Rights and Equality Commission (KNHREC) established under Article 59(1) of the Constitution. Pursuant to the provisions of Article 59 (4) of the Constitution, Parliament restructured the KNHREC into three (3) Commissions. The other two (2) Commissions are the Kenya National Commission on Human Rights and the National Gender and Equality Commission.

The Commission on Administrative Justice is further anchored in Section 3 of the Commission on Administrative Justice Act, No. 23 of 2011 which makes further provisions on the establishment of the Commission.

2.2. Membership of the Commission

Article 250(2) of the Constitution provides-

The chairperson and each member of a commission and the holder of an independent office shall be-

- (a) identified and recommended for appointment in a manner prescribed by national legislation;*
- (b) approved by the National Assembly; and*
- (c) appointed by the President.*

Section 9 of the CAJ Act further provides that the Commission shall consist of a Chairperson and two other members appointed in accordance with the Constitution and the provisions of the Act.

2.3. Functions of the Commission

Section 8 of the Commission on Administrative Justice Act provides for the functions of the Commission on Administrative Justice as to-

- (a) investigate any conduct in state affairs, or any act or omission in public administration by any State organ, State or public officer in National and County Governments that is alleged or*

- suspected to be prejudicial or improper or is likely to result in any impropriety or prejudice;*
- (b) investigate complaints of abuse of power, unfair treatment, manifest injustice or unlawful, oppressive, unfair or unresponsive official conduct within the public sector;*
 - (c) report to the National Assembly bi-annually on the complaints investigated under paragraphs (a) and (b), and the remedial action taken thereon;*
 - (d) inquire into allegations of maladministration, delay, administrative injustice, discourtesy, incompetence, misbehaviour, inefficiency or ineptitude within the public service;*
 - (e) facilitate the setting up of, and build complaint handling capacity in, the sectors of public service, public offices and state organs;*
 - (f) work with different public institutions to promote alternative dispute resolution methods in the resolution of complaints relating to public administration;*
 - (g) recommend compensation or other appropriate remedies against persons or bodies to which this Act applies;*
 - (h) provide advisory opinions or proposals on improvement of public administration, including review of legislation, codes of conduct, processes and procedures;*
 - (i) publish periodic reports on the status of administrative justice in Kenya;*
 - (j) promote public awareness of policies and administrative procedures on matters relating to administrative justice;*
 - (k) take appropriate steps in conjunction with other State organs and Commissions responsible for the protection and promotion of human rights to facilitate promotion and protection of the fundamental rights and freedoms of the individual in public administration;*

(l) work with the Kenya National Commission on Human Rights to ensure efficiency, effectiveness and complementarity in their activities and to establish mechanisms for referrals and collaboration; and

(m) perform such other functions as may be prescribed by the Constitution and any other written law.

2.4. Notification of nomination

Following the occurrence of the vacancies at the Commission, and in exercise of powers conferred on His Excellency the President of the Republic of Kenya by Article 250(2)(b) of the Constitution and Section 11(6) of the Commission on Administrative Justice Act as read together with Sections 3 and 5 of the Public Appointments (Parliamentary Approval) Act, the President vide a letter dated 22nd June 2018 (*annexure I*) conveyed to the Speaker of the National Assembly a notification of appointment containing names and Curricula Vitae of the following nominees for consideration and approval by the National Assembly-

- (i) Hon. Florence Kajuju as the Chairperson;
- (ii) Mr. Washington Opiyo Sati as a Member; and
- (iii) Mrs. Lucy Kamunye Ndung'u as a Member.

The Committee observed that the previous Chairperson and Commissioners had completed their terms in accordance with Section 14 of the Commission on Administrative Justice Act which provides as follows-

(1) The chairperson and members of the Commission shall be appointed for a single term of six years and are not eligible for re-appointment.

2.5. Committal of the nominees to the Departmental Committee on Justice and Legal Affairs for vetting

Pursuant to the provisions of Standing Order 42(1) and 45(1) of the National Assembly Standing Orders, the Honourable Speaker, on 27th June, 2018 conveyed to the House the message from His Excellency the President and referred it to the Departmental Committee on Justice and Legal Affairs for consideration.

2.6. Notification of vetting to the public

Article 118 (1) (b) of the Constitution provides as follows-

“Parliament shall facilitate public participation and involvement in the legislative and other business of Parliament and its Committees”

Section 6(9) of the Public Appointments (Parliamentary Approval) Act of 2011 provides as follows-

“Any person may, prior to the approval hearing, and by written statement on oath, provide the Clerk with evidence contesting the suitability of candidate to hold the office to which a candidate has been nominated”

On 2nd July, 2018, the Clerk of the National Assembly through a newspaper advertisement in the local daily newspapers (Daily Nation and the Standard) (*annexure 2*), invited the public to submit memoranda by way of written statements on oath on the suitability of the nominees to hold the positions they had been nominated for. A memorandum was received (*annexure 3*) and was duly considered by the Committee in determining the suitability of the concerned nominees.

Section 6(4) of the Public Appointments (Parliamentary Approval) Act, 2011, provides as follows-

“The Committee shall notify the public of the time and place for holding an approval hearing at least seven days prior to the hearing”

The National Assembly Standing Order 45(3) states as follows-

“Before holding an approval hearing, a Committee to which proposed appointments have been referred shall notify the candidate and the public of the time and place for the holding of the approval hearing at least seven days before the hearing”

In line with Article 118(1) (b) of the Constitution of Kenya, Section 6(4) of the Public Appointments (Parliamentary Approval) Act, of 2011 and Standing Order 45(3) of the National Standing Orders, the Committee in the local daily newspapers of *Daily Nation* and *the Standard* of 10th July, 2018 notified the public of the date, time and venue of approval hearings (*annexure 4*).

2.7. Notification of approval hearings to the nominees

Section 6(3) of the Public Appointments (Parliamentary Approval) Act, 2011, provides as follows-

“The Clerk shall notify a candidate of the time and place of holding an approval hearing”

The National Assembly Standing Order 45(3) states as follows-

“Before holding an approval hearing, a Committee to which proposed appointments have been referred shall notify the candidate and the public of the time and place for the holding of the approval hearing at least seven days before the hearing”

Pursuant to Section 6(3) of the Public Appointments (Parliamentary Approval) Act, 2011, and the National Assembly Standing Order 45(3) the Committee by way of letters addressed to each of the nominees invited them for approval hearings on Wednesday, 18th July, 2018, at the specified times in Committee Room 7, Main Parliament Building.

2.8. Clearance requirements

By letters dated 3rd July 2018, the Clerk of the National Assembly requested for information regarding the nominees from the following agencies; the Ethics and Anti-Corruption Commission (EACC), the Kenya Revenue Authority (KRA), the Directorate of Criminal Investigation (DCI), and the Higher Education Loans Board (HELB). Similarly, by a letter dated 5th July the Clerk of the National Assembly requested for information regarding the nominees from the Registrar of Political Parties (RPP).

The information requested sought to establish the status of the nominees on the following issues-

- (i) Integrity
- (ii) Tax compliance
- (iii) Criminal record
- (iv) Educational loan repayment records
- (v) Political parties' affiliation

The EACC, KRA, HELB and RPP informed the Clerk of the National Assembly that they did not have any outstanding issues with the three (3) nominees. All the nominees provided Certificates of Good Conduct

issued by the DCI. The letters from the four (4) institutions and agencies are attached to this report as *annexure 5*.

PART 3

3. ISSUES FOR CONSIDERATION DURING THE APPROVAL HEARINGS

The Committee noted that the issues for consideration are as provided for under Section 7 of the Public Appointments (Parliamentary Approval) Act, No. 33 of 2011 which provides as follows-

The issues for consideration by the relevant House of Parliament in relation to an approval shall be –

- (i) the procedure used to arrive at the nominee*
- (ii) any Constitutional or statutory requirements relating to the office in question;*
- (iii) the suitability of the nominee for appointment proposed with due regard as to whether the nominee's abilities, experience and qualities meets the needs of the body to which the nomination is made*

3.1. Procedure used to arrive at the nominees

Article 250 (2) of the Constitution provides as follows: -

The Chairperson and each member of a commission and holder of independent office shall be-

- (a) identified and recommended for appointment in a manner prescribed by national legislation;*
- (b) approved by the National Assembly; and*
- (c) appointed by the President*

Section 11 of the Commission on Administrative Justice Act provides that the President shall convene a selection panel for the purpose of selecting suitable candidates for appointment as the chairperson or member of the Commission. The selection panel considers applications, interviews and shortlists at least three persons qualified for appointment as chairperson and five persons qualified for appointment as members of the Commission, and then forwards the names of the selected candidates to the President for nomination. Thereafter, the President nominates one person for appointment as chairperson and two persons for appointment as members of the Commission, and forwards the names of the persons nominated to the National Assembly.

The Committee noted that the nominations had been made in the manner prescribed in the Constitution and the Commission on Administrative Justice Act.

3.2. Constitutional or statutory requirements relating to the office in question

(i) Regional representation and ethnic diversity

Article 250 (4) of the Constitution provides as follows-

“Appointments to Commissions and independent offices shall take into account the national values referred to in Article 10 and the principle that the composition of the Commissions and independent offices, taken as a whole, shall reflect the regional and ethnic diversity of the people of Kenya”

Article 10(2) of the Constitution provides for the national values and principles of governance as including-

- (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.*

Further, Section 11 of the Commission on Administrative Justice Act provides-

(13) In shortlisting, nominating or appointing persons as chairperson and members of the Commission, the selection panel the National Assembly and the President shall ensure that not more than two-thirds of the members are of the same gender, shall observe the principle of gender equity, regional and ethnic balance and shall have due regard to the principle of equal opportunities for persons with disabilities.

The Committee considered the list of nominees proposed for appointment as members of the Commission on Administrative Justice

and noted that the nominees were drawn from three different regions and belonged to different ethnic groups.

(ii) Two-thirds Gender Principle

Article 27(8) of the Constitution provides as follows-

“In addition to the measures contemplated in clause (6), the State shall take legislative and other measures to implement the principle that not more than two-thirds of the members of elective or appointive bodies shall be of the same gender”

Further, Section 11 of the Commission on Administrative Justice Act, 2011 provides-

(13) In shortlisting, nominating or appointing persons as chairperson and members of the Commission, the selection panel the National Assembly and the President shall ensure that not more than two-thirds of the members are of the same gender, shall observe the principle of gender equity, regional and ethnic balance and shall have due regard to the principle of equal opportunities for persons with disabilities.

The Committee observed that out of the list of the three nominees received from His Excellency the President for vetting, one (1) was a man while two (2) were women. As such, the composition of the Commission would satisfy the two-thirds gender principle set out under Article 27 (8) of the Constitution and the requirement under the Commission on Administrative Justice Act.

(iii) Persons with Disabilities

Article 232 (1) (i) of the Constitution provides as follows-

“The values and principles of public service include:-

(i) Affording adequate and equal opportunities for appointment, training and advancement, at all levels of the public service, of-

(i)men and women;

(ii) the members of all ethnic groups; and

(iii)persons with disabilities”

Article 54(2) of the Constitution states as follows-

“The State shall ensure the progressive implementation of the principle that at least five per cent of the members of the public in elective and appointive bodies are persons with disabilities.”

Further, Section 11 of the Commission on Administrative Justice Act provides-

(13) In shortlisting, nominating or appointing persons as chairperson and members of the Commission, the selection panel the National Assembly and the President shall ensure that not more than two-thirds of the members are of the same gender, shall observe the principle of gender equity, regional and ethnic balance and shall have due regard to the principle of equal opportunities for persons with disabilities.

The Committee observed that one of the nominees was a person with disability as he was deaf. As such, the composition of the Commission would comply with the principles set out in the Constitution and the requirement under the Commission on Administrative Justice Act.

(iv) Youth

Article 55 (b) of the Constitution states as follows-

“The State shall take measures, including affirmative action programmes to ensure that the youth have opportunities to associate, be represented and participate in political, social, economic and other spheres of life”

Article 260 of the Constitution defines “youth” as follows-

“the collectivity of all individuals in the republic who-

- (i) have attained the age of eighteen years; but*
- (ii) have not attained the age of thirty-five years.”*

The Committee observed that whereas the Constitution requires the State to take affirmative action measures to ensure that youth have opportunities to associate, be represented and participate in political, social, economic and other spheres of life, it does not provide for a threshold to be applied in making public appointments. The Committee

observed that the Commission is composed of three persons whereas the categories of persons to be considered for appointment are more. The situation, therefore, limits the ability to cater for all the categories.

(v) Leadership and Integrity

While determining the suitability of the nominees to be appointed as Chairperson and members of the Commission on Administrative Justice, the Committee took into account the provisions of leadership and integrity as provided for by Chapter 6 of the Constitution. Most importantly, the Committee took note of the following provisions- Article 73(2) states as follows-

“The guiding principles of leadership and integrity include:-

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

Article 75(1) provides as follows-

A state officer shall behave, whether in public and official life, in private life, or in association with other persons in a manner that avoids-

- (a) Any conflict between personal interests and public official duties;*
- (b) Compromising any public or official interest in favour of personal interest; or*
- (c) Demeaning the office the officer holds*

Article 75 (3) of the Constitution prohibits any person who has been dismissed or otherwise removed from public office from subsequently holding any other public office.

Article 77 provides restriction on activities of state officers as follows-

- (1) A full time State Officer shall not participate in any other gainful employment;*
- (2) Any appointed State Officer shall not hold office in a political party;*
- (3) A retired State Officer who is receiving pension from public funds shall not hold more than two concurrent remunerative positions as chairperson, director or employee of –*
 - (a) A company owned or controlled by the state*
 - (b) A State organ*
- (4) A State Officer shall not receive remuneration from public funds other than contemplated in clause (3)*

Article 78 of the Constitution disqualifies persons who are not Kenya Citizens and persons holding dual citizenship from appointment as state officers.

The Committee noted that all the nominees met the leadership and integrity requirements set out in Chapter Six (6) of the Constitution and other relevant laws. The relevant clearance letters are attached to this report as *Annexure 5*.

(vi) Statutory Requirements- Qualifications under the Commission on Administrative Justice Act

Section 10(1) provides the qualifications for appointment of chairperson of the Commission as follows-

- (1) A person shall be qualified for appointment as the chairperson of the Commission if the person—*
 - (a) has knowledge and at least fifteen years' experience in matters relating to human rights, law, conflict resolution, arbitration or administrative justice;*
 - (b) holds a degree from a university recognized in Kenya; and*
 - (c) meets the requirements of Chapter Six of the Constitution.*

Section 10(2) provides the qualifications for appointment of members as follows-

(2) A person shall be qualified for appointment as a member of the Commission if the person—

(a) holds a degree from a university recognized in Kenya;
(b) has knowledge and at least ten years' experience in matters relating to any of the following fields—

- (i) law;*
- (ii) public administration;*
- (iii) economics or finance;*
- (iv) gender and social development;*
- (v) human rights;*
- (vi) conflict resolution;*
- (vii) management; or*
- (viii) social sciences;*

(c) has had a distinguished career in their respective fields; and
(d) meets the requirements of Chapter Six of the Constitution.

Section 10(3) provides the additional qualifications for appointment of the chairperson and members of the Commission as follows –

(3) A person shall not be qualified for appointment as the chairperson or a member of the Commission if such person—

- (a) is a member of Parliament or a County Assembly;*
- (b) is a member of the governing body of a political party;*
- (c) is a member of a local authority;*
- (d) is an undischarged bankrupt; or*
- (e) has been removed from office for contravening the provisions of the Constitution or any other law.*

3.3. The suitability of the nominees for appointment

The Committee was of the considered opinion that a nominee's suitability for a position should be evaluated in all relevant areas most importantly, academic credentials, professional training, and work experience.

The suitability was assessed with due regard as to whether their abilities, experience and qualities meet the needs of the body to which the nomination is made.

The Committee's observations, findings and recommendations on the suitability of each nominee are as set out in Parts 5-6 of this report.

3.4. Memoranda from the public concerning the nominees

Section 6(9) of the Public Appointments (Parliamentary Approval) Act of 2011 provides as follows-

“Any person may, prior to the approval hearing, and by written statement on oath, provide the Clerk with evidence contesting the suitability of candidate to hold the office to which a candidate has been nominated”

On 2nd July, 2018, the Clerk of the National Assembly through a newspaper advertisement in the local daily newspapers invited the public to submit memoranda by way of written statements on oath on the suitability of the nominees to hold the positions they had been nominated to not later than Monday 9th July, 2018.

There were no memoranda received contesting the suitability of Mr. Washington Opiyo Sati and Mrs. Lucy Kamunye Ndung'u to be appointed to office. One memorandum, albeit submitted out of time, was received on 10th July 2018 contesting Hon. Florence Kajuju's suitability for appointment to office.

3.5. Consideration of Memorandum by Professor Lawrence Mbae M'Mbijiwe

The Committee examined the memorandum and noted that it was inadmissible because-

- (a) It was received on 10th July 2018, which was after the stipulated 9th July 2018 deadline for submission of memoranda; and
- (b) It is not a written statement on oath as required by Section 6(9) of Public Appointments (Parliamentary Approvals) Act, 2011.

PART 4

4. APPROVAL HEARINGS ON THE SUITABILITY OF HON FLORENCE KAJUJU, MR. WASHINGTON OPIYO SATI, AND MRS. LUCY KAMUNYE NDUNG’U FOR APPOINTMENT AS CHAIRPERSON AND MEMBERS OF THE COMMISSION ON ADMINISTRATIVE JUSTICE (CAJ)

The Committee conducted approval hearings on 18th July, 2018 in Committee Room 7, in the Main Parliament Building when all the three (3) nominees appeared and made submissions on their suitability for appointment.

During the conduct of the hearings, the Committee was most importantly guided by provisions of the Public Appointments (Parliamentary Approvals) Act, 2011, which confines examination of nominees to the following areas-

- (i) Academic qualifications;
- (ii) Employment record;
- (iii) Professional affiliations;
- (iv) Potential conflict of interest;
- (v) Knowledge of the relevant subject;
- (vi) Overall suitability for the position;
- (vii) Integrity;
- (viii) Vision and leadership; and
- (ix) Expectations and key priorities.

It should be noted that nominees were provided a questionnaire pursuant to the provisions of Section 6(8) of the Public Appointments (Parliamentary Approvals) Act, 2011, to be completed and returned. All the nominees returned the duly completed questionnaires which are attached to this report as *annexure 6*. In compiling this report, reference has been made to the questionnaire in respect of issues that may not have been discussed during the approval hearing.

4.1. APPROVAL HEARING OF HON. FLORENCE KAJUJU

Hon. Florence Kajuju, was nominated pursuant to Article 250 (2) of the Constitution as a nominee of the Commission on Administrative Justice. The nominee appeared before the Committee on 18th July, 2018 at 10.00 a.m., was put to oath and responded to questions and issues raised by the Committee as follows-

(i) Employment and work experience

The nominee stated that she was admitted to the Bar as an Advocate of the High Court of Kenya in 1995 and sought employment but shortly thereafter, she opened a law firm in Meru where she specialized in civil litigation, conveyance and criminal litigation. She also served in various organizations in different capacities; she was elected to serve in the LSK Council as a member, she served as vice chair of the Energy Tribunal, as well as a member in the Power of Mercy Committee, the Council for Legal Education and the International Commission of Jurists. She is presently a Managing Partner at her law firm, F.K. Gitonga & Company Advocates.

(ii) Publications

The nominee submitted that she had authored the following publications-

- (a) Article on Health by Boresha Maisha;
- (b) LSK Constitutional Draft; 2009/2010; and
- (c) Rules Committee Report Article 22, Constitution of Kenya.

(iii) Membership to Professional Organizations/Bodies

The nominee offered that she was a member of the following organizations-

- (a) Law Society of Kenya- Vice Chairperson, Council Member - 2007- 2012;
- (b) East African Law Society;
- (c) Federation of Women Lawyers (FIDA-K);
- (d) International Commission of Jurists (ICJ-K); and
- (e) International Bar Association (IBA).

(iv) How prepared for the job was the nominee?

The nominee stated that her training background in law and experience as an Advocate, as well as her tenure in various institutions such as Energy Tribunal, Council for Legal Education and Power of Mercy Committee prepared her for the position she has been nominated for at the Commission. The nominee also stated that her tenure as a Member of Parliament for Meru County made her appreciate the challenges the public undergo in their pursuit for service in the public sector, which is plagued by maladministration.

In addition, her term as a member of the Justice and Legal Affairs Committee has allowed her to interact and appreciate the challenges the Commission on Administrative Justice is undergoing and will endeavor to solve them.

(v) On the Functions of the Commission on Administrative Justice

The nominee stated that the functions of the Commission are well stipulated in Article 252 of the Constitution and the Commission for Administrative Justice Act No. 23 of 2011. She stated that the Commission largely deals with issues of conciliation, mediation and arbitration. In addition, the Commission is mandated to investigate complaints by the public and provide remedial action where necessary.

The nominee also stated that the creation of the Commission was necessitated by the lack of proper service delivery in the public sector and the lack of adequate mechanisms for handling complaints of an administrative nature against public officers.

(vi) On strategy and ethics at the Commission

The nominee stated that she will uphold the highest standard in ethics and carry out her duties with integrity and transparency during her tenure in the office. She appreciated the need for all public servants to maintain integrity.

(vii) On restrictions on other gainful employment

She asserted that she appreciated the requirements of Article 77(1) of the Constitution and categorically stated that if appointed, she would not be involved in any gainful employment during her tenure as the chairperson of the Commission. She stated that she would resign from her law firm where she is a partner and will not receive any benefits from the firm.

(viii) The nominee's net worth and expected income

The nominee has stated that her net worth is Kshs 61 million. She informed the Committee that she would receive income from her apartments located in Lang'ata and Mombasa Road.

(ix) Public office, political activities and affiliations

The nominee stated that she had been appointed to the Council of Legal Education as a member; the Energy Tribunal as the vice-chairperson; and the Power of Mercy Tribunal as a member. She had also been elected as the Member of Parliament for Meru County during the 11th Parliament. She was a former member of The National Alliance party (TNA) and the Jubilee party.

She sought to discount the perception that her nomination was a political reward as she believed that it was on the basis of her competence and qualifications that she was nominated. Further, she assured the Committee that she is now not involved in active politics.

The nominee stated that she would not engage in any political activity if appointed to the position but more importantly she would serve the public without any political prejudice. She further stated that she would work with all politicians regardless of their political affiliations to improve service delivery at the constituency level.

The nominee also stated that she had never been adversely associated with practices that depict bias, favouritism or nepotism during her career in public service.

(x) On the Big Four Agenda

The nominee informed the Committee that fair administration of Justice is an enabler to the Big Four Agenda which includes manufacturing, housing, food security and healthcare and if appointed she would engage the public who are aggrieved in settling their concerns as fast as possible so as to ensure that the Big Four Agenda is achieved. She further added that the delivery of the Vision 2030 has been hampered by maladministration and therefore the Big Four Agenda, which are subsets of Vision 2030, can be achieved if the administration of Justice is streamlined in the country.

(xi) On human and financial resources management at the Commission

The nominee stated that she will ensure the Commission resources (both human and financial) are optimally utilized to ensure that the Commission delivers on its mandate. She also stated that she will closely work and seek the support of the Justice and Legal Affairs Committee to

ensure the Commission is adequately resourced as it devolves its services to the counties.

(xii) On the different names appearing in her certificate

The nominee informed the Committee that the name “Derofina”, which appears in the certificate issued to her on completion of her Certificate of Primary Education (CPE), was her given name at birth. After sitting her CPE examination, she was baptised and given the name “Florence” which was adopted for her birth certificate and all other subsequent documents.

(xiii) On challenges facing the Commission

The nominee brought to the attention of the Committee a number of challenges facing the Commission including-

- (a) Lack of adequate resources – the Commission is a protector of public interest and gives pro-bono service to the public by resolving disputes and complaints amicably, however, the Commission’s abilities to devolve its services to all the Counties is hampered by the lack of adequate resources. In addition, the Commission has been allocated additional responsibilities under the Access to Information Act and additional funds will be necessary to ensure that the provisions of the Act are implemented.
- (b) Low morale amongst public servants that leads to mal-administration in the public sector, which needs to be adequately addressed in order to improve service delivery. She would work towards investing in public awareness and capacity building of staff.
- (c) The Commission lacks the powers to enforce its decisions and resolutions against public servants and public-sector institutions. There is need to amend the existing laws to enable the commission to undertake its work effectively. To this end, she stated that she would champion change of legislation and ensure that existing laws are implemented to give enforcement power to the Commission.

4.2 APPROVAL HEARING OF MR. WASHINGTON OPIYO SATI

Mr. Washington Opiyo Sati was nominated pursuant to Article 250 (2) of the Constitution for appointment as a member of the Commission. The nominee appeared before the Committee on 18th July, 2018 at 12.10 p.m. and after being put on oath responded to questions and issues raised (with the aid of two sign language interpreters) as follows-

(i) Self-introduction and education background

The nominee introduced himself as a married man, a father of three children who hails from Kisumu County and is deaf.

The nominee graduated from the University of Nairobi (UoN) in 2009 with a Diploma in Community Development. Thereafter, he graduated from the same University in 2011 with a Bachelor's Degree in Political Science and Strategy and in 2014 with a Masters' degree in Human Rights and Governance. Currently, he is pursuing a Doctor of Philosophy at the Maseno University.

(ii) Employment history

The nominee stated that he has, since the beginning of 2018, been employed at the Kenya National Commission on Human Rights as a Principal Human Rights Officer. Before that, since 2016, he had worked as a Principal Program Officer at the National Gender and Equality Commission; a Ward Administrator at the Nairobi City County Government from 2014 to 2016; a Disability Policy and Campaign Manager at the Leonard Cheshire Disability International from 2010 to 2014; and as a Disability Programme Coordinator at LVCT Health from 2006 to 2010.

(iii) Research and publications

The nominee submitted that he had done the following research and publication work-

- a) Principal Researcher - Children's Rights to Education; Children with disabilities rights to education, 2014-Published-University of Nairobi)
- b) Associate Researcher- Research into use Joint project Disability and Urban Agriculture-An Innovative Approach, 2012- published

- c) Associate Researcher - Best practices regarding HIV/AIDS for people with disabilities published 2010,
- d) Research Assistant - Responding to the Signs: A Peer-led HIV Voluntary Counselling and Testing Programme for the Deaf in Kenya. (Published in Disability and Rehabilitation International Journal) 2005
- e) Associate Researcher - Understanding the impact of Deaf culture on HIV/AIDS and VCT services delivery 2006 unpublished

(iv) Why he believes that he is qualified for the job

He stated that he is qualified for the job because he was Human Rights, Gender and Governance expert. He has experience in human rights programming work, research and advocacy with specialist knowledge on social, political, economic rights. In addition, he had an in-depth understanding of the operations of Government, small civil society organizations, large local and international human rights NGOs. He affirmed that he had specialized knowledge in human rights, high-level advocacy and negotiations at international level including the United Nations which would come in handy at the Commission. He also possesses extensive knowledge and experience in project management

(v) Membership to Professional Organizations/Bodies

He is a member of the following Professional Organizations/Bodies-

- (a) Kenya Institute of Management;
- (b) Kenya Association of the Deaf; and
- (c) National Council for Persons with Disabilities.

(vi) Why transit from the KNCHR to the CAJ

The nominee informed the Committee that he believed the transition from the KNCHR is informed by the goal to achieve social justice by human rights as the CAJ office also focuses on Human Rights instruments. If appointed, he will ensure that the public have access to the Commission and he is prepared to be a role model to officers serving in the Commission.

(vii) On intergovernmental relations and the administration of justice

He stated that he would undertake training and capacity building to train officers in counties on effective service delivery

(viii) On political activities and affiliations

The nominee informed the Committee that he neither has political affiliations nor does he hold office in a political party.

(ix) On resource mobilisation

The nominee informed the Committee that he had engaged with development partners such as the United Nations (UN) and raised a sum of United States Dollars Two Million (\$2,000,000) in his former organisation. He also mobilised resources for the National Gender and Equality Commission. For instance, in the previous general election, he sought assistance from the UN-Women which granted the National Gender and Equality Commission a sum of Kenya Shillings five million (Kshs. 5,000,000) for purposes of monitoring gender-based violence during the election period. If approved, he will utilise this experience to come up with programs bringing services closer to the people e.g. Mobile clinics for the Commission to gather information.

(x) On diversity and inclusivity in employment

He was of the view that special interest groups and/or persons have struggled to gain access to employment and public services and will therefore strive to ensure that such persons are sensitised on their rights to enable them utilise the office of the Ombudsman.

(xi) Likelihood of conflict of interest

The nominee was of the view that there was no likelihood of any personal interest conflicting with official duties but stated that should an instance of conflict arise, he would disclose the same to the Commission.

(xii) On his net worth and expected future income

He stated that his net worth was Kenya Shillings five million (Kshs 5,000,000) and that he runs a business, which would bring him income in future.

(xiii) On whether he has ever been engaged in acts that depict bias or nepotism

The nominee notified the Committee that he had dearly guarded his professional career and was a man of unquestionable integrity. He affirmed that had never been involved in acts depicting bias or nepotism.

(xiv) On restrictions on other gainful employment

The nominee informed the Committee that he was alive to the requirements of Article 77(1) of the Constitution and stated that if appointed, he would resign from the Kenya National Commission on Human Rights.

4.3 APPROVAL HEARING OF MRS. LUCY KAMUNYE NDUNG’U

Mrs. Lucy Kamunye Ndung’u was nominated pursuant to Article 250 (2) of the Constitution for appointment as a member of the Commission. The nominee appeared before the Committee on 18th July, 2018 at 1.50 p.m. and after being put on oath responded to questions and issues raised as follows-

(i) Education background

She attended Ngandu Girls High School for her ‘O’ level and ‘A’ level education. She attained a Bachelors’ of Laws Degree (Second Class Honours) from the University of Nairobi in 1987, a Post Graduate Diploma in Law from the Kenya School of Law in 1988, Executive Education- Advanced Management Program from Strathmore University in November 2015 and was currently pursuing a Master of Laws Degree from the University of Nairobi.

(ii) Work experience

The nominee stated that she had been an Advocate of the High Court of Kenya since 1988. She is a respected public officer with many years of leadership experience in various public institutions.

She has worked at Njoroge, Musyoka and Co. Advocates as a Litigation Counsel, Advocate of the High Court of Kenya (1988-1989); the State Law Office/ Attorney General Chambers as State Counsel (1988- 2008); Electoral Commission of Kenya as Deputy Registrar General (2008-2009); Interim Independent Electoral Commission as Head of Department of Registrar of Political Parties (2009- 2011); Independent Electoral and Boundaries Commission as Director Registrar of Political Parties (2009- 2014); and the Office of the Registrar of Political Parties as Registrar (2014 to date).

(iii) Awards and Commendations

She had received two Presidential Awards- the Elder of the Order of Burning Spear (2013) and the Head of State Commendation (2017), the Financial Reporting (FiRE) Award (2017) and the Agricultural Society of Kenya Chairman Commendation Trophy (2018).

(iv) Publications

Her published writings include- the ORPP ICT Policy and Disaster Recovery Plan (2017), ORPP Audit Charter (2017), ORPP Human Resources Policy and Procedures Manual (2017), Political Parties Leadership Training Source Book (2016), the Global Conference on Money in Politics (3rd- 5th September 2015), Guide to Mergers and Coalitions (2014), the Checklist for Political party Nomination Rules (2012), among others.

(v) Membership to Professional Organizations/Bodies

She is a member of the following Professional Organizations/Bodies-

- (a) Law Society of Kenya
- (b) Institute of Certified Public Secretaries of Kenya; and
- (c) Associate member of the Chartered Institute of Arbitrators.

(vi) What value would she add to the Commission on Administrative Justice (CAJ) if appointed a member?

She stated that she has extensive experience and knowledge as a legal professional specifically in commercial law and elections. She is also proficient in various professional management skills such as -Excellent communication, negotiations and organizational skills; ability to work under pressure and meeting deadlines; identifying problems and promoting solutions; and ability to lead and mentor others.

(vii) Why she wants to be a member of the Commission on Administrative Justice and whether she will make noticeable impact at the Commission if appointed

She stated that she had been a technocrat for many years in government and would be able to make an impact by influencing policy change at the Commission.

She had also worked diligently at the ORPP for the last ten years and it was time to serve the nation in another capacity. When pressed on whether she did not find the work of Registrar of Political Parties as more

powerful, she stated that she was satisfied with the work she had done during her six-year tenure and in her view, the position of a Commissioner is constitutionally anchored hence holds a higher rank than that of the RPP.

(viii) On addressing challenges at the Commission on Administrative Justice

She submitted that the Commission only had presence in six counties and eleven (11) Huduma centres around the country and this was an impediment to service delivery. Her contribution would be to roll out presence in other areas.

She noted that whereas the Commission was mandated to implement the Access to Information Act, there were no regulations to enforce it. She stated that there was a conflict in the person empowered to make the regulations being the Cabinet Secretary for ICT. She was of the view that the implementer would be the appropriate body to make those regulations. Once that is resolved, she would embark on making the necessary regulations.

She also stated that the Commission should do a lot of advocacy to increase public awareness.

(ix) On political activities and affiliations and conflict of interest

The nominee stated that despite the nature of her job as the Registrar of Political Party, she was neither an official nor a member of a political party. Further, she stated that she did not anticipate instances where political issues would affect her work as a Commissioner since the issues she would deal with as the Registrar of Political Parties mainly arose in a political environment and during election seasons. She however did assure the Committee that in case a conflict arose between personal life and her duties as a Commissioner, she would disclose it.

(x) On discrepancy of the names in her certificates

The nominee informed the Committee that some of her certificates bear the name “Lucy Wachuka Kamunye” which was her name before marriage. After marriage, she dropped her maiden name and took up her husband’s name “Ndung’u”. As a result, she is often required to swear

affidavits to the effect of ascertaining that all names belong and refer to her.

(xi) On her net worth

She stated that her net worth was Kenya Shillings eighty-seven million (Kshs.87,000,000).

(xii) On public trust and some remarks made by political parties on her devotion to duty

The nominee gave a brief background on the circumstances under which the Party of National Unity (PNU) was dissolved. She informed the Committee that PNU was dissolved because it had not carried out its duty of filing its returns as required. She stated that as a public servant she would always obey the rule of law.

She confirmed that the Office of the Registrar of Political Parties had set up a task force to address issues related to the shambolic party primaries so as to sufficiently resolve them.

(xiii) On restrictions on other gainful employment

The nominee informed the Committee that in view of the requirements of Article 77(1) of the Constitution she would only hold office as a Commissioner if appointed.

PART 5

5 COMMITTEE OBSERVATIONS, FINDINGS AND CONCLUSIONS

5.1 SPECIFIC OBSERVATIONS

(i) On Hon. Florence Kajuju

The Committee observed as follows-

- a) Her academic credentials and professional training and experience are extensive and she meets the requirements of Section 10(1) and (3) of the Commission on Administrative Justice Act of 2011 in that-
 - (i) she has over twenty years' experience as an Advocate of the High Court of Kenya;
 - (ii) she holds a law degree from the University of Nairobi;
 - (iii) she meets the requirements of Chapter Six of the Constitution on leadership and integrity having been cleared by DCI, KRA, RPP, HELB and EACC;
 - (iv) she is not a member of Parliament or a County Assembly;
 - (v) she is not a member of the governing body of a political party;
 - (vi) she is not a member of a local authority;
 - (vii) she is not an undischarged bankrupt; and
 - (viii) she has not been removed from office for contravening the provisions of the Constitution or any other law.
- b) Her experience in the 11th Parliament where she was Member of Parliament for Meru County and her tenure in various public entities will add value to CAJ;
- c) The only memorandum received contesting her nomination for appointment did not constitute a sworn statement hence was inadmissible.
- d) There will be no potential conflict of interest as stipulated in Article 75(1) of the Constitution in case she is appointed;
- e) She has never been charged with a criminal offence in a Court of Law;

- f) She has never been dismissed from office under Article 75 of the Constitution for contravention of the provisions of Article 75(1) on conflict of interest, Article 76 on financial probity, Article 77 on restriction of State Officers and Article 78(2) on dual citizenship;
- g) She exhibited knowledge and understanding of the mandate and other pertinent issues relating to the Commission on Administrative Justice.

(ii) On Mr. Washington Opiyo Sati

The Committee observed as follows-

- (a) His academic credentials and professional training and experience are extensive and he meets the requirements provided for under Section 10 (2) and (3) of the Commission on Administrative Justice Act of 2011 in that-
 - (i) he has over ten years' experience in human rights and management;
 - (ii) He holds a Bachelors and Masters degree from the University of Nairobi;
 - (iii) He meets the requirements of Chapter Six of the Constitution on leadership and integrity having been cleared by DCI, KRA, RPP, HELB and EACC;
 - (iv) he is not a member of Parliament or a County Assembly;
 - (v) he is not a member of the governing body of a political party;
 - (vi) he is not a member of a local authority;
 - (vii) he is not an undischarged bankrupt; and
 - (viii) he has not been removed from office for contravening the provisions of the Constitution or any other law.
- (b) He has never been charged with a criminal offence in a Court of Law;
- (c) He does not see any potential conflict of interest should he be appointed to CAJ;
- (d) He has never been dismissed from office under Article 75 of the Constitution for contravention of the provisions of Article 75(1) on conflict of interest, Article 76 on financial probity, Article 77

on restriction of State Officers and Article 78(2) on dual citizenship;

- (e) He demonstrated resolve and ability to add value to the CAJ;
- (f) He exhibited knowledge and understanding of the mandate and other pertinent issues relating to the Commission on Administrative Justice.

(iii) On Mrs. Lucy Kamunye Ndung'u

The Committee observed as follows-

- (a) Her academic credentials and professional training and experience are extensive and she meets the requirements as provided for under Section 10 (2) and (3) of the Commission on Administrative Justice Act of 2011 in that-
 - (i) she has thirty years' experience as an Advocate;
 - (ii) She holds a law degree from the University of Nairobi;
 - (iii) She meets the requirements of Chapter Six of the Constitution on leadership and integrity having been cleared by DCI, KRA, RPP, HELB and EACC;
 - (iv) she is not a member of Parliament or a County Assembly;
 - (v) she is not a member of the governing body of a political party;
 - (vi) she is not a member of a local authority;
 - (vii) she is not an undischarged bankrupt; and
 - (viii) she has not been removed from office for contravening the provisions of the Constitution or any other law.
- (b) Her vast experience in management and politics will add value to the CAJ;
- (c) There was no memorandum received contesting her nomination for appointment;
- (d) There will be no potential conflict of interest as stipulated in Article 75(1) of the Constitution in case she is appointed to CAJ;

- (e) She has never been charged with a criminal offence in a Court of Law;
- (f) She satisfies the requirements of Article 77(2) of the Constitution because he does not hold an office in a political party;
- (g) She has never been dismissed from office under Article 75 of the Constitution for contravention of the provisions of Article 75(1) on conflict of interest, Article 76 on financial probity, Article 77 on restriction of State Officers and Article 78(2) on dual citizenship; and
- (h) She exhibited knowledge and understanding of the mandate and other pertinent issues relating to the Commission on Administrative Justice.

PART 6

6 COMMITTEE RECOMMENDATION

The Committee recommends that pursuant to Article 250 (2) (b) of the Constitution and Section 11 (7) of the Commission on Administrative Justice Act-

- (1) The House approves the nomination of Hon. Florence Kajuju for appointment as the Chairperson of the Commission on Administrative Justice by His Excellency the President;**
- (2) The House approves the nomination of Mr. Washington Opiyo Sati for appointment as a member of the Commission on Administrative Justice by His Excellency the President; and**
- (3) The House approves the nomination of Mrs. Lucy Kamunye Ndung'u for appointment as a member of the Commission on Administrative Justice by His Excellency the President.**

Signed.....

Hon. William Cheptumo, M.P.

Chairperson, Departmental Committee on Justice and Legal Affairs

Date.....

ANNEXURE 1

(Minutes of Committee sittings)

**MINUTES OF THE SIXTIETH SITTING OF THE DEPARTMENTAL COMMITTEE
ON JUSTICE AND LEGAL AFFAIRS MEETING HELD ON MONDAY 23RD JULY,
2018 AT 2.00 P.M. IN PRIDE HALL, OLE SERENI HOTEL, NAIROBI**

PRESENT:-

- | | | |
|-----------------------------------|---|-------------------------|
| 1. Hon. William Cheptumo, M.P. | - | Chairperson |
| 2. Hon. Alice Wahome, M.P. | - | Vice Chairperson |
| 3. Hon. John OlagoAluoch, M.P. | | |
| 4. Hon. Ben Momanyi Orori, M.P. | | |
| 5. Hon. Peter O. Kaluma, M.P. | | |
| 6. Hon. Charles Gimose, M.P. | | |
| 7. Hon. William K. Mwamkale, M.P. | | |
| 8. Hon. Jennifer Shamala, M.P. | | |
| 9. Hon. John M Wambugu, M.P. | | |
| 10. Hon. George G. Murugara, M.P. | | |
| 11. Hon. Beatrice Adagala, M.P. | | |
| 12. Hon. Adan Yussuf Haji, M.P. | | |
| 13. Hon. Anthony G. Kiai, M.P. | | |

ABSENT WITH APOLOGY

1. Hon. Roselinda Soipan Tuya, MP.
2. Hon. Johana Ngeno, M.P.
3. Hon. Zulekha Hassan, M.P.
4. Hon. Boss Shollei, CBS, MP.
5. Hon. John Kiarie Waweru, M.P.
6. Hon. Japheth Mutai, M.P.

IN ATTENDANCE

1. Mr. George Gazemba
2. Mr. Denis Abisai
3. Ms. Doreen Karani
4. Ms. Halima Hussein
5. Ms. Fiona Musili
6. Mr. Abdirahim Omar
7. Rahima Ahmed
8. Mr. John Kimiti
9. Ms. Rose Njuki

NATIONAL ASSEMBLY

- | | |
|---|-------------------------|
| - | Senior Clerk Assistant |
| - | Principal Legal Counsel |
| - | Legal Counsel |
| - | Clerk Assistant III |
| - | Research Officer III |
| - | Budget Officer |
| - | Secretary |
| - | Audio recording Officer |
| - | Searjant at Arms |

MIN No. 210 /2018:-

PRELIMINARIES

The chairperson called the meeting to order at 2:00 p.m. which was followed by a word of prayer by Hon. Anthony Kiai, MP.

MIN No. 211/2018:-

CONSIDERATION OF THE SECOND DRAFT
REPORT ON THE VETTING OF NOMINEES FOR
THE APPOINTMENT OF OFFICES OF
CHAIPERSON AND MEMBERS OF THE
COMMISSION ON ADMINISTRATIVE JUSTICE

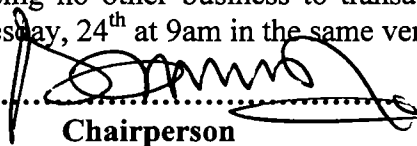
The Committee considered and unanimously adopted its report on the vetting of nominees for the appointment of Offices of Chairperson and Members of the Commission on Administrative Justice. The adoption was proposed by Hon. Peter Kaluma, MP and seconded by Hon. Jeniffer Shamalla, MP.

MIN No.212/2018:

ADJOURNMENT

There being no other business to transact, the Chairperson adjourned the meeting at 3.30 pm until Tuesday, 24th at 9am in the same venue.

Signed.....



Chairperson

Date.....

24.07.18

MINUTES OF THE FIFTY NINTH SITTING OF THE DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS MEETING HELD ON MONDAY 23RD JULY, 2018 AT 10.00 A.M. IN PRIDE HALL, OLE SERENI HOTEL, NAIROBI

PRESENT:-

- | | | |
|-----------------------------------|---|-------------------------|
| 1. Hon. William Cheptumo, M.P. | - | Chairperson |
| 2. Hon. Alice Wahome, M.P. | - | Vice Chairperson |
| 3. Hon. John OlagoAluoch, M.P. | | |
| 4. Hon. Ben Momanyi Orori, M.P. | | |
| 5. Hon. Peter O. Kaluma, M.P. | | |
| 6. Hon. Charles Gimose, M.P. | | |
| 7. Hon. William K. Mwamkale, M.P. | | |
| 8. Hon. Jennifer Shamala, M.P. | | |
| 9. Hon. John M Wambugu, M.P. | | |
| 10. Hon. George G. Murugara, M.P. | | |
| 11. Hon. Beatrice Adagala, M.P. | | |
| 12. Hon. Adan Yussuf Haji, M.P. | | |
| 13. Hon. Anthony G. Kiai, M.P. | | |

ABSENT WITH APOLOGY

1. Hon. Roselinda Soipan Tuya, MP.
2. Hon. Johana Ngeno, M.P.
3. Hon. Zulekha Hassan, M.P.
4. Hon. Boss Shollei, CBS, MP.
5. Hon. John Kiarie Waweru, M.P.
6. Hon. Japheth Mutai, M.P.

IN ATTENDANCE

1. Mr. George Gazemba
2. Mr. Denis Abisai
3. Ms. Doreen Karani
4. Ms. Halima Hussein
5. Ms. Fiona Musili
6. Mr. Abdirahim Omar
7. Rahima Ahmed
8. Mr. John Kimiti
9. Ms. Rose Njuki

NATIONAL ASSEMBLY

- | | |
|---|-------------------------|
| - | Senior Clerk Assistant |
| - | Principal Legal Counsel |
| - | Legal Counsel |
| - | Clerk Assistant III |
| - | Research Officer III |
| - | Budget Officer |
| - | Secretary |
| - | Audio recording Officer |
| - | Searjant at Arms |

MIN No. 207 /2018:-

PRELIMINARIES

The chairperson called the meeting to order at 10:00 a.m. which was followed by a word of prayer by Hon. Alice Wahome, MP. –Vice Chairperson

MIN No. 208/2018:-

**CONSIDERATION OF THE DRAFT REPORT ON
THE VETTING OF NOMINEES FOR THE
APPOINTMENT OF OFFICES OF CHAIRPERSON
AND MEMBERS OF THE COMMISSION ON
ADMINISTRATIVE JUSTICE**

The Committee was taken through the draft report on the vetting of nominees for the appointment of Offices of Chairperson and Members of the Commission on Administrative Justice and agreed as follows;

- (i) On the memorandum contesting Hon Florence Kajuju's suitability the Committee noted that it was not a written statement on oath as required by Section 6(9) of Public Appointments (Parliamentary Approvals) Act, 2011 and was received after 9th July, 2018, which was the stipulated deadline for submission of memoranda and therefore inadmissible.
- (ii) The name of Hon. Florence Kajuju's law firm be captured in the report for clarity
- (iii) The Article of the Constitution and the Section of the Commission's Act on the establishment of the Commission be captured in part two of the report.

MIN No. 209/2018:

ADJOURNMENT

There being no other business to transact, the Chairperson adjourned the meeting at 12.30 pm until 2pm same day same venue.

Signed.....


Chairperson

Date.....
24.07.18

MINUTES OF THE FIFTY EIGHTH SITTING OF THE DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS MEETING HELD ON WEDNESDAY, 18TH JULY, 2018 AT 1.30 P.M. IN COMMITTEE ROOM 7, MAIN PARLIAMENT BUILDING

PRESENT:-

- | | | |
|-----------------------------------|---|-------------------------|
| 1. Hon. William Cheptumo, M.P. | - | Chairperson |
| 2. Hon. Alice Wahome, M.P. | - | Vice Chairperson |
| 3. Hon. John OlagoAluoch, M.P. | | |
| 4. Hon. Ben MomanyiOrori, M.P. | | |
| 5. Hon. William K. Mwamkale, M.P. | | |
| 6. Hon. Jennifer Shamala, M.P. | | |
| 7. Hon. John M Wambugu, M.P. | | |
| 8. Hon. George G. Murugara, M.P. | | |
| 9. Hon. Beatrice Adagala, M.P. | | |
| 10. Hon. Anthony G. Kiai, M.P. | | |

ABSENT WITH APOLOGY

1. Hon. Peter O. Kaluma, M.P.
2. Hon. RoselindaSoipanTuya, MP.
3. Hon. Johana Ngeno, M.P.
4. Hon. Zulekha Hassan, M.P.
5. Hon. Boss Shollei, CBS, MP.
6. Hon. John KiarieWaweru, M.P.
7. Hon. Charles Gimose, M.P.
8. Hon. Japheth Mutai, M.P.
9. Hon. Adan Yussuf Haji, M.P.

IN ATTENDANCE

COMMITTEE SECRETARIAT

- | | | |
|-----------------------|---|------------------------------------|
| 1. Mr Nicholas Emejen | - | Deputy Director Committee Services |
| 2. Mr. Denis Abisai | - | Principal Legal Counsel |
| 3. Ms. Doreen Karani | - | Legal Counsel |
| 4. Ms. Halima Hussein | - | Clerk Assistant III |
| 5. Mr. Douglas Katho | - | Clerk Assistant III |
| 6. Ms. Fiona Musili | - | Research Officer III |
| 7. Mr. Abdirahim Omar | - | Budget Officer |
| 8. Mr. James Macharia | - | Media Relations Officer |
| 9. Mr. John Kimiti | - | Audio recording Officer |
| 10. Ms. Rose Njuki | - | Searjent at Arms |

NOMINEE

1. Mr. Lucy Kamunye Ndung'u - Member of Commission

MEMBERS OF THE PUBLIC

1. Ms. Alice Gichaga - PA to nominee, Office of the Registrar of Political parties
2. Ms. Juliet W. Murimi - Ass. Director Compliance - Office of the Registrar of Political parties

MIN No. 204 /2018:-

PRELIMINARIES

The Meeting started with a ward of prayers from Hon. William Cheptumo, MP and Chairperson of the Committee and thereafter introductions ensued.

MIN No. 205 /2018:-

APPROVAL HEARING FOR MS. LUCY K. NDUNG'U, NOMINEE FOR APPOINTMENT AS A MEMBER OF THE COMMISSION ON ADMINISTRATIVE OF JUSTICE

Lucy K. Ndung'u appeared before the committee and made the following submissions:-

- (i) She was born in Kiambu and married in Nakuru and has extended family outside and within Nairobi.
- (ii) She is an advocate of the High Court of Kenya and the registrar of Political Parties and holds a degree in Law (LLB) from the University of Nairobi and a Post-Graduate Diploma from Kenya School of Law in 1988. She is currently pursuing a M.A and has attended various courses.
- (iii) She started her career as a state Counsel in the Attorney General Office and thereafter seconded to the defunct ECK as a Deputy registrar General in the Political parties department.
- (iv) She took over as a registrar of the political parties in 2008 after the dissolution of the ECK and thereafter designated as the Director, Political parties in the Interim Independent Electoral Commission (IIEC).
- (v) The Successor of the Interim Independent Electoral Commission that is Interim Electoral and Boundaries Commission (IEBC) delinked the Office of Political Parties in 2011 and thereafter she took over as the registrar of Political Parties.
- (vi) She informed the Committee that her experience as a Lawyer in Public administration and also being the administrator of the political parties fund has molded her to undertake the responsibilities of being as public defender in the Commission on Administrative of Justice.
- (vii) She stated that as a registrar of political parties the work was majorly technical whereas the Office of ombudsman is an overseer job that entails providing guidance.

- (viii) She has served a full term of more than six years as a registrar of political parties and the constitution does not allow for renewal.
- (ix) She informed the Committee that she does not foresee instances that she will have any conflict of interest with regard to coming from being a registrar of political parties to the office of the ombudsman but in any case there arises any conflict then she will endeavor to have a full disclosure.
- (x) She further stated that she intends to uphold the highest degree of decorum in handling public issues. She informed the Committee that she has never been involved in any malpractice in any manner.
- (xi) She is not a member of any political party.
- (xii) She is valued at 87 Million and that she has rental income and other subsistence income.
- (xiii) She stated that she PNU was dissolved because it had not carried out their duty of filling in the returns as it were till now and as a public servant she will obey the law, live a life that is commensurate to finances.
- (xiv) She confirmed that she will resign as the registrar of Political Parties should her nomination be approved by the National Assembly.
- (xv) She informed the Committee that the office of the registrar of political parties is normally judged due to chaotic primaries however regulations have been passed to address such.
- (xvi) She will ensure that the activities of the political parties are monitored by the ombudsman office.
- (xvii) On reaching out to the Counties she stated that if appointed she would seek to share premises at the Counties so long as they administer services to the people, bring in to the Office of the Ombudsman a complaints desk manned by information officers and would use radio to reach out the masses as well the distribution of IEC materials to the public.
- (xviii) She stated that the Ombudsman is the custodian of the peoples Justice and originated from the Kingdom of Sweden in 1809 since the King had neglected the Swedish people so as to address their concerns.
- (xix) She informed the Committee that the Lucy Wachuka and that Kamunye is her dads name and Ndung'u is her husband's name. Therefore she can be referred as Lucy Ndung'u, Lucy Wachuka, Lucy Kamunye all are one and the same. She has sworn affidavits on the same.
- (xx) She further informed the Committee that funding the office of the ombudsman is a likely challenge since resources are always limited to reach all the 47 counties in an effective manner especially on advocacy and public awareness. That she would ensure regulations on access to information is traditionally developed by the Cabinet Secretary for Information whereas this ought to be done by the Ombudsman since it is an independent office and that its implementation are done by the office itself.

MIN No. 206/2018:-ADJOURNMENT

There being no Any Other Business to transact, the Chairperson adjourned the meeting at 2:30 p.m.

Signed.....

Chairperson

Date..... 24.7.18

MINUTES OF THE FIFTY SEVENTH SITTING OF THE DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS HELD ON WEDNESDAY, 18TH JULY, 2018 AT 10.00 A.M. IN COMMITTEE ROOM 7, MAIN PARLIAMENT BUILDING

PRESENT:-

- | | | |
|-----------------------------------|---|-------------------------|
| 1. Hon. William Cheptumo, M.P. | - | Chairperson |
| 2. Hon. Alice Wahome, M.P. | - | Vice Chairperson |
| 3. Hon. John OlagoAluoch, M.P. | | |
| 4. Hon. Ben MomanyiOrori, M.P. | | |
| 5. Hon. William K. Mwamkale, M.P. | | |
| 6. Hon. Jennifer Shamala, M.P. | | |
| 7. Hon. John M Wambugu, M.P. | | |
| 8. Hon. George G. Murugara, M.P. | | |
| 9. Hon. Beatrice Adagala, M.P. | | |
| 10. Hon. Anthony G. Kiai, M.P. | | |

ABSENT WITH APOLOGY

1. Hon. Peter O. Kaluma, M.P.
2. Hon. RoselindaSoipanTuya, MP.
3. Hon. Johana Ngeno, M.P.
4. Hon. Zulekha Hassan, M.P.
5. Hon. Boss Shollei, CBS, MP.
6. Hon. John KiarieWaweru, M.P.
7. Hon. Charles Gimose, M.P.
8. Hon. Japheth Mutai, M.P.
9. Hon. Adan Yussuf Haji, M.P

IN ATTENDANCE

COMMITTEE SECRETARIAT

- | | | |
|------------------------|---|------------------------------------|
| 1. Mr Nicholas Emejien | - | Deputy Director Committee Services |
| 2. Mr. Denis Abisai | - | Principal Legal Counsel |
| 3. Ms. Doreen Karani | - | Legal Counsel II |
| 4. Ms. Halima Hussein | - | Clerk Assistant III |
| 5. Mr. Douglas Katho | - | Clerk Assistant III |
| 6. Ms. Fiona Musili | - | Research Officer III |
| 7. Mr. Abdirahim Omar | - | Budget Officer |
| 8. Mr. James Macharia | - | Media Relations Officer |
| 9. Ms. Rose Njuki | - | Searjent at Arms |

NOMINEES

- | | | |
|------------------------------|---|----------------------|
| 1. Hon. Florence Kajuju | - | Chairperson |
| 2. Mr. Washington Opiyo Sati | - | Member of Commission |

MEMBERS OF THE PUBLIC

- | | | |
|-------------------------------|---|---|
| 1. Hon. Fatuma Ibrahim, MP. | - | EALA MP. |
| 2. FridahKajujuKamanja | - | PA to Hon. Florence Kajuju |
| 3. Naomi Kathurima | - | Lecturer & Friend to Hon. Kajuju |
| 4. Susan KajujuLaimaru | - | Dean of Students - Kenya Methodist University |
| 5. Susan NyarokaThiauru | - | School Principal |
| 6. Hon. Purity NkiroteMugambi | - | MCA County Assembly of Meru |
| 7. Douglas Okeya | - | Sign Language Interpreter |
| 8. Leonida Kaula | - | Sign Language Interpreter |

MIN No. 200 /2018:- PRELIMINARIES

The chairperson called the meeting to order at 10:30 a.m followed by a word of prayer from the Chairperson and brief introductions.

MIN No. 201 /2018:- VETTING OF NOMINEES FOR APPOINTMENT TO THE OFFICE OF CHAIRPERSON OF THE COMMISSION ON ADMINISTRATIVE JUSTICE

The **Hon. Florence Kajuju** nominee to the position of Chairperson of the Commission on Administrative Justice appeared before the Committee and responded to questions raised by Members on her suitability to be appointed to the Office.

The Hon. Florence Kajuju informed the Committee that:

- (i) She was born in Meru County and attended primary and secondary in Meru before joining Moi Girls High School, Eldoret for her Kenya Advanced Certificate of Education. She joined the University of Nairobi in 1989 for a Bachelor's Degree in Law and graduated in 1992 with Second Class Honors. She is currently undertaking Master of Arts in Leadership and Governance at Mount Kenya University.
- (ii) She is an advocate of the High Court, practiced law for twenty three (23) years since admission to the bar in 1995. She is Managing Partner at M/S F. K. Gitonga & Company Advocates. She specialized in civil litigation, conveyance and criminal litigation.
- (iii) She served in various organizations in different capacities such as Member of the Council of Law Society of Kenya (year), vice chair of the Energy Tribunal (year), Member of the Power of Mercy Committee (year), Member of Council for Legal Education and Member of ICJ, Kenya chapter. She possesses mediation and alternative Dispute resolutions skills that are well grounded in the practice of law.

- (iv) Her training background in law and experience in the bar, as well as her tenure in various entities such as Energy Tribunal, council for legal education and Power of Mercy Committee prepared her for the position she has been nominated for in the Commission.
- (v) Her tenure as a member of the Justice and Legal Affairs Committee in the 11th Parliament made her appreciate the challenges the public undergo in their pursuit for service in the public sector and further interactions with the Commission of Administrative Justice made her understand the challenges at the Commission which she will endeavor to solve.
- (vi) The lack of proper service delivery and mechanism to handle complaints in the country particularly from the public sector led to the establishment of the Commission
- (vii) To enhance service delivery, if appointed, she will address the challenges facing the Commission as follows;
 - a) Improve the existing structures to establish a recognized mechanism to channel grievances through partnering with Huduma Centres to set up complaints desks to offer the services to take service close to the people;
 - b) Invest in public awareness and capacity building of the staff;
 - c) Develop structure to create alternative dispute resolutions to fast track complains;
 - d) Engage Parliament to provide more resources to ensure existing laws are implanted to give enforcement power to the Commission and the Access to Information Act is implanted;
- (viii) On intergovernmental relations she stated that she would enhance relations between the Commission and the Counties by encouraging them to create complaints desk in all Counties.
- (ix) Fair Administration of Justice is an enabler to the Big 4 which includes manufacturing, housing, food security and healthcare and if appointed engage the public who are aggrieved in settling their concerns as fast as possible so as to ensure that the Big 4 agenda is achieved. The delivery of the vision 2030 has been hampered with maladministration and therefore the Big 4 which is subsets of the vision 2030 can be achieved if the administration of Justice is streamlined in the country.
- (x) The name Derofina in her certificate was given by her late mum and it appears in some of the documents. The name was dropped after her baptism. .
- (xi) If appointed she would resign as a Partner at her law firm and would discharge her new duties with integrity and fidelity to the Constitution to avoid any potential conflict of interest.
- (xii) She has resigned from Jubilee Party and would not engage in any political activities.
- (xiii) If appointed she would work closely with Parliament and ensure financial and human resources are properly managed in line with the Commission priorities.
- (xiv) Her net worth was Kenya Shillings Sixty Million (60M).

MIN No. 202 /2018

**VETTING OF NOMINEE FOR APPOINTMENT TO THE
OFFICE OF MEMBER OF THE COMMISSION ON
ADMINISTRATIVE JUSTICE**

Mr. Washington Opiyo Sati, nominee to the position of members of the commission on administrative justice appeared before the Committee at 12.15 p.m and responded to questions as follows:

- (i) He was born in Kisumu County and attended Maseno Primary School for the Deaf before joining Kuja Special Secondary School for his Secondary education. He did Diploma in Community Health and Diploma in Social Work and Social Development at Chako Training Centre Nairobi and University of Nairobi respectively between 2004 to 2008. He later joined The University of Nairobi for Bachelor degree in Political Science and Sociology and later Master's Degree in Human Rights and Governance in the same institution. He is currently undertaking PhD in Gender and Public Policy Studies at Maseno University
- (ii) He is a trained Human Rights, Gender and Governance expert with twelve years' experience in human rights programming work, Implementing research and advocacy with specialist knowledge on social, political and economic rights.
- (iii) He has deep understanding of the operations of Government, civil society organizations, large local and international human rights NGOs and specialized knowledge in high level advocacy and negotiations at international level including the United Nations.
- (iv) He possess extensive knowledge and experience in project management including needs identification, design, implementation, budgeting, reporting, monitoring and evaluation and has published in public health journals and presented at Global HIV and social science Conferences in Belgium, Canada, Mexico, the US, Turkey and The Netherlands.
- (v) He holds a Commonwealth Professional Fellowship in 2008 to work at the National Centre for Independent Living in London.
- (vi) He worked in various organizations at different levels such as The Kenya National Association of the Deaf, The Nairobi County Government, Liverpool VCT, Care and Treatment Kenya, Nairobi, Leonard Cheshire Disability International, East and North Africa, National Gender and Equality Commission. He is currently working with Kenya National Commission on Human Rights as Principal Human Rights Officer- Head of Research and Compliance.
- (vii) If appointed he would use his vast experience in Human rights and good governance as a guide to ensure the public have access to services and provide the right intervention in the Commission.
- (viii) He would closely and diligently with other Government Institutions and engage international donors for financial support to solve the financial challenges at the Commission.
- (ix) He stated that people with Disability and the youth are marginalized and struggle to get opportunities in the Government and that if appointed he would champion for the right of these groups.
- (x) He asserted that if appointed he would identify priority areas based on the complains from the public through the existing mechanism in the Commission to ensure the proper utilization of the Human and Financial resources
- (xi) He further submitted that if appointed he would do the following;
 - a) Develop intervention programs to put in place proper reconciliation and recommendation mechanism.
 - b) Strength the public education awareness department to ensure access to social justice
 - c) Establish mobile offices to serve in all counties
 - d) Train the county staff on good governance and human rights
 - e) Invest in training and capacity of the Commission staff

- (xii) He stated that he is not a member of any political Party
- (xiii) He submitted that if appointed he would ensure effective service delivery and good governance to contribute to the big four
- (xiv) If appointed he would resign from his current job and would discharge duty with integrity and fidelity to the Constitution to avoid any potential conflict of interest.
- (xv) He stated that he has never been involved in any situation that created conflict of interest in his previous and current engagements and he would ensure to continue the same if appointed
- (xv) He informed the meeting that his net worth was Kenya Shillings five Million (5M)

MIN No. 203/2018:-ADJOURNMENT

There being no Any Other Business to transact, the Chairperson adjourned the meeting at 1.02 p.m.

Signed.....
Chairperson

Date.....24. 7. 18.....

MINUTES OF THE FIFTY-SIXTH SITTING OF THE DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS HELD ON TUESDAY, 17TH JULY, 2018 AT 10:30AM IN THE COMMITTEE ROOM 7, PARLIAMENT BUILDINGS

PRESENT

- | | | |
|------------------------------------|---|-------------------------|
| 1. Hon. William Cheptumo, M.P. | - | Chairperson |
| 2. Hon. Alice Muthoni Wahome, M.P. | - | Vice Chairperson |
| 3. Hon. John Olago Aluoch, M.P. | | |
| 4. Hon. Ben Momanyi, MP. | | |
| 5. Hon. William K. Mwamkale, M.P. | | |
| 6. Hon. John M. Wambugu, M.P. | | |
| 7. Hon. Beatrice Adagala, M.P. | | |
| 8. Hon. Jennifer Shamalla, M.P. | | |
| 9. Hon. Anthony G. Kiai, M.P. | | |
| 10. Hon. George G. Murugara, M.P. | | |
| 11. Hon. Adan Haji Yussuf, M.P. | | |

ABSENT WITH APOLOGIES

1. Hon. Peter O. Kaluma, M.P.
2. Hon. Roselinda Soipan Tuya, M.P.
3. Hon. Johana Ng'eno, M.P.
4. Hon. Charles Gimose, M.P.
5. Hon. Zuleikha Hassan, M.P.
6. Hon. Gladys Boss Shollei, CBS, M.P.
7. Hon. Japheth Mutai, M.P.
8. Hon. John Kiarie Waweru, M.P.

IN ATTENDANCE

1. Ms. Doreen Karani
2. Ms. Halima Hussein
3. Ms. Fiona Musili
4. Mr. Omar Abdirahim

COMMITTEE SECRETARIAT

- | | |
|---|-----------------------|
| - | Legal Counsel II |
| - | Third Clerk Assistant |
| - | Research Officer |
| - | Fiscal Analyst |

MIN No. 197 /2018:

PRELIMINARIES

The chairperson called the meeting to order at 11:00 a.m. which was followed by a word of prayer from himself.

MIN No. 198 /2018:

PLANNING FOR THE VETTING OF THE NOMINEES FOR THE APPOINTMENT OF OFFICES OF CHAIRPERSON

AND MEMBERS OF COMMISSION ON
ADMINISTRATIVE JUSTICE

The Committee discussed and agreed as follows;

- (i) The Committee resolved to adopt the Minutes of the previous Sitzings in its subsequent meetings.
- (ii) The Chairperson informed the Meeting that the Independent Electoral and Boundaries Commission has submitted documents as per the Committee direction during its meeting with the Commission held on 5th July, 2018 and the Committee resolved to discuss it during its retreat scheduled for 22nd to 24th July, 2018.
- (iii) Ms. Doreen Karan, Legal Counsel II took the Committee through a legal brief in preparation for the vetting of the nominees for the appointment of Offices of Chairperson and Members of Commission on Administrative Justice. The Committee discussed and agreed on the modalities of examining the nominees.
- (iv) Chairperson informed the Committee that the deadline for submission for memorandum contesting the suitability of the nominees for appointment to office was Monday 9th July, 2018 5pm
- (v) The Meeting was informed that one memorandum was received contesting Hon Florence Kajuju's suitability to be appointed to office however, the Committee noted that it was not a written statement on oath as required by Section 6(9) of Public Appointments (Parliamentary Approvals) Act, 2011 and was submitted after the seven days timeline and therefore inadmissible.

MIN No. 199/2018: ADJOURNMENT

There being no other business to transact, the Chairperson adjourned the meeting at 11.30 am.

Signed.....

Chairperson

Date..... 24.7.18

ANNEXURE 2

(Letter from the Office of the President
conveying to the National Assembly
names of three nominees for approval for
appointment)

DLSP/Denits
 see
 clear cut 27/6/18



THE PRESIDENCY

**EXECUTIVE OFFICE OF THE PRESIDENT
 HEAD OF THE PUBLIC SERVICE**

NATIONAL ASSEMBLY
 RECEIVED
 27 JUN 2018
 SPEAKER'S OFFICE
 P. O. Box 41842, NAIROBI.

Telegraphic Address
 Telephone: +254-20-2227436
 When replying please quote

STATE HOUSE
 P.O. Box 40530-00100
 Nairobi, Kenya

OP/CAB.1/40A

Ref. No.
 and date

22nd June, 2018

Daniel Muturi
 HOD PK TNA
 NA 28/6/18
 (1)

Hon. Justin B. Muturi, EGH
 Speaker
 The National Assembly
 Parliament Building,
NAIROBI

Noted. CNA to prepare the
 communication for this afternoon.

Dear Hon. Muturi,

BT
 SNA
 27/6/18

**RE: NOMINEES FOR THE POSITION OF CHAIRPERSON AND MEMBERS OF THE
 COMMISSION ON ADMINISTRATIVE JUSTICE**

We refer to the above subject matter.

In full discharge of the Constitutional and statutory requirements, I humbly convey to the National Assembly His Excellency the President's nominees for the positions of Chairperson and Members of the Commission on Administrative Justice. The Nominations are summarized hereinafter as follows:

POSITION	NOMINEE
Chairperson	Hon. Florence Kajuju
Members	Mr. Washington Opiyo Sati [PWD - Deaf]
	Ms. Lucy Kamunye Ndung'u

The nominations and transmittal to the National Assembly are made pursuant to Article 250 (2) (b) of the Constitution and Section 11 (6) of the Commission on Administrative Justice Act, (Act. No. 23 of 2011) as read together with Sections 3 and 5 of the Public Appointments (Parliamentary Approval) Act (Act No. 33 of 2011).

Enclosed herewith are the Nominees Curriculum Vitae and Testimonials, to aid the House in the approval process.

Yours

*Sincerely,
 Joseph K. Kinyua*

**JOSEPH K. KINYUA, EGH
 HEAD OF THE PUBLIC SERVICE**

Copy to: Mr. Michael Sialai, CBS
 Clerk of the National Assembly
 The National Assembly
 Parliament Building,
NAIROBI

RECEIVED
 27 JUN 2018
 CLERK'S OFFICE

Mr. George K. Azimbi

ANNEXURE 3

(Copy of newspaper advertisement
inviting the public to submit memoranda
on the suitability of the nominees for
appointment to office)

REPUBLIC OF KENYA



**NATIONAL ASSEMBLY
TWELFTH PARLIAMENT – SECOND SESSION**

In the matter of approval by the National Assembly of persons nominated for appointment to positions of Chairperson and Members of the Commission on Administrative Justice

SUBMISSION OF MEMORANDA

Pursuant to the provisions of Article 250(2)(b) of the Constitution of Kenya and Section 11(6) of the Commission on Administrative Justice Act, 2011 as read together with Sections 3 and 5 of the Parliamentary Appointments (Parliamentary Approval) Act, 2011, His Excellency the President has nominated the following persons for appointment to the position of Chairperson and Members of the Commission on Administrative Justice respectively:-

1. Chairperson

- Ms. Florence Kajuju, MP

2. Members

- (i) Mr. Washington Opiyo Sati
- (ii) Ms. Lucy Kamunye Ndungu

Following the receipt of the nomination, the Departmental Committee on Justice and Legal Affairs is mandated to vet and consider the suitability of the said nominees for appointment to office.

Pursuant to Section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011, the Committee now invites interested members of the public to submit any representations by written statement on oath (affidavit) with supporting evidence, that they may have on the suitability or otherwise of the said nominees. The representations may be forwarded to the Clerk of the National Assembly, P.O. Box 41842-00100, Nairobi; hand-delivered to the Office of the Clerk, Main Parliament Buildings, Nairobi; or emailed to clerk@parliament.go.ke; to be received on or before Monday 9th July, 2018 at 5.00pm.

**MICHAEL R. SIALAI, EBS
CLERK OF THE NATIONAL ASSEMBLY**

REPUBLIC OF KENYA



**NATIONAL ASSEMBLY
TWELFTH PARLIAMENT – SECOND SESSION**

In the matter of approval by the National Assembly of persons nominated for appointment to positions of chairperson and members of the Commission on Administrative Justice

SUBMISSION OF MEMORANDA

Pursuant to the provisions of Article 250(2)(b) of the Constitution of Kenya and section 11(6) of the Commission on Administrative Justice Act, 2011 as read together with Sections 3 and 5 of the Parliamentary Appointments (Parliamentary Approval) Act, 2011, His Excellency the President has nominated Hon. Florence Kajuju for approval for appointment as Chairperson, Commission of Administrative Justice and Mr. Washington Opiyo Sati and Ms. Lucy Kamunye Ndungu as members of the Commission.

Following the receipt of the nomination, the Departmental Committee on Justice and Legal Affairs is mandated to vet and consider the suitability of the said nominees for appointment to office.

Pursuant to Section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011, the Committee now invites interested members of the public to submit any representations by written statement on oath (affidavit) with supporting evidence contesting the suitability of the nominees for appointment to office. The representations may be forwarded to the Clerk of the National Assembly, P.O. Box 41842-00100, Nairobi; hand-delivered to the Office of the Clerk, Main Parliament Buildings, Nairobi; or emailed to clerk@parliament.go.ke; to be received on or before Monday 9th July, 2018 at 5.00pm.

**MICHAEL R. SIALAI, EBS
CLERK OF THE NATIONAL ASSEMBLY**

ANNEXURE 4

(Memoranda received from the public on
the suitability of the nominees for
appointment to office)

PROF. LAWRENCE MBAE M'MBIJIWE

P.O. BOX 9,

MARIMA,

MERU SOUTH,

KENYA.

5TH JULY, 2018.

0724 398 329

THE HON. WILLIAM CHEPTUMO,

CHAIRPERSON,

JUSTICE AND LEGAL AFFAIRS COMMITTEE,

PARLIAMENT OF KENYA.

Dear Hon. Cheptumo,

RE: HON. FLORENCE KAJUJU GITONGA TO CHAIR THE COMMISSION OF ADMINISTRATION OF JUSTICE

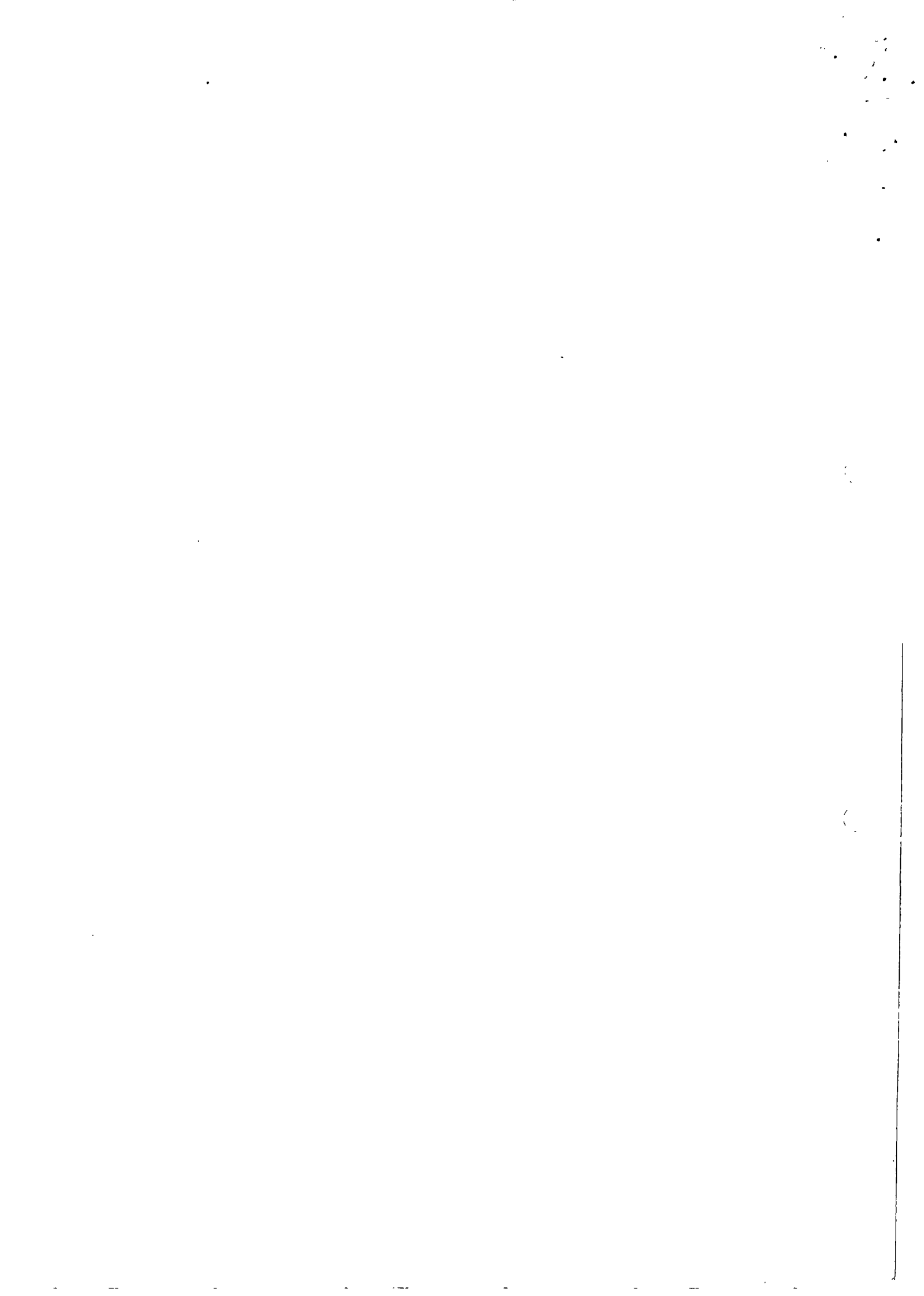
I, Prof. Lawrence Mbae M'Mbijiwe, ID No. 3428625, implore you and the Justice and Legal Affairs Committee NOT to consider Hon. Florence Kajuju Gitonga as the Chair of the Commission of Administration of Justice (Ombudsman's office) on the grounds of falsification and fabrication and fraudulent misrepresentation of sworn affidavits at Meru High Court Civil Case NO. 64/2010, as outlined below:

1. On 13th May 2010, she had fabricated and filed false sworn affidavits as follows:
 - a) Agreement for the sale of land parcel number Muthambi/Chamunga/ 370 between Mr George Mati alias M'Aribu M'Athambu and Mr Gerald M'Mbijwe M'Muguuni on 23rd July 2004. In her presence, the deal was falsely signed by both the seller and buyer and witnessed by a Mr Vitalis Njeru Dishoni. See annexure 1 pages 6 to 7. Hon. F.K Gitonga must produce details of receipts on sales, amount of tax paid and other relevant documentations.
 - b) 17th May 2010, Fraudulently presented sworn affidavits to Meru High Court to show cause for application of utmost urgency. Vide an application dated 13/5/2010 in High court civil suit No 64 of 2010. See annexure 1 pages 2 to 3.

① Hon. Cheptumo
Chairman
10-07-18

Reserved

② Blu before
the next
meeting
10/7/18



- c) **2nd June 2010, see annexure 1 pages 1,2, 3,4,5, 9, 10, and 11.**
She falsely caused injunction restricting me from entering land and inhibition orders issued against me.
- d) She connived with a lawyer Mr. Ireri D. Muchangi, P.o Box 2387-60200 Meru to fraudulently witness the signature of Mr. Gerald M'MbijiweM'Muguuni,
- e) She contributed through her omission or commission, to the estranged relationship between my father, Mr. Gerald M'MbijiweM'Muguuni and myself.
- f) Due to that estranged relationship, I never visited my father for nearly four years. My father resolved to find out why I never visited him despite visiting my auntie whose home shares a common border.

He learned the truth through his son, my younger brother, Mr Peter Mundi M'Mbijiwe. The truth was that he had a case against me in Meru High Court. He denied ever stepping in any court.

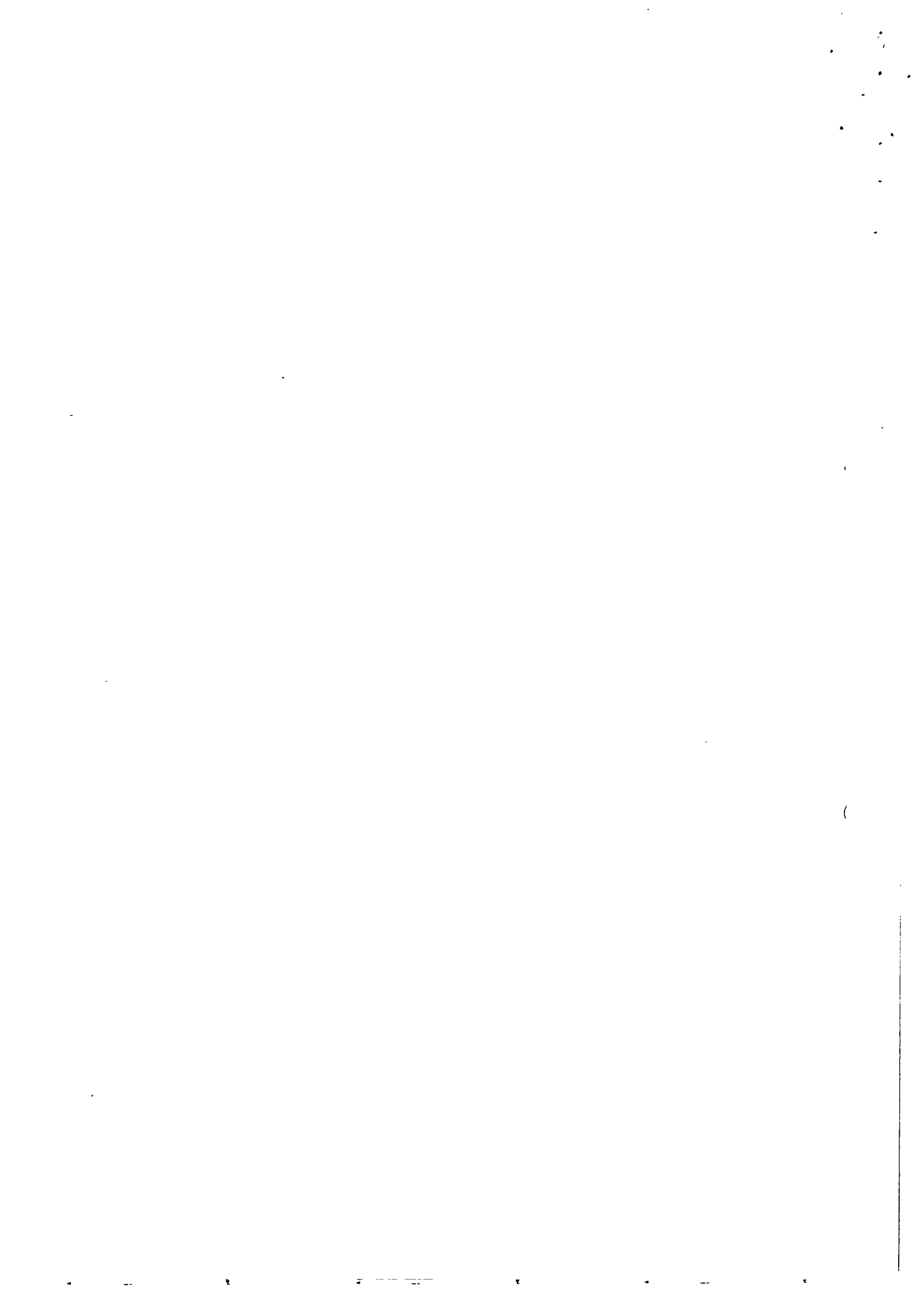
He summoned the following persons to his home for a meeting on 12/4/2014; Saturday that is Mr. Zabulan M'Athambu, Mr. Peter Mundi M'Mbijiwe, Mr. Sebastian Marangu and Mr. Charles Mburia Mirungu.

The truth of the matter was that Mr. Gerald M'MbijiweM'Muguuni had never been to any court and had to seek services of a lawyer to sort out that matter out.

- g) 14/4/2014 Mr. Gerald M'mbijiwe M'Muguuni engaged the services of a lawyer Mr.Haron Gitonga Company & Advocates Box 1322-60200, Meru. **See annexure 2 pages 1, 2 and 3.**
- h) 22nd April 2014, consent order filed.
- i) 6th May 2014, that injunction and inhibition orders registered against land parcel No. Muthambi/Chanuga/370, were lifted by Deputy Registrar, High Court of Kenya, Meru. **See annexure 4 pages 1, 2, 3, and 4.**

In a nutshell, Mr. Gerald M'MbijiweM'Muguuni has never appeared in any Court for either mention or hearing dates in regards to the case that was drawn and filed by Advocate Florence Kajuju Gitonga.

From the activities above it is clear from the outset that Hon. F.K Gitonga grossly involved herself in fabrications, falsifications prevarications and depravations and therefore, she is not right person for the Chair of Administrative Justice as she failed to possess that modicum of civic virtue and knowledge to distinguish right from wrong and the just from the unjust. Hon. F.Kajuju Gitonga therefore did not request the fair administration of justice in my case she failed to ** justice and unable to protect the



sanctity of justice administration she would therefore tarnish this pinnacle office of Ombudsman

Also, her uncalled for legal assaults on me for nearly four years, left me morally and socially negatively impacted, so was my self-esteem driven to nadir.

May I take this opportunity to demonstrate how I legally followed the due process of acquiring my land, Land Parcel No. Muthambi/Chamunga/ 370, by including all the documentations regarding how I bought it from Mr. George Mat alias M'AribuM'Athambu: see annexure 3 pages 1 to 9.

1. 20/7/2004

Application for consent of land control Board.

2. 29/07/2004 land control Board meeting

Letter of consent to M'Aribu M'Athambu ID No 4321222

Sale of land parcel Muthambi/Chamunga/370

Transfer

3. 30/7/2007

Transfer of land

Title No. Muthambi/Chamunga/370

To. Lawrence Mbae M'Mbijiwe ID No 3428635

4. 03/08/2004

Title deed issued to Lawrence Mbae M'Mbijiwe of Muthambi/Chamuga /370

5. 2/6/2010

Commencement of court proceeding at Meru High Court Mr. Grald M,Mbijiwe M,Muguuni was not in court.

6. 19/12/2012

- a) Last court appearance before Judge Makau at Meru High Court. Mr. Gerald M, Mbijiwe M,Muguuni never attended any court session.
- b) Hon F.K Gitonga told me she will decide when to resume as she was the owner of the case.
- c) She told me she was busy and she will contact.
- d) She never contacted me since then and later learned she was busy with 2012-2013 campaigns for Women Rep in Meru County.

7. **14/4/2014**

My brother, Peter Mundi M'Mbijiwe informed me that our dad has engaged a lawyer called Mr. Harun Gitonga to sort out the matter he did not know in the first place.

8. I got a letter from lawyer Haron Gitonga & Company Advocates informing that dad has instructed him to withdraw the case by a Consent order. **See annexure 2 page 1 and 2.**

9. **6/5/2014**

Consent order signed and sealed by Deputy Registrar of High Court of Kenya, Meru. **See annexure 2 page 3**

10. **28/5/2014**

Removal of inhibitions. **See annexure 4 page 3.**

11. **See Annexure 5.** Photocopies of Title deed, ID and green card.

I hope you will consider my objection to Hon. Florence Kajuju Gitonga's nomination to the position of Chair of Administrative Justice. She unjustly fabricated, falsified, and fraudulently misrepresented the attached affidavits to court. **See Annexure 1**

Yours faithfully,

Prof. Lawrence Mbae M'Mbijiwe.

Signature.....


Date.....

cc. Clerk of National Parliament of Kenya,

cc. Chairman Njuri Ncheke, Meru.

Annexure 1

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT MERU
CIVIL SUIT NO. 64 OF 2010.

17th / May / 10


GERALD M'MBIJIWE M'MUGUUNI.....PLAINTIFF/APPLICANT

VERSUS

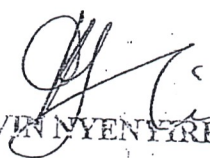
LAWRENCE MBAE M'MBIJIWE.....DEFENDANT/RESPONDENT

CERTIFICATE OF URGENCY.

I, KEVIN NYENYIRE MUJUMBA an Advocate of P.O BOX 1361 MERU do hereby certify that this application is of utmost urgency as the Respondent who is the son to the Applicant has issued notice to the Applicant to vacate the Applicant's land which the Applicant had purchased, fully paid for and has been in active possession since then.

That such action by the Respondent will dispossess the Applicant and cause him untold suffering, loss, damage and mental anguish.

DATED AT MERU THIS 13TH DAY OF MAY 2010.


KEVIN NYENYIRE
ADVOCATE.

DRAWN & FILED BY:
M/S F.K. GITONGA & COMPANY
ADVOCATES
P.O BOX 1361
MERU

17TH/MAY/10

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT MERU
CIVIL SUIT NO. 64 OF 2010.

GERALD M'MBIJIWE M'MUGUUNI.....PLAINTIFF/APPLICANT

VERSUS

LAWRENCE MBAE M'MBIJIWE.....DEFENDANT/RESPONDENT

CHAMBER SUMMONS.

(UNDER ORDER XXXIX RULES 1 & 2 OF THE CIVIL PROCEDURE RULES AND SECTIONS 3 AND 3A SECTION 63 (E) OF CIVIL PROCEDURE ACT CAP 21 LAWS OF KENYA & SEC 128 OF THE REGISTERED LANDS ACT CAP 300 LOK).

LET ALL PARTIES CONCERNED attend the Honourable Court on the 2nd day of June 2010 at 9.00 O'clock in the forenoon or soon thereafter for the Counsel for the Plaintiff/Applicant to be heard for ORDERS:-

1. THAT the Honourable court be pleased to certify this application as urgent and it be heard ex-parte in the first instance.
2. THAT the Honourable Court be pleased to grant an order of temporary injunction restraining the Defendant/ Respondent from entering, occupying, using, trespassing, damaging, wasting, alienating or in any way dealing with Land Parcel No. Muthambi/Chamunga/370 either by himself, representatives, agents, servants or persons acting at his behest till this suit is heard and determined.
3. THAT the Honourable court be pleased to issue inhibition orders to be registered against land parcel no. Muthambi/Chamunga/370.
4. THAT the orders be served upon the O.C.S Chuka Police Station and the Land Registrar- Chuka for compliance and a penal notice to issue thereto.
5. Costs be provided for.

WHICH APPLICATION is based on the annexed affidavit of GERALD M'MBIJIWE M'MUGUUNI, annexed grounds and other reasons to be adduced at the hearing hereof.


- i. THAT the Plaintiff/ Applicant is the bonafide purchaser for value of Land Parcel No. Muthambi/Chamunga/370.
- ii. THAT the Defendant/ Respondent in total violation of the trust and agreement to register the said parcel of land in the name of the Plaintiff/Applicant effected transfer and re-registered the land in his own name without the authority, knowledge and/or permission of the Plaintiff/Applicant.

DATED AT MERU THIS

13TH

DAY OF MAY

2010


M/S F.K. GITONGA & COMPANY
ADVOCATES FOR THE
PLAINTIFF/APPLICANT.

DRAWN & FILED BY:

M/S F.K. GITONGA & COMPANY
ADVOCATES
P.O BOX 1361
MERU.


TO BE SERVED UPON:

LAWRENCE MBAE M'MBIJIWE
P.O BOX 39
MARIMA.

*"IF ANY PARTY SERVED DOES NOT APPEAR AT
THE TIME AND PLACE ABOVE MENTIONED SUCH
PROCEEDINGS SHALL BE TAKEN AND THE ORDERS
MADE AS THE COURT DEEM JUST AND EXPEDIENT"*

- 3 -

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT MERU
CIVIL SUIT NO. 64 OF 2010.

17th/MAY/10


GERALD M'MBIJIWE M'MUGUUNI.....PLAINTIFF/APPLICANT

VERSUS

LAWRENCE MBAE M'MBIJIWE.....DEFENDANT/RESPONDENT.

SUPPORTING AFFIDAVIT.

I, GERALD M'MBIJIWE M'MUGUUNI of P.O BOX 9, MARIMA do hereby make oath and state as follows:-

1. THAT I am an adult male of Sound Mind and the Applicant/Plaintiff herein thus competent to swear this affidavit.
2. THAT I am the bonafide purchaser for value of Land parcel Muthambi/Chamunga/370 measuring 0.9 Hectares and bought at a cost of Kshs 700,000 /= which Land I had bought from one *George Mati alias 'Aribu M'athumbu* who was the original registered owner. (annexed herein and marked "GMM1" is a copy of the agreement for the sale of land.)
3. THAT after purchasing the land in the year 2004 I entrusted the Respondent who is my son with the responsibility of effecting transfer at the Lands Registry Office and registering the said land from the original registered owner into my name, as I am sickly and have been having health complications.
4. THAT the respondent in total violation of the trust and agreement to register the said land in my name effected the transfer and registered the land in his own name without my consent authority, knowledge and/or permission.
5. THAT I only learnt of the fraudulent acts of the respondent this year when I received a notice estopping me from entering into my land and purporting to entrust one *Frankline Kinyua* with the alleged property (see annexure GMM2)
6. THAT I then visited the lands offices at Chuka and obtained a copy of the register that showed that my land had actually been registered into my son's name in the year 2004 (see copy of green card marked GMM3)
7. THAT as a result of the respondent's breach of the trust I entrusted upon him I have been deprived of my lawful property and I have suffered extreme loss and damages.
8. THAT it is necessary that my property be preserved as this matter proceeds to hearing to ensure that upon determination of suit, it will not have been transferred to third parties.

9. THAT I further pray for an order of interim injunction to restrain the respondent from interfering, entering, alienating or wasting my land either by himself and/or his agents as he has attempted to do.
10. THAT I have actively been in possession, occupation and use of my land as I believed that even the title documents were in my name and in any event, the respondent has never disturbed my said possession, occupation and use till early this year. *No. early 2009.*
11. THAT I have extensively developed the land since I entered into occupation.
12. THAT a party should not be allowed to enrich himself from his unlawful and fraudulent acts.
13. THAT I truly believe that my son took advantage of my health condition and advanced age to deprive me of my land.
14. THAT if the acts of the respondent are not estopped and the land register rectified I stand to suffer extreme loss and damage.
15. THAT no prejudice will be suffered by the respondent if this application is allowed.
16. THAT all that is deponed hereinabove is true to the best of my knowledge, information and belief.

SWORN BY THE SAID
 GERALD M'MBIJIWE M'MUGUUNI
 AT MERU THIS *10th* DAY OF *May* 2010

) = *geraldi*
)
)

BEFORE ME:

IRERI D. MUCHANGI
 (ADVOCATE)
 COMMISSIONER FOR OATHS & Commissioner For Oaths
 P.O. Box 2387-60200 MERU

DRAWN & FIELD BY:
 M/S F.K. GITONGA & COMPANY
 ADVOCATES
 P.O BOX 1361
 MERU.

TO BE SERVED UPON:
 LAWRENCE MBAE M'MBIJIWE
 P.O BOX 39
 MARIMA.

GMMI

REPUBLIC OF KENYA.

AGREEMENT FOR THE SALE OF LAND PARCEL NO. MUTHAMBI/CHAMUNGA/370 (WHOLE PARCEL)

BETWEEN: GEORGE MATI alias M'ARIBU M'ATHAMBUID/4321222 AND GERALD M'MBIJIWE M' MUGUUNI.....ID/16038263

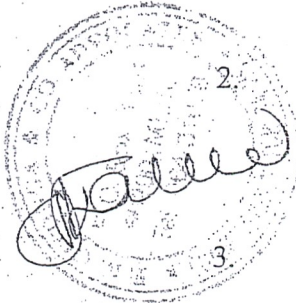
This agreement made this 23rd day JULY, 2004 between GEORGE MATI alias M'ARIBU M'ATHAMBU of P.O BOX 110MARIMA, MERU SOUTH DISTRICT Eastern Province Republic of Kenya (hereinafter referred to as the VENDOR) which expression includes all his assigns executors and administrator on one part.

AND GERALD M'MBIJIWE of P.O BOX 9 MARIMA, MERU SOUTH DISTRICT, Eastern Province Republic of Kenya (hereinafter referred to as the PURCHASER) which expression includes all his assignees executors and administrator on the other part.

AND WHEREAS the vendor is the Registered proprietor of Land Parcel No. MUTHAMBI/CHAMUNGA/ 370 comprising of 0.9 hectares and he is desirous to sell and the PURCHASER is ready and willing to purchase , the whole parcel,

IT IS HEREBY MUTUALLY AGREED:-

- 1. THAT the vendor sells the said whole parcel free from any encumbrances.
2. THAT the purchase price is Kshs 700,000 (Seven hundred thousand only) which amount shall be paid in cash in full and final payment at the signing of this agreement which amount the vendor herein acknowledges receipt...
3. THAT the purchaser has seen and approves of the land as it is.
4. THAT the transfer fees shall be paid by the purchaser.
5. THAT there are no developments on the land.
6. THAT the vendor shall execute all the transfer documents inclusive of obtaining the Land Control Board Consent within 60 days, from the date hereof.
7. THAT the Advocates fees shall be paid by the purchaser.



This is the exhibit marked.....

Referred to in the annexed affidavit

Declaration of Gerald M'BIJIWE M' MUGUUNI ADVOCATE - INTERIM COMMISSIONER

Sworn/declared before me this 14th day of July 2004 at

MUCHANGI D. IREKI - ADVOCATE

ADVOCATE & COMMISSIONER FOR OATHS

ADVOCATE & COMMISSIONER FOR OATHS

Referred to in the annexed affidavit

This is the exhibit marked.....

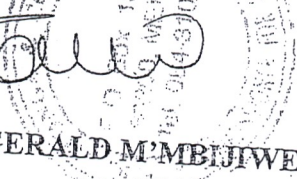
8. THAT if any party is in default of any of the clauses of this agreement the non-defaulting party shall be paid twice the purchase price with a right to sue.
9. THAT the parties have understood the terms and conditions set out herein before signing

DATED AT MERU THIS 23rd DAY OF JULY 2004. *

SIGNED BY THE SAID **GEORGE MATI**
alias **M'ARIBU M'ATHAMBU**

mati


In presence of:

[Signature]


SIGNED BY THE SAID **GERALD M'MBIJIWE**

gerald

In presence of:

[Signature]


WITNESS:
VITALIS NJERU DISHON

[Signature]

Kirani

ID/0579772

In presence of:

[Signature]


DRAWN BY:
M/S F.K. GITONGA & COMPANY
ADVOCATES
P.O. BOX 1361
MERU.

7 7

EDITION: 1
OPENED: 25.1.74

PART A - PROPERTY SECTION

REGISTRATION SECTION
MUTHANNOBI CHAWWALA

EASEMENTS ETC.

NATURE OF TITLE

PARCEL NUMBER
370

CMM 3

APPROXIMATE AREA
0.9 Ha.

This is the exhibit marked...
Referred to in the annexed affidavit
Declaration of Ayral MMBSTIVE MUTHANNOBI
Sworn/declared before me this 14th
Day of May 20. 1974 at
MUCHANGI D. JEEBI - ADVOCATE

ABSOLUTE

REGISTRY MAP SHEET NO.
5

ASSOCIATE & COMMISSIONER FOR OATHS

PART B - PROPRIETORSHIP SECTION

ENTRY NO.	DATE	NAME OF REGISTERED PROPRIETOR	ADDRESS AND DESCRIPTION OF REGISTERED PROPRIETOR	CONSIDERATION AND REMARKS	SIGNATURE OF REGISTRAR
1	25.1.74	RIBU THAWBU			
3	19.6.75	LEWON	CHANNANGI SUBSTANTIATION		
3	24.8.2001	LAWRENCE MARGRETT DEBEN	CERTIFICATE MULTIPLE (ALLIED) RESIDUAL TITLE	ISSUED	
4	2.8.2001	DEBEN	BOX 9, DIBRUGAN	ASSUED	
			<p>BEFORE ME THE COPY IS THE ORIGINAL</p> <p>24th FEBRUARY 2004</p> <p>TMA BANARAJ MUTHANNOBI</p>		

TITLE BELOW THIS LINE

TITLE NUMBER

REGISTRATION SECTION

MUTHANNOBI CHAWWALA

PARCEL NO.

CMM 3

370

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT MERU
CIVIL SUIT NO. 64 OF 2010.

GERALD M'MBIJIWE M'MUGUUNI.....PLAINTIFF/APPLICANT

VERSUS

LAWRENCE MBAE M'MBIJIWE.....DEFENDANT/RESPONDENT.

FURTHER SUPPORTING AFFIDAVIT.

I, **GEORGE MATI** alias **M'ARIBU M'ATHAMBU** ID/ 4321222 of P.O BOX 110 MARIMA, MERU SOUTH DISTRICT do hereby make oath and state as follows:-

1. THAT I am the vendor herein thus competent to swear this affidavit in support of the affidavit sworn by the Applicant/Plaintiff.
2. THAT I was the first registered owner of Land parcel No. MUTHAMBI/ CHAMUNGA /370 which land I sold to the Applicant ~~into~~ the year 2004 as per the *agreement marked GMMI.*
3. THAT I received the full consideration from him and I executed all the transfer documents which I gave him to register and have a title deed issued into his name.
4. THAT he also took actual and vacant possession of the said land and he has extensively developed it.
5. THAT I was shocked when he notified me this year that he had entrusted the transfer documents with his son, the respondent who however transferred the land into his name instead of the Applicant's.
6. THAT the respondent is now threatening the Applicant to stop using his land.
7. THAT I do confirm that I have never entered into any contractual agreement for the sale of my said land neither have I ever received any consideration from the respondent.
8. THAT it is therefore necessary that this land be preserved by a court order as the respondent should not be allowed to gain access, use and/or title to the said land.
9. THAT I pray that this application be allowed.
10. THAT all that is deponed hereinabove is true to the best of my knowledge, information and belief.

SWORN BY THE SAID GEORGE MATI
alias M'ARIBU M'ATHAMBU
AT MERU THIS 14th DAY OF May 2010

)
)
) *mati*

BEFORE ME:

IRERI D. MUCHANGI
(ADVOCATE)

COMMISSIONER FOR OATHS:

& Commissioner for Oaths
P.O. Box 2387-50200 MERU

DRAWN & FILED BY:

M/S F.K. GITONGA & COMPANY
ADVOCATES
P.O BOX 1361
MERU.

AMM

REPUBLIC OF KENYA.

AGREEMENT FOR THE SALE OF LAND PARCEL NO. MUTHAMBI/CHAMUNGA/370 (WHOLE PARCEL)

BETWEEN: GEORGE MATI alias M'ARIBU M'ATHAMBUID/4321222 AND GERALD M'MBIJIWE M' MUGUUNI.....ID/16038263

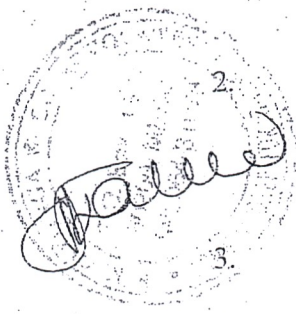
This agreement made this 23rd day JULY, 2004 between GEORGE MATI alias M'ARIBU M'ATHAMBU of P.O BOX 110MARIMA, MERU SOUTH DISTRICT Eastern Province Republic of Kenya (hereinafter referred to as the VENDOR) which expression includes all his assigns executors and administrator on one part.

AND GERALD M'MBIJIWE of P.O BOX 9 MARIMA, MERU SOUTH DISTRICT, Eastern Province Republic of Kenya (hereinafter referred to as the PURCHASER) which expression includes all his assignees executors and administrator on the other part.

AND WHEREAS the vendor is the Registered proprietor of Land Parcel No. MUTHAMBI/CHAMUNGA/ 370 comprising of 0.9 hectares and he is desirous to sell and the PURCHASER is ready and willing to purchase , the whole parcel,

IT IS HEREBY MUTUALLY AGREED:-

- 1. THAT the vendor sells the said whole parcel free from any encumbrances.
2. THAT the purchase price is Kshs 700,000 (Seven hundred thousand only) which amount shall be paid in cash in full and final payment at the signing of this agreement which amount the vendor herein acknowledges receipt.
3. THAT the purchaser has seen and approves of the land as it is.
4. THAT the transfer fees shall be paid by the purchaser.
5. THAT there are no developments on the land.
6. THAT the vendor shall execute all the transfer documents inclusive of obtaining the Land Control Board Consent within 60 days, from the date hereof.
7. THAT the Advocates fees shall be paid by the purchaser.



10

This is the exhibit marked AMM1 Referred to in the annexed affidavit Declaration of George mati Sworn/declared before me this 14th Day of MAY 2015 at MUYANGI D. IRERI - ADVOCATE ADVOCATE & COMMISSIONER FOR OATHS

8. THAT if any party is in default of any of the clauses of this agreement the non-defaulting party shall be paid twice the purchase price with a right to sue.
9. THAT the parties have understood the terms and conditions set out herein before signing

DATED AT MERU THIS 23rd DAY OF JULY 2004.

SIGNED BY THE SAID **GEORGE MATI**
alias **M'ARIBU M'ATHAMBU**

mati

In presence of:

[Signature]

SIGNED BY THE SAID **GERALD M'MBIJIWE**

gerardi

In presence of:

[Signature]

WITNESS:
VITALIS NJERU DISHON

[Signature]

ID/0579772

In presence of:

[Signature]

DRAWN BY:
M/S F.K. GITONGA & COMPANY
ADVOCATES
P.O BOX 1361
MERU.

11

Annexure 2

HARON GITONGA & COMPANY
Advocates and Commissioners for Oaths

Doris House, 2nd floor
Kirukuri Street
Opp. Nchege Plaza

P.O. Box 1322 - 60200
Meru - Kenya
Tel/Fax: 064 - 31318
Mobile: 0728 -525299

Our ref: HG/HCC/64/2010

Date: 14.4.2014

Your ref:.....

LAWRENCE MBAE MBINJIWE
C/O MARIMA
MARA DISTRICT
THARAKA NITHI COUNTY.

Dear Sir,

REF: MERU H.C.C. NO. 64 OF 2010
GERALD M'MBIJIWE M'MUGUONI VS YOURSELF

We refer to the above matter.

Our firm has been retained by the Plaintiff to act for him in place of his previous Advocates M/S F.K. GITONGA & CO. ADVOCATES. (Attached herewith is a copy of the Notice of Change of Advocates for your records.

We have further instructions from our client (Plaintiff) that considering his advancing age and ill – health, he does not wish to continue pursuing this matter in Court.


Our client therefore proposes an amicable settlement of this case out of Court.

Consequently, we are instructed to offer to you a withdrawal of the whole Suit from Court but without any costs.

Kindly let us know the earliest possible if this offer is acceptable to you to enable us prepare the necessary consent for filing and adaption by the Court.

Kindly expedite.

Yours faithfully,


FOR: HARON GITONGA & COMPANY
ADVOCATES FOR THE PLAINTIFF

- / -

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT MERU
CIVIL SUIT NO. 64 OF 2010

GERALD M'MBLJIWE M'MUGUONI.....PLAINTIFF

VERSUS

LAWRENCE MBAE M'MBLJIWE..... DEFENDANT

CONSENT ORDER

Kindly record the following orders:-

By consent of both parties and the Plaintiff's Advocates:-

- (a) THAT this Suit be marked as settled.
- (b) THAT the inhibition registered against Land Parcel NO. MUTHAMBI/CHAMUNGA/370 be and is hereby lifted.
- (c) Each party to bear his own costs of the Suit.

DATED AT MERU THIS.....DAY OF.....2014

Gerald M'Mujiwe
GERALD M'MBLJIWE
M'MUGUONI

LAWRENCE MBAE M'MBLJIWE

FOR: HARON GITONGA & COMPANY
ADVOCATES FOR THE PLAINTIFF

DRAWN & FILED BY
M/S HARON GITONGA & COMPANY
ADVOCATES
P.O BOX 1322 - 60200
MERU.

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MERU

CIVIL SUIT NO.64 OF 2010

GERALD M'MBIJIWE M'MUGUUNI.....PLAINTIFF

VERSUS

LAWRENCE MBAE M'MBIJIWE.....DEFENDANT

CONSENT ORDER

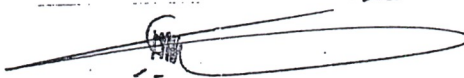
Upon perusing the Consent signed by the advocate for the Plaintiff and the Parties respectively, dated 14th APRIL 2014 and filed in Court on 22ND APRIL 2014.

IT IS HEREBY ORDERED:

1. THAT this suit be marked as settled.
2. THAT the inhibition registered against Land Parcel No. MUTHAMBI/CHAMUNGA/370 be and is hereby lifted.
3. THAT each party to bear his own costs of the suit.

GIVEN UNDER MY HAND AND THE SEAL OF THE COURT THIS.....DAY OF
..... 2014

ISSUED At Meru This 6th Day of May.....2014


DEPUTY REGISTRAR
HIGH COURT OF KENYA, MERU
DEPUTY REGISTRAR
HIGH COURT OF
MERU

Annexure 3

Date received for registration

3.8.2004

Presentation Book

No

02

20

Registration Fees: Sh. 250.00

paid. Receipt No. 62823

37430907 R.L. 1

OFF XOS 512

CHUKA

REPUBLIC OF KENYA

THE REGISTERED LAND ACT
(Cap. 300)

8/D - 1200.00
T/B - 125.00

1,575.00

TRANSFER OF LAND

TITLE No. MUTHAMBI/CHAMUNGA/370

I/WE RIBU THAMBU ID/4321222

OF P.O. BOX 9, MARIMA

in consideration of KSH: 20,000/= (Raise Value to 60,000/-)

(the receipt whereof is hereby acknowledged) HEREBY TRANSFER to

LAWRENCE MBAE MBIJIWE ID/3428635

of P.O. Box 9, MARIMA

the land comprised in the above-mentioned title.

The Transferees declare that they hold the land as joint proprietors/as proprietors in common* in the following undivided shares:—

Dated this 30th day of July 2004

Signed by the Transferor

in the presence PETER MUTANI

ADVOCATE
P.O. BOX 279
CHUKA

RIBU THAMBU ID/4321222

I CERTIFY that the above-named

OF P.O. Box 9, MARIMA

appeared before me on the 30th day of July 20

and, being known to me/being identified by JEREMY KINOTI ID/6757401

of P.O. Box 485, CHUKA

acknowledged the above signatures or marks to be his [theirs] and that he [they] had freely and voluntarily executed this instrument and understood its contents.

PETER MUTANI
ADVOCATE
P.O. BOX 279
CHUKA

CERTIFIED TRUE COPY OF THE ORIGINAL
Signature and Declaration of Person Certifying
LAND REGISTRAR
THARAKA/NITHI DISTRICT
30.8.2004
Mr. Muthambi 237 P.O.

*Delete whichever is not applicable.

Signed by the Transferee

in the presence of:—

**PETER MUTANI
ADVOCATE
P.O. BOX 279
CHUKA**

I CERTIFY that the above-named LAWRENCE MBAE MBIJIWE ID/3428635

of P.O. Box 9, MARIMA

appeared before me on the _____ day of _____, 20_____

and, being known to me/being identified by* JEREMY KINOTI ID/6757401

of P.O. Box 485, CHUKA

acknowledge the above signatures or marks to be his [theirs] and that he [they] had freely and voluntarily executed this instrument and understood its contents.

**PETER MUTANI
ADVOCATE
P.O. BOX 279**

Signature and Declaration of
Person Certifying

REGISTERED this 3rd day of August, 2004

Land Registrar

*Delete whichever is not applicable.

DRAWN BY:

RIBU THAMBU
P.O. BOX 9,
MARIMA

CERTIFIED TRUE COPY OF THE ORIGINAL
13.6.2014

J. M. Muambia

LAND REGISTRAR
THARAKA/NITHI DISTRICT

TRIPPLICATE

SALE No. _____

628041

DEPARTMENT OF LANDS

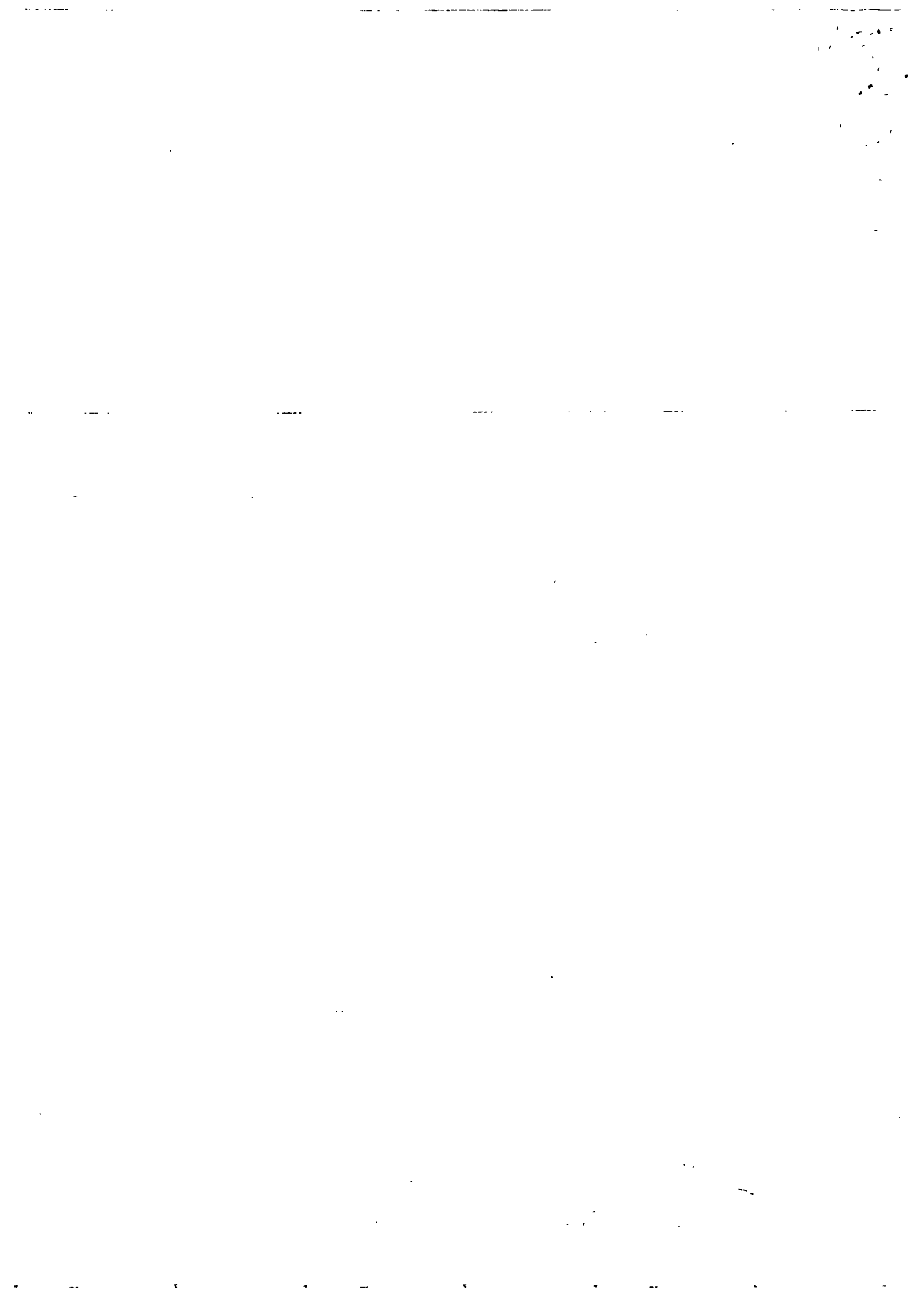
FEE RECEIPT

Station _____

2/3 20

		NATURE OF FEE	Sh.	cts.
Received from <u>Mr. M. M. M. M.</u>		Certificate of Title ..		
		Registration		
		Search Certificate ..		
		Opening New Register ..		
of _____		Attestation		
		Inspection		
		Copying		
		Conveying/Preparation ..		
Cash				
By _____ the sum of				
Cheque				
Shillings <u>10</u>		Survey Fees		
<u>Two hundred</u>		Rent		
		Stand Premium ..		
		Stamp Duty		
		Land Adjudication Fees	1200	
cents _____		Deposit		
As per marginal statement nature of transaction				
Title Number <u>270</u>				
for COMMISSIONER OF LANDS		TOTAL KSh.	1200	

CERTIFIED TRUE COPY OF THE ORIGINAL
 LAND REGISTRY DISTRICT
 HARAKA/NITHI DISTRICT
 2/3 20
 Mr. M. M. M. M.
 270



TRIPPLICATE

SALE NO. _____

828253

DEPARTMENT OF LANDS

FEE RECEIPT

Station Thika

21/11 2004

		NATURE OF FEE	Sh.	cts.
Received from <u>Lawrence Mwangi</u> <u>M. Mwangi</u>		Certificate of Title Registration	125	
		Search Certificate	250	2
of _____		Opening New Register		
		Attestation		
		Inspection		
		Copying		
		Conveying, Preparation..		
By _____ the sum of Cash _____ Cheque _____		Survey Fees		
		Rent		
Shillings <u>Three hundred</u> <u>and no pence</u>		Stand Premium		
		Stamp Duty		
		Land Adjudication Fees		
cents _____		Deposits		
As per marginal statement nature of transaction _____				
Title Number <u>1000/10</u>				
for COMMISSIONER OF LANDS		TOTAL KSh.	375	

CERTIFIED TRUE COPY OF THE ORIGINAL
21/11/04
 LAND REGISTRAR
 THARAKA/NITHI DISTRICT
D. M. Mwangi 237

APPROVED

L-CB 250 F

13

REPUBLIC OF KENYA
THE LAND CONTROL ACT
(Cap. 302)

APPLICATION FOR CONSENT OF LAND CONTROL BOARD
To be submitted in TRIPLICATE in respect of each transaction and
sent to or left at the appropriate office of the Commissioner of Lands

To: THE CHAIRMAN
LAND CONTROL BOARD.

L.C.R. No. 65/27/04

I HEREBY apply to the MERU SOUTH
Land Control Board for its consent to the transaction described below, and give the following
information:

1. (a) Present registered holder of interest (full name in BLOCK LETTERS):

RIBU THAMBU

ID/4321222

(b) Nationality KENYAN

(c) Address Box 9 MARIANA

2. (a) Proposed purchaser, transferee, mortgagee, chargee, allottee, etc. (full name in
BLOCK LETTERS) LAWRENCE MIBAE MBIJWE

ID/3448635

(b) If a limited liability company, names of directors, authorized and issued share
capital and principal shareholders; if a co-operative society, names of chair-
man, secretary and treasurer and total number of members—

(c) Nationality Certificate No.

(d) Address

3. Nature of transaction (e.g. sale, gift, lease, mortgage, charge, etc.: if sale or allotment
of shares name of company, number and particulars of shares to be transferred)

TRANSFER

Term (i.e. the length of time for which the land affected is to be transferred or leased
if sale or allotment of shares, authorized share capital of the company and numbers
of shares issued at date of application)

5. Description of Land—

L.R. or Parcel No. MUTHAMBA/CHAMUNGA/340

Area 0.9 ha

Locality MUTHAMBA

County Council MERU SOUTH

VERTICAL TRUE COPY OF THE ORIGINAL
LAND REGISTAR
KIBAKA/NITHI DISTRICT
P.L.C. - 12-6-2004
M. Mumbua 237

4

6. (a) Purchase price, if a sale or option Sh. 420,000/-
 Rent, Sh.
 Estimated value of the land (if a gift) Sh.
 Amount of loan (if a mortgage or charge) Sh.
 Rate of interest (if a mortgage or charge) %
 Any other information affecting the amount of the consideration, particularly regarding the description and area of crops with estimated yields and value thereof included in the purchase price

(b) Full description and approximate value of improvements on land included in the consideration

(c) Any other consideration passing between the parties

If a transfer or lease of the land—
 Proposed development programme of purchaser, including funds available thereof with approximate date

Does the purchaser/lessee intend to reside on the land?

(a) Other agricultural land registered in the name of or held under contract for sale by the proposed purchaser, transferee, lessee or allottee, or any member(s) of his immediate family, or any company in which he has an interest (state the nature of any interest in such company)—

L.R. or Parcel Nos. Area

Owner

Nature of interest

Whether contiguous to land being purchased

(b) Particulars of agricultural land held and disposed of by purchaser or lessee in the last three years—

L.R. or Parcel Nos. District Area

L.R. or Parcel Nos. District Area

9. Farming experience of transferee

We hereby declare that the above information is true to the best of our knowledge and belief.

[Signature]
 Signature of purchaser, lessee, mortgagee, chargee, or authorized agent or agents, etc.

[Signature]
 Signature of owner, lessor, mortgagor, chargor, or authorized agent or agents, etc.

Date 20/7/04

Date 20-7-04

If spaces allowed under any particular item are insufficient for the information, a separate sheet with item numbers and duly signed by all parties or their authorized agent or agents should be attached.

CERTIFIED TRUE COPY OF THE ORIGINAL
13.6.2014
 LAND REGISTRAR
 THARAKA/NITHI DISTRICT
P. M. Mwanbia 237

SALE NO. _____

TRIPPLICATE

DEPARTMENT OF LANDS

627982

FEE RECEIPT

Station _____

20

Received from	NATURE OF FEE	Sh.	cts.
of _____	Certificate of Title ..		
	Registration ..		
	Search Certificate ..		
	Opening New Register ..		
	Attestation ..		
	Inspection ..		
	Copying ..		
	Conveying/Preparation..		
Cash By _____ the sum of Cheque			
Shillings _____	Survey Fees ..		
	Rent ..		
	Stand Premium ..		
	Stamp Duty ..		
cents _____	Land Adjudication Fees		
As per marginal statement nature of transaction	Deposits		
Title Number _____			
For COMMISSIONER OF LANDS	TOTAL KSh.		

CERTIFIED TRUE COPY OF THE ORIGINAL

LAND REGISTRAR
THARAKA/NITHI DISTRICT

M. Mwanambia 237

6

REPUBLIC OF KENYA

Nº 100303

THE LAND CONTROL REGULATIONS, 1968

The Cilman Land Control Board

To: R. I. Thambay

Date 29-7-2004

Reg. No.

L.C.R. No. 65/07/04

SIR/MADAM,

LETTER OF CONSENT

1. With reference to your application dated the 20th July, 2004 the Board gave its consent to the following controlled transaction at its 21st meeting held on the 29th July 2004

2. Nature of Transaction:

- (a) L.R. or Parcel No. Muthumbi/Chamunga/370
- (b) Locality Chamunga
- (c) Sale, lease, subdivision, mortgage, charge, etc. Transfer
- (d) Names of parties—
 - (i) from R. I. Thambay
 - (ii) to Lawrence M. M. Mbugwe
- (e) Length of term Absolute
- (f) Consideration 120,000/-

3. Special conditions of approval of subdivision:

- (a) _____
- (b) _____
- (c) TRANSFER
- (d) _____
- (e) _____

I am, Sir/Madam,
Your obedient servant,

[Signature]
Chairman

Chairman
Cilman Land Control Board

Copy to:

The Commissioner of Lands, Nairobi.

The Central Agricultural Board.

CERTIFIED TRUE COPY OF THE ORIGINAL

LAND REGISTRAR
THARAKA/NITHI DISTRICT

Please affix adhesive revenue stamps in payment of fees here. If this space is insufficient, continue on the back of this form where indicated.

For Official Use Only

RECEIVED:

Form I—Government Lands Act (Chapter 280), rule 2
 Form T—Registration of Titles Act (Chapter 281), rule 2
 Form G—Land Titles Act (Chapter 282), rule 3
 Form A—Registration of Documents Act (Chapter 285), rule 2

ORIGINAL

The Conditions on the Back of this Form shall be Complied with
 REPUBLIC OF KENYA

APPLICATION FOR REGISTRATION

of the undermentioned documents in the following order of priority:—

Date of Documents	Description (1)	Land Reference Number (2)	Title Deed File Number (3)	Fee (4)	For Official Use only
3/8/04	Transfer		Kenya 59/220	Sh.	

Number of new certificates of title required at Sh. 125 each

Adhesive revenue stamps affixed hereto to the value of

The following documents are enclosed for endorsement:—(5)

Grant No. _____ Certificate of Title No. _____ Lease No. _____
 The following supporting documents are also enclosed:—(6)

Clearance Certificate	<input type="checkbox"/>	Land Rent Certificate	<input type="checkbox"/>
"Registration Copy" of Divisional Land Board Consent	<input checked="" type="checkbox"/>	<input type="checkbox"/>
"Registration Copy" of the County Council's/Commissioner's Consent	<input type="checkbox"/>	<input type="checkbox"/>
Valuation forms	<input type="checkbox"/>	W. 70	<input type="checkbox"/>

The following consents are endorsed on the documents:—

Commissioner of Lands or the Chief Engineer, Kenya Railways under the terms of the Grant
 Chargee to surrender of lease under section 44 of the Registration of Titles Act (Cap. 281)

Special instructions, including, if necessary, the name and address of the persons to whom the documents are to be sent if other than the presenter:—

Signature: *[Signature]*
 Name in Block Capitals: Lawrence Mzee Mbijeru
 Postal Address: P.O. Box 9, Maresa

TRUE COPY OF THE ORIGINAL
 13-6-2004
 DISTRICT

TO BE SUBMITTED IN TRIPLICATE

[Handwritten mark]

[Handwritten mark]

Additional adhesive revenue stamps may be affixed in this space.

CONDITIONS

Every document presented for registration must be accompanied by this form

NUMBER OF FORMS TO SUBMIT

Application for registration forms are printed in sets of four, each set comprising an original, duplicate, triplicate and quadruplicate. Forms may be obtained post free from the Registrar of Titles, Nairobi and Mombasa.

HOW TO COMPLETE

The form must be completed accurately in accordance with these conditions. Failure to do so may result in the rejection of the application. The information supplied by the presenter must appear legibly in English on all forms. If registration is sought at both the Nairobi and Mombasa Registries, separate applications accompanied by the document must be addressed to each. The following are the explanations of the numbers appearing in brackets on the form:

- (1) Give a brief description of each document, e.g. Conveyance, Assignment, Transfer, Charge, etc.
- (2) The Land Reference Numbers of all parcels of land dealt with in each document must be entered, e.g. 1870/XX/9, 1870/XX/10. If the document is not to be registered against a title to land, e.g. powers of attorney, building plans, agreements, etc., the word "NIL" must be inserted.
- (3) Where possible the deed file number should be inserted in this column. In the case of titles registered under the Registration of Titles Act (Chapter 281) this is the title number. For titles registered under other Acts, the number of the deed file is shown in the right hand column of the registration endorsement on the last registered document.
- (4) The registration fee tendered must be entered in this column and the total fees entered at the foot thereof. The fee payable on presentation is Sh. 50 per entry in the register and is not refundable. This fee is inclusive of copying. A document purporting to deal with two or more titles will attract a fee of Sh. 50 in respect of each title against which it is to be registered.
- (5) All documents presented for registration against titles under the Registration of Titles Act, other than caveats, statutory notifications and Court Orders, must be accompanied by the appropriate title deed, and the registration particulars of that deed must be inserted in this paragraph of the form. No documents are required for endorsement under the other Acts.
- (6) Indicate by placing a tick in the appropriate boxes the supporting documents which accompany the application or consents which are endorsed on the documents.

PAYMENT OF FEES

Fees may only be paid by affixing adhesive revenue stamps to the required value in the space provided on the original application form. Such stamps may be obtained from Post Offices. Spoilt or damaged adhesive revenue stamps will not be accepted but stamps upon which the presenter has placed his name stamp shall not be deemed spoilt or damaged for this purpose.

SEPARATE APPLICATIONS TO BE MADE

A separate set of application form must be submitted for each document except in the case of a set of documents which are to be registered against the same title or are related to each other. For example, a discharge of a charge, surrender of a lease, transfer and a new charge all relating to L.R. No. 999/999 would properly form the subject of one application, and similarly a power of attorney executed by the registered proprietor followed by a transfer executed by the attorney are related to each other and can form the subject of one application.

SUBMISSION OF APPLICATION

Applications may be submitted as follows:

- (a) by post to the appropriate Registrar;
- (b) by hand placed in the box provided at the appropriate Land Registry;
- (c) by requesting the Collector of Stamp Duties to forward the application form to the appropriate Registrar after stamping the document. Priority is not established until the application is in the hands of the Registrar and no responsibility is accepted by the Collector for any delay.

REJECTIONS

Documents represented for registration following their previous rejection must be accompanied by a fresh set of forms of application duly completed. The fee in such a case is Sh. 50 for every document which was the subject of a formal rejection.

Annexure 4

REPUBLIC OF KENYA

THE LAND REGISTRATION ACT

No. 3 of 2012 (Section 108)

(Cap. 300) (Repealed)

CERTIFICATE OF OFFICIAL SEARCH

TITLE NO. MUTHAURI/CHAMUNGA/370 SEARCH NO. 538/14

On the 31ST day of MAR 20 14 the following were the subsisting entries on the register of the above-mentioned title:

PART A - Property Section (Easements, etc)

Nature of Title: ABSOLUTE

Approximate area: (0.9 HA) ZERO DECIMAL NIN HECTARES

PART B - Proprietorship Section

Name and Address of the Proprietor:-

LAWRENCE MRAE MBILWE

TITLE DEED ISSUED

Inhibitions, Cautions and Restrictions:-

INHIBITIONS: NO DEALINGS BY THE REGISTERED PROPRIETOR SHALL BE REGISTERED UNTIL

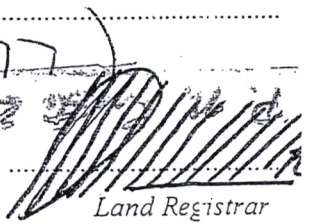
CIVIL SUIT NO 64 OF 2010 AT MERRI HIGH COURT IS HEARD & DETERMINED DATED 18TH MAY 2010
"INHIBITION" NO DEALINGS TO BE REGISTERED UN
CIVIL SUIT NO 64 OF 2010 HC MERRI IS DETERMINED.

The following applications are pending.

The certified copies requested are attached.

The minimum fee KSh. 500 (Five hundred only)

Dated this 31ST day of MARCH, 20 14


Land Registrar

To: The Land Registrar,

District Land Registry,

P. O Box;

KSh. attached hereto.

Signature of the applicant or his advocate

(1)

TO BE SUBMITTED IN DUPLICATE

REPUBLIC OF KENYA

THE LAND REGISTRATION ACT

No. 3 of 2012 (Section 108)

(Cap: 300) (Repealed)

APPLICATION FOR OFFICIAL SEARCH

Title No.

To: The Land Registrar, District Land Registry

PARTICULARS OF THE APPLICANT / ADVOCATE

Full Name: Signature

Identity Card Number/Passport Number (attach a copy)

Personal Identification Number (attach copy)

Address

Telephone (office): Cellphone:

Purpose of Search:

Owner of Property:

Proposed Purchaser of Property:

Advocate/ Agent:

Please supply-

- (a) Particulars of the subsisting entries in the register of the above-mentioned title, or
- (b) A certified copy of the register.

Signature of Applicant or his Advocate

FOR OFFICIAL USE ONLY

Search Application Number

Booking Officer Time

DISPATCH:

COLLECTED BY

Name:

Signature:

Identity Card Number:

Date:

- 2 -

REPUBLIC OF KENYA

THE LAND REGISTRATION ACT

No. 3 of 2012 (Section 108)

(Cap. 300) (Repealed)

CERTIFICATE OF OFFICIAL SEARCH

MUTHAMBI CHAMUNGA / 370 397
TITLE NO.: SEARCH NO.

On the 28th day of May 2014 the following were the subsisting entries on the register of the above-mentioned title:

PART A - Property Section (Easements, etc)

Nature of Title: Absolute

Approximate area: (0.9 HA) zero decimal nine Hectares

PART B - Proprietorship Section

Name and Address of the Proprietor:-

3 3.8.2004 LAWRENCE MBAE MBISIWE
4 3.8.2004 TITLE DEED ISSUED

Inhibitions, Cautions and Restrictions: -

PART C - Encumbrances section (Leases, Charges, etc)

The following applications are pending:

The certified copies requested are attached.

The minimum fee KSh. 500 (Five hundred only)

Dated this 28 day of 05, 20 14

J. M. Mumbia 237

Land Registrar

To: The Land Registrar,

District Land Registry,

P. O Box;

KSh. attached hereto.

Signature of the applicant or his advocate

TO BE SUBMITTED IN DUPLICATE

3

REPUBLIC OF KENYA

THE LAND REGISTRATION ACT

No. 3 of 2012 (Section 108)

(Cap: 300) (Repealed)

APPLICATION FOR OFFICIAL SEARCH

Title No.

To: The Land Registrar,

..... District Land Registry

PARTICULARS OF THE APPLICANT / ADVOCATE

Full Name: Signature

Identity Card Number/Passport Number (attach a copy)

Personal Identification Number (attach copy)

Address

.....

Telephone (office): Cellphone:

Purpose of Search:

Owner of Property:

Proposed Purchaser of Property:

Advocate/ Agent:

.....

Please supply-

- (a) Particulars of the subsisting entries in the register of the above-mentioned title, or
- (b) A certified copy of the register.

.....

Signature of Applicant or his Advocate

FOR OFFICIAL USE ONLY

Search Application Number

Booking Officer Time

DISPATCH:

COLLECTED BY

Name:

Signature:

Identity Card Number:

Date:

Annexure 5



REPUBLIC OF KENYA

THE REGISTERED LAND ACT

(Chapter 300)

Title Deed

Title Number MUTHAMBI/CHAMUNGA/370

Approximate Area 0.9 Ha.

Registry Map Sheet No. 8

This is to certify that LAWRENCE MBAE MBIJIWE

ID/3428635

OF P.O. BOX 9, MARIMA

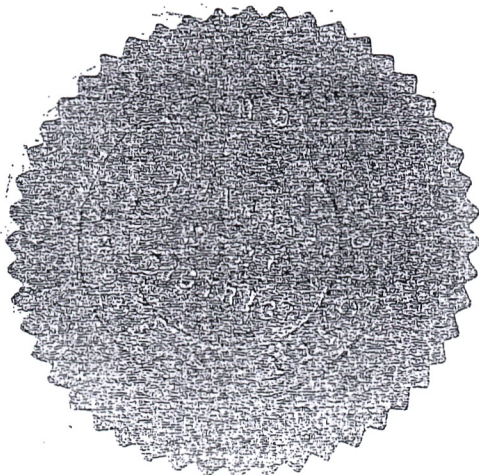
is (are) now registered as the absolute proprietor(s) of the land comprised in the above-mentioned title, subject to the entries in the register relating to the land and to such of the overriding interests set out in section 30 of the Registered Land Act as may for the time being subsist and affect the land.

GIVEN under my hand and the seal of the
MERU SOUTH/THARAKA District Land Registry

this THIRD day of AUGUST, 2004

D. M. Kipkor 061

[Signature]
Land Registrar





REPUBLIC OF KENYA

THE REGISTERED LAND ACT
(Chapter 300)

Title Deed

MLS/TD/02/A2/02 N^o 199008

—7—

JAMHURITA KENYA REPUBLIC OF KENYA

SERIAL NUMBER: 226403040 ID NUMBER: 3428635

FULL NAMES

LAWRENCE MBARE MBOIWE

DATE OF BIRTH

05 09 1963

SEX

MALE

DISTRICT OF BIRTH

NERU SOUTH

PLACE OF ISSUE

CENTRAL

DATE OF ISSUE

15 06 2003

HOLDER'S SIGN

Lawrence Mboiwe

31

PART A - PROPERTY SECTION

EDITION: 1	EASEMENTS ETC.		NATURE OF TITLE
OPENED 25.1.74			
REGISTRATION SECTION			
MUTHUMAS / CEMURAN 6A			
PARCEL NUMBER			
370			
APPROXIMATE AREA			
0.9 Ha			ABSOLUTE
REGISTRY MAP SHEET No.			
8			

PART B - PROPRIETORSHIP SECTION

ENTRY No	DATE	NAME OF REGISTERED PROPRIETOR	ADDRESS AND DESCRIPTION OF REGISTERED PROPRIETOR	CONSIDERATION AND REMARKS	SIGNATURE OF REGISTRAR
1	25.1.74	RSBV THAMBI	APPOINTMENT S/S LOCATION		THAMBI
2	10.6.75	LANE CAPITALIZE			SIGNATURE
3	3.4.2004	LANE MEDICAL MASNE MASINICE	10/322RSC	110000	SIGNATURE
4	3.8.2004	TITLE DEED	BOX 9 MURUM	110000	SIGNATURE
5	24.5.2010	INSTRUMENT: NO DISTANCE BY THE REGISTERED PROPRIETOR			
		SINCE SHE ACQUIRED TITLE WILL SUIT AND BID OF 2010.			
		NET MILEAGE THAT CANNOT BE DETERMINED. DATED 18.9.14			SIGNATURE
6	21.1.12	INSTRUMENT: NO DISTANCE BY THE REGISTERED PROPRIETOR			
		WILL SUIT AND BID OF 2010 WILL BE DETERMINED.			SIGNATURE
REGISTRATION SECTION					
TITLE NUMBER					PARCEL No.
MUTHUMAS / CEMURAN					370

TITLE BELOW THIS LINE

VERIFIED TRUE COPY OF THE ORIGINAL
 12/12/2017
 LAND REGISTRAR DISTRICT
 TIRUPUR

17

Directive. Environment Executive Larry Wambua confirmed the order was effective immediately

City Hall tells traders to surrender toilets

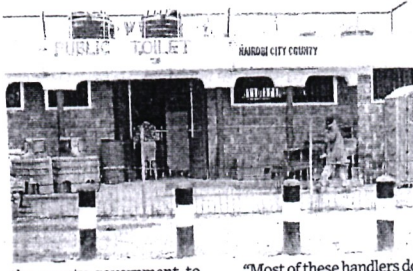
A new contractor to be identified as county plans to let public use facilities for free.

By Josphat Thiong'o
jthiong'o@standardmedia.co.ke

The Nairobi City County Government has begun repossessing public toilets from traders who were charging residents for their use.

Following Governor Mike Sonko's declaration last week that use of the toilets is free, City Hall yesterday published a notice asking all handlers to surrender the facilities to the county before a viable contractor is identified to take over operations.

"Please note that as per our records, you don't have a Public Toilet Management Agreement...notice is given to you to vacate the public toilet by July 8, 2018 to allow



the county government to manage the facility," read the notice in part.

It was signed by Chief Officer Environment, David Makori and addressed to one of the handlers.

"To this effect henceforth, public toilets will be managed by the Nairobi City County Government," it added.

Environment Executive Larry Wambua confirmed the order was effective immediately, saying the move was meant to better manage the facilities.

"Most of these handlers do not have valid contracts to enable them manage the facilities and they have been asked to hand them over so that the county can decide on how they will be managed in the future," stated Wambua.

There are currently 62 public toilets in Nairobi which are managed through the public-private partnership but that is set to change soon.

The facilities rake in approximately Sh1.2 million each month translating to

Sanitation

- Public toilets in the city charge between Sh5 to Sh50
- A private firm will be contracted to manage the facilities
- There are 62 public toilets in Nairobi
- The facilities rake in approximately Sh1.2 million each month translating to Sh14.8 million a year

Sh14.8 million a year and the move to scrap the fees will deny City Hall the much-needed revenue.

The Environment department, however, says that not all handlers pay the fees because some don't have valid licenses.

Matopeni Ward MCA Abdi Guyo wants the government to let the youth take charge of the facilities.

Nairobi. Getting ahead of the competition



Changing tack

As competition for customers rises, traders have to change to get ahead. This car parked in Kasarani, Nairobi, was used to transport more customers. This came after several structures in nearby Roysambu estate were demolished. (David Gichuru, Standard)

REPUBLIC OF KENYA



NATIONAL ASSEMBLY TWELFTH PARLIAMENT - SECOND SESSION

In the Matter of Approval by the National Assembly of the persons nominated for appointment to Offices of Chairperson and Members of the Commission on Administrative Justice

NOTIFICATION FOR VETTING BY THE DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS FOR PERSONS NOMINATED FOR APPOINTMENT TO OFFICES OF CHAIRPERSON AND MEMBERS OF THE COMMISSION ON ADMINISTRATIVE JUSTICE

Pursuant to the provisions of Article 156(2) of the Constitution of Kenya as read together with Sections 3 and 5 of the Public Appointments (Parliamentary Approval) Act, 2011, His Excellency the President has nominated the following persons for appointment to Offices of Chairperson and Members of the Commission on Administrative Justice:-

- | | | | |
|----|---------------------------|---|--------------------|
| 1. | Hon. Florence Kajuju, MP | - | Chairperson |
| 2. | Mr. Washington Opiyo Sati | - | Member |
| 3. | Ms. Lucy Kamunye Ndung'u | - | Member |

Pursuant to provisions of Article 118 of the Constitution of Kenya and Section 6(4) of the Public Appointments (Parliamentary Approval) Act, 2011, the general public is hereby notified that the Departmental Committee on Justice and Legal Affairs shall conduct the vetting of the said nominees on **Wednesday 18th July, 2018 at 10.00 a.m. in the Mini-Chamber on 1st Floor, County Hall, Parliament Buildings.**

The nominees should appear before the Committee with originals of their identity cards, academic and professional certificates, clearance/compliance certificates from:-

- (i) Ethics and Anti-Corruption Commission (EACC);
- (ii) Kenya Revenue Authority (KRA);
- (iii) Higher Education Loans Board (HELB);
- (iv) Directorate of Criminal Investigations (DCI); and
- (v) Any of the Credit Reference Bureaus.

**MICHAEL R. SIALAI, EBS
CLERK OF THE NATIONAL ASSEMBLY**

NAIROBI CITY COUNTY ASSEMBLY



DECLARATION OF VACANCIES OF BOARD MEMBERS IN THE NAIROBI CITY COUNTY ASSEMBLY SERVICE BOARD (NCCASB)

Pursuant to Article 176 of the Constitution of Kenya, 2010 that establishes a County Assembly for each County Government as read together with section 12(3) (d) of the County Government Act, 2012 and sections 8, 9, 46 and the first schedule of the County Assembly Service Act, 2017, the Nairobi City County Assembly Service Board invites applications from interested persons, (male and one female), who qualify to serve as members of the Nairobi City County Assembly Service Board.

Requirements for Appointment

- i. Must be a Kenyan Citizen
- ii. Must be a resident of Nairobi County, with knowledge and experience in public affairs BUT not a member of the County Assembly.
- iii. Holds a degree from a recognized University in Kenya
- iv. Have at least ten years' experience in public affairs
- v. Meets the requirements of leadership and integrity as prescribed in Chapter Six of Constitution of Kenya, 2010.

Accordingly, the office of the Clerk invites interested persons who qualify to be appointed to the position of Board Member to the Nairobi City County Assembly Service Board collect nomination forms from the Clerk of the County Assembly, 2nd floor, Room no. 273, City Building, Assembly Wing, Nairobi from **Wednesday 11th July, 2018.**

Application Criteria

Persons interested in filling the above positions should submit their applications, accompanied with the following documents:

- i. Academic Certificates
- ii. KRA Clearance Certificate
- iii. Compliance Certificate from the Higher Education Loans Board (HELB)
- iv. Certificate of Good Conduct from the Department of Criminal Investigations.
- v. Clearance Certificate from Credit Reference Bureau (CRB)
- vi. National ID or passport and copy of CV.
- vii. Candidates with foreign degrees **MUST** obtain accreditation from the commission of Higher Education of Kenya.

The aforementioned documents should be **HAND DELIVERED** to the office of the Clerk of County Assembly, 2nd floor, Room no. 273, City Hall Building, Assembly Wing, Nairobi, in a sealed Envelope, so as to reach him not later than **Tuesday 24th July, 2018 at 5.00 pm.**

**JACOB NGWELE
SECRETARY, NAIROBI CITY COUNTY ASSEMBLY SERVICE BOARD**

ANNEXURE 6

(Letters from KRA, HELB, ORPP and
EACC regarding the nominees)



KENYA REVENUE AUTHORITY

ISO 9001:2008 CERTIFIED

Our Ref: KRA/CDT/HO/81

Your Ref: NA/DCS/JIAC/2018/97

22nd July 2018

Jeremiah W. Ndombi
Clerk's Chambers
National Assembly
Parliament Buildings
P. O. Box 41842-00100
NAIROBI

Dear Sir,

**NETTING OF PERSONS NOMINATED FOR APPROVAL BY THE NATIONAL
ASSEMBLY FOR APPOINTMENT TO THE POSITION OF CHAIRPERSON
AND MEMBERS OF THE COMMISSION ON ADMINISTRATIVE JUSTICE**

Further to our response dated 17th July 2018, the tax compliance status of the candidates is as follows:-

s/no	Name	ID No.	PIN NO	Remarks
1	Hon. Florence Kajaju	10381379	A002620337J	Compliant
2	Washington Opiyo Sati	22769440	A003206332H	Compliant
3	Lucey Wachuka Kamunye	5482858	A002295557A	Compliant

Yours faithfully,

E. Meyo (Mrs)
For Commissioner of Domestic Taxes

Tulipe Ushuru, Tufitegemee!





HIGHER EDUCATION LOANS BOARD

Tel: 0711052000
E-mail: contactcentre@helb.co.ke
Website: www.helb.co.ke
HELB/RR/112009/POV/76

Anniversary Towers
University Way
P.O Box 69489-00400
Nairobi, Kenya

12th July, 2018

Mr. Michael R. Sialai, EBS
Clerk
The National Assembly,
P.O Box 41842-00100,
NAIROBI.

Dear *Michael,*

VETTING OF PERSONS NOMINATED FOR APPROVAL BY THE NATIONAL ASSEMBLY FOR APPOINTMENT TO THE POSITION OF CHAIRPERSON AND MEMBERS OF THE COMMISSION ON ADMINISTRATIVE JUSTICE

We acknowledge, with thanks, receipt of your letter dated 3rd July 2018 regarding the clearance of the nominated candidates for the position of Chairperson and Members of the Commission on Administrative Justice.

Please find a list confirming the loan status of the applicants with the Board.

S/NO	NAME	ID NO.	STATUS	YEAR OF CLEARANCE
1.	Hon Florence Kajuju, MP	10381379	Cleared Certificate No: 27579	8 th June 2011
2.	Mr. Washington Opiyo Sati	22769440	Not a beneficiary	N/A
3.	Ms. Lucy Kamunye Ndung'u	5482858	Not a beneficiary	N/A

As we appreciate your allowing us to provide you this information, we urge you to continue encouraging applicants to seek their compliance certificate from the Board as part of testimonials and conformity to Chapter six of the constitution of Kenya.

Thank you once again for this collaboration which goes a long way in assisting HELB finance needy Kenyans pursuing higher education now and in the future.

Yours

Sincerely

CHARLES RINGERA
CHIEF EXECUTIVE OFFICER & BOARD SECRETARY



ISO 9001:2008 Certified





① DI committed
8/10/7/18



Republic of Kenya

Telephone: +254(0)204022000
Email: registrar@orpp.or.ke
Website: www.orpp.or.ke
When replying please quote.

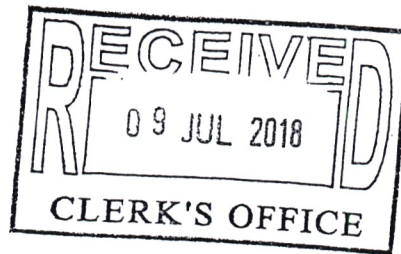
② GAZEMBA
pls deaf
FA
10/7/18

Lion Place, 1st Floor
Off Waiyaki Way
P.O Box 1131-00606
Sarit Centre, Nairobi.

DATE: 9th July, 2018

REF NO.: RPP/ORG/34 Vol. II (41)

Clerk of the National Assembly,
Clerks Chambers, National Assembly,
Parliament Buildings,
P.O. Box 41842-00100,
NAIROBI.



Attn: Jeremiah W. Ndombi,

Dear Sir,

RE: VETTING OF PERSON NOMINATED FOR APPROVAL BY THE NATIONAL ASSEMBLY FOR APPOINTMENT TO THE POSITION OF CHAIRPERSON AND MEMBERS OF THE COMMISSION ON ADMINISTRATIVE JUSTICE

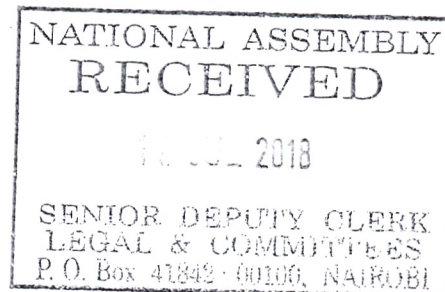
Reference is made to your letter Ref. NA/DCS/JLAC/2018/96 dated 5th July, 2018 on the above subject matter.

According to the records held by this office as at 9th July, 2018, the three (3) nominees tabulated herein below are not officials of a registered political party.

No.	Name of Nominee	ID No.
1.	Hon. Florence Kajuju	Chairperson
2.	Mr. Washington Opiyo Sati	Member
3.	Lucy Kamunye Ndungu	Member

Yours faithfully,

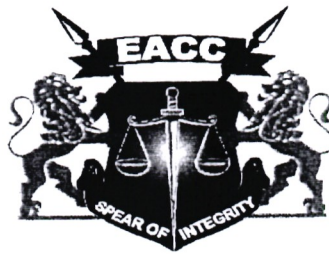
Dinah A. Liech (Mrs)
For: Registrar of Political Parties



Office of the Registrar of Political Parties-ORPP



@ORPPKenya



1) 01/committees
8
13/07

ETHICS AND ANTI-CORRUPTION COMMISSION

INTEGRITY CENTRE (Valley Rd./Jakaya Kikwete Rd. Junction) P.O. Box 61130 – 00200, NAIROBI, Kenya
TEL.: 254 (020) 2717318 / 2720722, MOBILE: 0729 888881/2/3
Fax: 254 (020) 2717473 Email: eacc@integrity.go.ke Website: www.eacc.go.ke

When replying please quote:

Our Ref: EACC.7/10/5 VOL.VI (139)

10th July 2018

The Clerk of the National Assembly

National Assembly
Parliament Buildings
P O Box 41842-00100
NAIROBI

2) GAROMBA
pls deal
FA 13/7/18

(Attn: Jeremiah W. Ndombi)

RE: VETTING OF PERSONS NOMINATED FOR APPROVAL BY THE NATIONAL ASSEMBLY FOR APPOINTMENT TO THE POSITION OF CHAIRPERSON AND MEMBERS OF THE COMMISSION ON ADMINISTRATIVE JUSTICE

Your letter referenced NA/DCS/JLAC/2018/99 dated 3rd July, 2018 on the above subject matter, refers.

We wish to confirm that we have not undertaken any investigations where the following nominees have been found culpable.

S/No	Name	Position
1.	Hon. Florence Kajuju	Chairperson
2.	Mr. Washington Opiyo Sati	Member
3.	Ms. Lucy Kamunye Ndung'u	Member

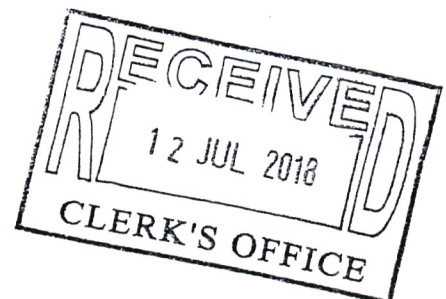
The information provided is based on records available as at 10th July 2018.

Please note that the absence of records in the Commission's database is not a guarantee of absolute integrity of the nominees.

Yours faithfully

**ABDI A. MOHAMUD, MBS
DIRECTOR, INVESTIGATION
FOR: SECRETARY/CHIEF EXECUTIVE OFFICER**

LCK/tmm



ANNEXURE 7

(Questionnaire filled by nominees
pursuant to the provisions of section 6(8)
of the Public Appointments
(Parliamentary Approvals) Act)

SCHEDULE

[Section 6(8)]

**CRITERIA FOR VETTING/APPROVAL OF NOMINEES FOR
APPOINTMENT TO PUBLIC OFFICE BY PARLIAMENT
QUESTIONNAIRE**

Notes:

- a) This questionnaire applies to appointments to public office arising by or under the Constitution or any other law where parliamentary approval is required.
- b) The questionnaire shall be used by the relevant parliamentary committee to vet a nominee appearing before the committee in the process of parliamentary approval.
- c) The questionnaire shall be filled and submitted by the nominee to the relevant parliamentary committee through the Clerk of the relevant House of Parliament on or before a date set by the committee.
- d) The submission of false information in the questionnaire is an offence and may result in prosecution.
- e) Any form of canvassing by a nominee shall lead to disqualification.
- f) The nominee must answer all the questions.

1. **Name:** (State full name) Lucy Kamunye Nduogu

2. **Position:** (State office to which you have been nominated).

Member of Commission on
Administrative Justice (CAJ)

3. **Sex:** Female

4. **Date of Birth:** (State year and place of birth) 1-9-63, Kiambu

5. **Marital Status:** Married

6. **Daytime phone number:** 0722634900

7. **Mobile phone number:** 0722634900

8. **Email Address:** Lucy.Kamunye@yahoo.co.uk

9. ID Number: 5492858
10. PIN Number: A00229557A
11. Nationality: Kenyan
12. Postal Address: 63686-0619
13. Town/City: Nairobi
14. Knowledge of Languages: (Specify Languages): English, Kiswahili
15. Education: (List, in reverse chronological order, each university, college, or any other institution of higher education attended and indicate, in respect of each, the dates of attendance, academic award obtained, whether a degree was awarded, and the dates on which each such degree was awarded).

See Annex I

Employment Record: (List in reverse chronological order all government agencies, business or professional corporations, companies, firms or other enterprises with which you have been affiliated as an officer, director, partner, proprietor, employee or consultant)

See Annex I

-
.....
16. **Honours and Awards:** (List any scholarships, fellowships, honorary degrees, academic or professional honours, honorary society memberships, military awards and any other special recognition for outstanding service or achievement and in respect of each, state the date of award and the institution or organization that made the award).

Presidential Awards:

- a) Elder of the Order of Burning Spear (EBS) 12th December 2013
b) Head of State Commendation (HSC) 12th December 2017

Financial Reporting under IPAS CASH Fire Awards 2017

A.S.K Chairman Commendation Trophy (A.S.K Eldoret - 2018)

17. **Professional Association** (where applicable): (List all professional associations of which you are or have a member and give any positions held and the respective dates when each such position was held).

Law Society of Kenya (L.S.K)

Institute of Certified Public Secretaries of Kenya (ICPSK)

Associate Member of the Institute of Arbitrators Kenya Chapter

18. **Memberships:** (List all professional, business, fraternal, scholarly, civic, charitable or other organizations, (other than those listed in response to Question 16) to which you belong or have belonged).

Public Service Club

Catholic Women Association (CWA)

Small Christian Community (St Francis de Sales)
Wangan and Wankan Women Groups

19. Published Writings:

(a) List the titles, publishers and dates of books, articles, reports, letters to the editor, editorial pieces or other published materials you have authored or edited.

.....
See Annex II
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....

(b) Supply four (4) copies of any reports, memoranda or policy statements you prepared or contributed in the preparation of any bar association, committee, conference or organization of which you were a member. — See Annex II

20. Public Office, Political Activities and Affiliations:

(a) List chronologically any public offices you have held or are currently holding, including the terms of service and whether such positions were elected or appointed.

.....
See Annex III
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....

(b) List all memberships and offices held in and services rendered, whether compensated or not, to any political party or election committee. If you have ever held a position or played a role in a political campaign, identify the particulars of the campaign, including the candidate, dates of the campaign, your title and responsibilities. Also include any linkage you have to a political party at present.

As the Registrar of Political Parties, I have worked with all registered political parties for over 19 years. I am not a member of a political party.

(c) Have you ever been dismissed or otherwise removed from office for a contravention of the provisions of Article 75 of the Constitution?

No.

(d) Have you ever been adversely associated with practices that depict bias, favouritism or nepotism in the discharge of public duties?

No.

21. **Deferred Income/Future Benefits:** (List the sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock, options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, etc).

RPP Retirement Benefits Scheme	Ksh. 8,000,000	1/2
Government Pension Scheme	4,000,000	1/2
Sheria Sacco Shares	2,000,000	1/2
Stocks and Shares	500,000	1/2
Farm Produce	200,000	1/2

(the dates are in future and not specific).

22. **Outside commitment during service in office:** (Do you have any plans, commitments or agreements to pursue outside employment with or without compensation during your service in office? If so explain).

No.

23. **Sources of Income:** (List sources and mounts of all income received during the calendar year preceding your nomination and in the current calendar year).

Salary and allowances : Ksh. 7,214,995.20 1/2
Farm Produce : Ksh. 200,000 K
Family Rentals : Ksh. 1,600,000 K

24. **Tax Status:** (State whether you have fully complied with your tax obligations to the State up to the end of the financial year immediately preceding the nomination for appointment).

I have fully Complied with My tax Obligations.

25. **Statement of Net Worth:** (State your financial net worth)

My net worth is Ksh. ~~1,000,000 K~~
8,700,000 K

26. **Potential Conflict of Interest:**

(a) Identify the family members or other persons, parties, categories of litigation or financial arrangements that are likely to present potential conflicts-of-interest when you first assume the position to which you have been nominated. Explain how you would address any such conflict if it were to rise.

I will not have Potential Conflict-of-Interest as a Member of Commission on Administrative Justice (CAJ)

(b) Explain how you will resolve any potential conflict of interest, including the procedure you will follow in determining these areas of concern.

N/A

27. Pro-Bono/Charity Work/donation to charity: (Describe what you have done by way of pro bono or charity work, listing specific instances, the amount contributed and the amount of time devoted to each).

a) Through my Small Christian Community Group, I do charity work and contribute Ksh. 800/- per month.
b) As a CWA member I contribute 1000/- per month
c) Through my women group I contribute Ksh. 10,000/- per month

28. Have you ever been charged in a court or law in the last three years? If so, specify the nature of the charge, where the matter is ongoing, the present status of the matter, or where the matter is concluded, the judgment of the court, or otherwise, how the case was concluded.

No.

29. Have you ever been adversely mentioned in an investigatory report of Parliament or any other Commission of inquiry in the last three years?

No.

30. Have you any objection to the making of enquiries with your present employer/referees in the course of consideration of your nomination?

I have no objection to your making of enquiries to my present employer/referees in the course of my nomination.

31. References:

(List three persons who are not your relatives who are familiar with your character, qualification and work).

See Annex IV

No. 33 of 2011 [Rev. 2012]
Public Appointments (Parliamentary Approval)
[Issue 1] 10

Education Annex I

<u>Year</u>	:	<u>Course/institution</u>	<u>Date Awarded</u>
Ongoing	:	Registered for Master of Laws Degree (LLM)..... <i>University of Nairobi</i>	2018
2014 – 2015	:	Executive Education - Advanced Management Program (AMP)..... <i>Strathmore Business School</i>	November, 2015
1987 – 1988	:	Post Graduate Diploma in Law <i>Kenya School of Law</i>	9 th December, 1988
1984 – 1987	:	Bachelors of Laws (Second Class, Lower Division)..... <i>University of Nairobi</i>	4 th December, 1987
1981 – 1982	:	Kenya Advanced Certificate of Education (A-Level)..... <i>Ngandu Girls High School</i>	Nov/Dec 1982
1977 – 1980	:	Kenya Certificate of Secondary Education (Division 1)..... <i>Ngandu Girls High School</i>	Nov/Dec 1980

Employment Record

2014 – Present	:	Office of the Registrar of Political Parties (ORPP)
2009 – 2014	:	Independent Electoral and Boundaries Commission (IEBC)
2009 – 2011	:	Interim Independent Electoral Commission (IIEC)
2008 – 2009	:	Electoral Commission of Kenya (ECK)
2008 - 1988	:	State Law Office/ Attorney General's Chambers
1988 – 1989	:	Njoroge, Musyoka and Co. Advocates

Published Writings **Annex II**

	Year published
1. Political Parties Financial and Procurement Compliance Manual.....	2011
2. Checklist for Political Party Nomination Rules.....	2012
3. PPLC – Enhancing Inter-Party Dialogue in the Electoral.....	2012
4. Political Parties Act in a Nutshell.....	2014
5. Guide to mergers and coalitions.....	2014
6. Political Parties Leadership Training Source Book.....	2016
7. Election Agents' Manual 2017.....	2017
8. ORPP Human Resources Policy and Procedures Manual.....	2017
9. ORPP Audit Charter.....	2017
10. ORPP ICT Policy and disaster recovery plan.....	2017

Reports prepared

1. Global Conference on Money in Politics, – Mexico City - 3rd – 5th September, 2015.
2. Role of Political Parties In Enhancing Women Leadership In Kenya: Beyond The Number at Moi International Sports Centre, Kasarani - 26th February, 2015 Organized by: Kenya Women Parliamentary.
3. Role of Political Parties as Peace Drivers during the Leaders Retreat at Leisure Lodge Mombasa - 2nd & 3rd December 2016.
4. Building Synergy with the Office of the Registrar of Political Parties by The National Assembly's Departmental Committee on Justice and Legal Affairs at Pride Inn Paradise Hotel, Mombasa - 27th January 2018.

Public Office held Annex III

Date	Position	Terms of Service
2014 – Present	<i>Registrar of Political Parties</i>	<i>Pensionable</i>
2009 – 2014	<i>Director Registrar of Political Parties</i>	<i>Pensionable</i>
2008 – 2009	<i>Head of Department Registrar of Political Parties</i>	<i>Pensionable</i>
2005 – 2008	<i>Deputy Registrar General</i>	<i>Pensionable</i>
2004 – 2005	<i>Senior Principal State Counsel</i>	<i>Pensionable</i>
2001 – 2004	<i>Principal State Counsel</i>	<i>Pensionable</i>
1995 – 2001	<i>Senior State Counsel</i>	<i>Pensionable</i>
1992 – 1995	<i>State Counsel I</i>	<i>Pensionable</i>
1989 – 1992	<i>State Counsel II</i>	<i>Pensionable</i>
1988 – 1989	<i>Litigation Counsel, Advocate of the High Court of Kenya</i>	

Referees Annex IV

1. Lady Justice Cecilia Wathaiya Githua

Judge of the High Court,
P. O. Box 30041-00100, Nairobi
Mobile: 0722 836324
Email: ceciliagithua@gmail.com

2. Prof. Catherine Ndungo

Senior Lecturer,
Kenyatta University
Mobile: 0722 831866
Email: catemndungo@gmail.com

3. Hon. Charles Keter,

Cabinet Secretary,
Ministry of Energy and Petroleum,
Kenyatta Avenue,
Mobile: 0722-530555
Email: keter@gmail.com

SCHEDULE

[Section 6(8)]

**CRITERIA FOR VETTING/APPROVAL OF NOMINEES FOR
APPOINTMENT TO PUBLIC OFFICE BY PARLIAMENT
QUESTIONNAIRE**

Notes:

- a) This questionnaire applies to appointments to public office arising by or under the Constitution or any other law where parliamentary approval is required.
- b) The questionnaire shall be used by the relevant parliamentary committee to vet a nominee appearing before the committee in the process of parliamentary approval.
- c) The questionnaire shall be filled and submitted by the nominee to the relevant parliamentary committee through the Clerk of the relevant House of Parliament on or before a date set by the committee.
- d) The submission of false information in the questionnaire is an offence and may result in prosecution.
- e) Any form of canvassing by a nominee shall lead to disqualification.
- f) The nominee must answer all the questions.

1. **Name:** (State full name)..... WASHINGTON OPIYO SATI.....

2. **Position:** (State office to which you have been nominated).
..... Member- Commission on Administrative Justice.....

3. **Sex:** Male.....

4. **Date of Birth:** (State year and place of birth)..... 09/06/1980, Kisumu.....

5. **Marital Status:** Married.....

6. **Daytime phone number:** 0723 270 416.....

7. **Mobile phone number:** 0723 270 416 (SMS ONLY).....

8. **Email Address:** Wopiyo2001@yahoo.com.....

9. ID Number: 22769440
10. PIN Number: A003206332 H
11. Nationality: KENYAN
12. Postal Address: 15484-00400 Nairobi
13. Town/City: Nairobi

14. Knowledge of Languages: (Specify Languages): English, Kiswahili, Kenyan Sign Language

15. Education: (List, in reverse chronological order, each university, college, or any other institution of higher education attended and indicate, in respect of each, the dates of attendance, academic award obtained, whether a degree was awarded, and the dates on which each such degree was awarded)

- 1) Master Degree- University of Nairobi, 3rd Sept 2012 - 15/12/2014
- 2) Bachelor Degree (political science) Uon 04th Sept 2009 - 02/12/2011
- 3) Diploma in Community Development (Uon) 2008 - 2009

.....
Employment Record: (List in reverse chronological order all government agencies, business or professional corporations, companies, firms or other enterprises with which you have been affiliated as an officer, director, partner, proprietor, employee or consultant)

- 1) Kenya National Commission on Human Rights - Principal Human Right off
2018 to Date
- 2) National Gender and Equity Commission - Principal Program Officer
2016 - 2018
- 3) Nairobi City County Government 2014 - 2016 Ward Administrator
- 4) Leonard Cheshire Disability International 2010 - 2014 Disability
Policy and Campaign Manager
- 5) LVCT Health [2006 - 2010] Disability programme coordinator

.....
.....
16. **Honours and Awards:** (List any scholarships, fellowships, honorary degrees, academic or professional honours, honorary society memberships, military awards and any other special recognition for outstanding service or achievement and in respect of each, state the date of award and the institution or organization that made the award).

1) Commonwealth Professional Fellowship - United Kingdom
London, Oct - December 2008.

.....
.....
17. **Professional Association** (where applicable): (List all professional associations of which you are or have a member and give any positions held and the respective dates when each such position was held).

⇒ Kenya Institute of Management Member

⇒ Kenya Association of the Deaf

⇒ National Council for Person with Disabilities

.....
.....
18. **Memberships:** (List all professional, business, fraternal, scholarly, civic, charitable or other organizations, (other than those listed in response to Question 16) to which you belong or have belonged).

⇒ Kenya National Association of the Deaf

⇒ Deaf Ability Initiative

⇒ National Council for Person with Disabilities

19. Published Writings:

(a) List the titles, publishers and dates of books, articles, reports, letters to the editor, editorial pieces or other published materials you have authored or edited.

- 1) 2017. Status of free Maternity Program in Kenya - National Gender Commission
- 2) 2017 - Against All Odds: NGECC Efforts to promote the rights of Special Interest groups through International + regional reporting
- 3) 2014. Children Right to education: Children with disability right to education - University of Nairobi
- 4) Research into Use: Joint Project: Disability and urban agriculture - An innovative approach 2012
- 5) Pushing frontiers: Including the disabled in service provision - 2009
- 6) Responding to the signs: A peer-led HIV voluntary counselling and testing program for the Deaf in Kenya.

(b) Supply four (4) copies of any reports, memoranda or policy statements you prepared or contributed in the preparation of any bar association, committee, conference or organization of which you were a member.

20. Public Office, Political Activities and Affiliations:

(a) List chronologically any public offices you have held or are currently holding, including the terms of service and whether such positions were elected or appointed.

- Kenya National Commission on Human Rights (Contract 5 years)

→ National Gender and Equality Commission 5 year Contract

→ Nairobi City County Government

(b) List all memberships and offices held in and services rendered, whether compensated or not, to any political party or election committee. If you have ever held a position or played a role in a political campaign, identify the particulars of the campaign, including the candidate, dates of the campaign, your title and responsibilities. Also include any linkage you have to a political party at present.

N/A

(c) Have you ever been dismissed or otherwise removed from office for a contravention of the provisions of Article 75 of the Constitution?

NO

(d) Have you ever been adversely associated with practices that depict bias, favouritism or nepotism in the discharge of public duties?

NO

21. **Deferred Income/Future Benefits:** (List the sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock, options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, etc).

SACCO DIVIDEND Ksh 50,000

CAR HIRE BUSINESS Ksh. 720,000

22. **Outside commitment during service in office:** (Do you have any plans, commitments or agreements to pursue outside employment with or without compensation during your service in office? If so explain).

Yes, Voluntary services to disability organizations without Sustainable Compensation and Benefit gains

23. **Sources of Income:** (List sources and mounts of all income received during the calendar year preceding your nomination and in the current calendar year).

Salary Income April 2019. Ksh. 3,383,400
SACCO Dividend 50,000
Car business 720,000 annual.

24. **Tax Status:** (State whether you have fully complied with your tax obligations to the State up to the end of the financial year immediately preceding the nomination for appointment).

Fully Complied

25. **Statement of Net Worth:** (State your financial net worth)

Ksh: 5,000,000

26. **Potential Conflict of Interest:**

(a) Identify the family members or other persons, parties, categories of litigation or financial arrangements that are likely to present potential conflicts-of-interest when you first assume the position to which you have been nominated. Explain how you would address any such conflict if it were to rise.

Not at Present

(b) Explain how you will resolve any potential conflict of interest, including the procedure you will follow in determining these areas of concern.

I will identify possible conflict of interest situation in the course of my engagement at the Commission and where it rises, I will disclose to my team and refrain from my involvement in such engagements.
In respect of financial matters. I will deploy financial distancing.

27. **Pro-Bono/Charity Work/donation to charity:** (Describe what you have done by way of pro bono or charity work, listing specific instances, the amount contributed and the amount of time devoted to each).

- Board member to 3 public schools in Nairobi
- Board member to Disability organizations
- In kind Contribution to these institutions

28. Have you ever been charged in a court or law in the last three years? If so, specify the nature of the charge, where the matter is ongoing, the present status of the matter, or where the matter is concluded, the judgment of the court, or otherwise, how the case was concluded.

No.

29. Have you ever been adversely mentioned in an investigatory report of Parliament or any other Commission of inquiry in the last three years?

No

30. Have you any objection to the making of enquiries with your present employer/referees in the course of consideration of your nomination?

No.

31. **References:**

(List three persons who are not your relatives who are familiar with your character, qualification and work).

1) Prof Stephen Akaranga
Associate professor & Chairman
University of Nairobi
Tel: 0723 716 790
Email: drifedha@Uonbi.ac.ke

2) Mr. Paul Kuria.
former Acting Commission Secretary
National Gender + Equality Commission
Tel: 0718 730 884
Email

Robert Keatley
Professional Colleague
+44 775 324 2717
email: robert.Keatley@yahoo.com

No. 33 of 2011 [Rev. 2012]
Public Appointments (Parliamentary Approval)
[Issue 1] 10

SCHEDULE
[Section 6(8)]

**CRITERIA FOR VETTING/APPROVAL OF NOMINEES FOR
APPOINTMENT TO PUBLIC OFFICE BY PARLIAMENT
QUESTIONNAIRE**

Notes:

- a) This questionnaire applies to appointments to public office arising by or under the Constitution or any other law where parliamentary approval is required.
- b) The questionnaire shall be used by the relevant parliamentary committee to vet a nominee appearing before the committee in the process of parliamentary approval.
- c) The questionnaire shall be filled and submitted by the nominee to the relevant parliamentary committee through the Clerk of the relevant House of Parliament on or before a date set by the committee.
- d) The submission of false information in the questionnaire is an offence and may result in prosecution.
- e) Any form of canvassing by a nominee shall lead to disqualification.
- f) The nominee must answer all the questions.

1. Name: (State full name)..... HON FLORENCE KAJUJU
2. Position: (State office to which you have been nominated).
CHAIRPERSON OF THE COMMISSION ON
ADMINISTRATIVE JUSTICE
3. Sex: FEMALE
4. Date of Birth: (State year and place of birth)..... 1969, MGRU COUNTY
5. Marital Status: MARRIED
6. Daytime phone number: +254 722 302378
7. Mobile phone number: +254 722 302378
8. Email Address: Kajuflo@yaho.com

9. ID Number: 10381379
10. PIN Number: A 00 26 2033J
11. Nationality: KENYAN
12. Postal Address: 1361 - 60200
13. Town/City: MERU
14. Knowledge of Languages: (Specify Languages): KIMERU, ENGLISH, KISWAHI
15. Education: (List, in reverse chronological order, each university, college, or any other institution of higher education attended and indicate, in respect of each, the dates of attendance, academic award obtained, whether a degree was awarded, and the dates on which each such degree was awarded).

2018 MOUNT KENYA UNIVERSITY - MASTER OF ARTS - GOVERNANCE AND ETHICS (ONGOING)

1994 KENYA SCHOOL OF LAW - POSTGRADUATE DIPLOMA IN LAW

1989 NATIONAL YOUTH SERVICE - PRE-UNIVERSITY TRAINING PROGRAMME

1989-1992 UNIVERSITY OF NAIROBI LWB (2ND CLASS HON)

1987-1988 MOI GIRLS HIGH-SCHOOL, GLD. KACE

1983-1986 MIKINDURI GIRLS' HIGH SCH. KCE

1976-1982 CCM MUCUONE PRYSCH. CPE

.....

Employment Record: (List in reverse chronological order all government agencies, business or professional corporations, companies, firms or other enterprises with which you have been affiliated as an officer, director, partner, proprietor, employee or consultant)

2013-2017 MP - KENYA NATIONAL ASSEMBLY - 11TH PARLIAM

2017 MEMBER - COUNCIL OF LEGAL EDUCATION / KENYA SCH OF LAW

2011 VICE-CHAIRPERSON ENERGY TRIBUNAL

2011 MEMBER - POWER OF MERCY COMMITTEE

2011 RULES COMMITTEE - JUDICIARY

-
.....
16. **Honours and Awards:** (List any scholarships, fellowships, honorary degrees, academic or professional honours, honorary society memberships, military awards and any other special recognition for outstanding service or achievement and in respect of each, state the date of award and the institution or organization that made the award).

MORAN OF THE ORDER OF THE
BURNING SPEAR, (MBS) - 9th Dec. 2011
BY PRESIDENT MWAI KIBAKI.

-
.....
.....
.....
.....
17. **Professional Association** (where applicable): (List all professional associations of which you are or have a member and give any positions held and the respective dates when each such position was held).

2007-2012 LAW SOCIETY OF KENYA - VICE-CHAIRPERSON,
COUNCIL MEMBER
ONGOING EAST AFRICAN LAW SOCIETY - MEMBER
ONGOING FEDERATION OF WOMEN LAWYERS (FIDA K)
ONGOING INTERNATIONAL COMMISSION OF JURISTS (ICJ K)
ONGOING INTERNATIONAL BAR ASSOCIATION (IBA)

-
.....
.....
18. **Memberships:** (List all professional, business, fraternal, scholarly, civic, charitable or other organizations, (other than those listed in response to Question 16) to which you belong or have belonged).

MARIMBA CHILDREN'S HOME - VIENNA COUNTY
FLORENCE KAJUJU FOUNDATION
BORESHA MAISHA

19. Published Writings:

(a) List the titles, publishers and dates of books, articles, reports, letters to the editor, editorial pieces or other published materials you have authored or edited.

- ARTICLE ON HEALTH BY BORESHA MAISHA.
- LSK CONSTITUTIONAL DRAFT 2009/2010
- RULES COMMITTEE REPORT ART 22. COK
- ENERGY TRIBUNAL - ENERGY ACT (amendments)
- MIRAA AD HOC PARLIAMENTARY COMMITTEE REPORT.
- MONETARY UNION PROTOCOL UNDER THE PARLIAMENTARY REGIONAL INTEGRATION COMMITTEE

(b) Supply four (4) copies of any reports, memoranda or policy statements you prepared or contributed in the preparation of any bar association, committee, conference or organization of which you were a member.

20. Public Office, Political Activities and Affiliations:

(a) List chronologically any public offices you have held or are currently holding, including the terms of service and whether such positions were elected or appointed.

APPOINTED TO THE COUNCIL OF LEGAL EDUCATION / MEMBER

APPOINTED AS VICE CHAIRPERSON ENERGY TRIBUNAL

APPOINTED TO THE POWER OF MERCU COMMITTEE - MEMBER

2013 ELECTED TO THE 11TH PARLIAMENT COUNTY MI
2013 ELECTED CHAIRPERSON REGIONAL INTEGRATION COMMITTEE - IA

(b) List all memberships and offices held in and services rendered, whether compensated or not, to any political party or election committee. If you have ever held a position or played a role in a political campaign, identify the particulars of the campaign, including the candidate, dates of the campaign, your title and responsibilities. Also include any linkage you have to a political party at present.

FORMER MEMBER THE NATIONAL ALLIANCE PARTY (TNA)

FORMER MEMBER JUBILEE PARTY

(c) Have you ever been dismissed or otherwise removed from office for a contravention of the provisions of Article 75 of the Constitution?

N/A - NO.

(d) Have you ever been adversely associated with practices that depict bias, favouritism or nepotism in the discharge of public duties?

N/A - NO

21. **Deferred Income/Future Benefits:** (List the sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock, options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, etc).

F.K. GITONJA & CO. ADVOCATES
LAW FIRM

22. **Outside commitment during service in office:** (Do you have any plans, commitments or agreements to pursue outside employment with or without compensation during your service in office? If so explain).

NONE

23. Sources of Income: (List sources and mounts of all income received during the calendar year preceding your nomination and in the current calendar year).

PARLIAMENTARY SERVICE COMMISSION -
PENSION REFUND 4,028,000

LAW FIRM - Koko 100000 PER MONTH

24. Tax Status: (State whether you have fully complied with your tax obligations to the State up to the end of the financial year immediately preceding the nomination for appointment).

YES.

25. Statement of Net Worth: (State your financial net worth)

1. Family Home/Residential in Meru County - 15m
2. Residential Home in Nairobi County - 25m
3. Motor Vehicles - Land-Cruiser 6-5m
Prado 2-1m
4. Apartments - Langata and Mombasa Road - 10m
5. Bank Accounts - 300000

26. Potential Conflict of Interest:

(a) Identify the family members or other persons, parties, categories of litigation or financial arrangements that are likely to present potential conflicts-of-interest when you first assume the position to which you have been nominated. Explain how you would address any such conflict if it were to rise.

NONE

(b) Explain how you will resolve any potential conflict of interest, including the procedure you will follow in determining these areas of concern.

N/A

27. **Pro-Bono/Charity Work/donation to charity:** (Describe what you have done by way of pro bono or charity work, listing specific instances, the amount contributed and the amount of time devoted to each).

BORESHA MATIHA - Organisation that
I offer free legal advice once a week.
FLORENCE KAJUJU FOUNDATION - Legal advice.
PPA ASSOCIATION - Legal advice.

28. Have you ever been charged in a court or law in the last three years? If so, specify the nature of the charge, where the matter is ongoing, the present status of the matter, or where the matter is concluded, the judgment of the court, or otherwise, how the case was concluded.

N/A

29. Have you ever been adversely mentioned in an investigatory report of Parliament or any other Commission of inquiry in the last three years?

N/A

30. Have you any objection to the making of enquiries with your present employer/referees in the course of consideration of your nomination?

NONE

31. **References:**

(List three persons who are not your relatives who are familiar with your character, qualification and work).

1. HON. B. MUTURI
SPEAKER KENYA NATIONAL ASSEMBLY
CELL NO. 0722529778

2. MARY WANJA MATU
CELL NO. 0721360450

3. FATHER BERNARD NJERU
CEL NO. 0720741302

No. 33 of 2011 [Rev. 2012]
Public Appointments (Parliamentary Approval)
[Issue 1] 10

ANNEXURE 8

(Nominees' Certificates of Good
Conduct from the DCI)

NATIONAL POLICE SERVICE C. 24A



DIRECTORATE OF CRIMINAL INVESTIGATIONS

DIRECTORATE OF CRIMINAL INVESTIGATIONS HEADQUARTERS
P.O. Box 10030-00100 NBO
NAIROBI, KENYA

Ref. No. PCC-AAAEDJF4 Date: 05 April 2018

POLICE CLEARANCE CERTIFICATE

I hereby certify that the fingerprints recorded from

FLORENCE KAJUJU

holder of ID No. 10381379 have been searched in Criminal Records Office's database with/without previous record. The validity of the information on this certificate is as of the date of issue.

REMARKS IN CASE OF PREVIOUS RECORD

OFFENCE(S): NIL

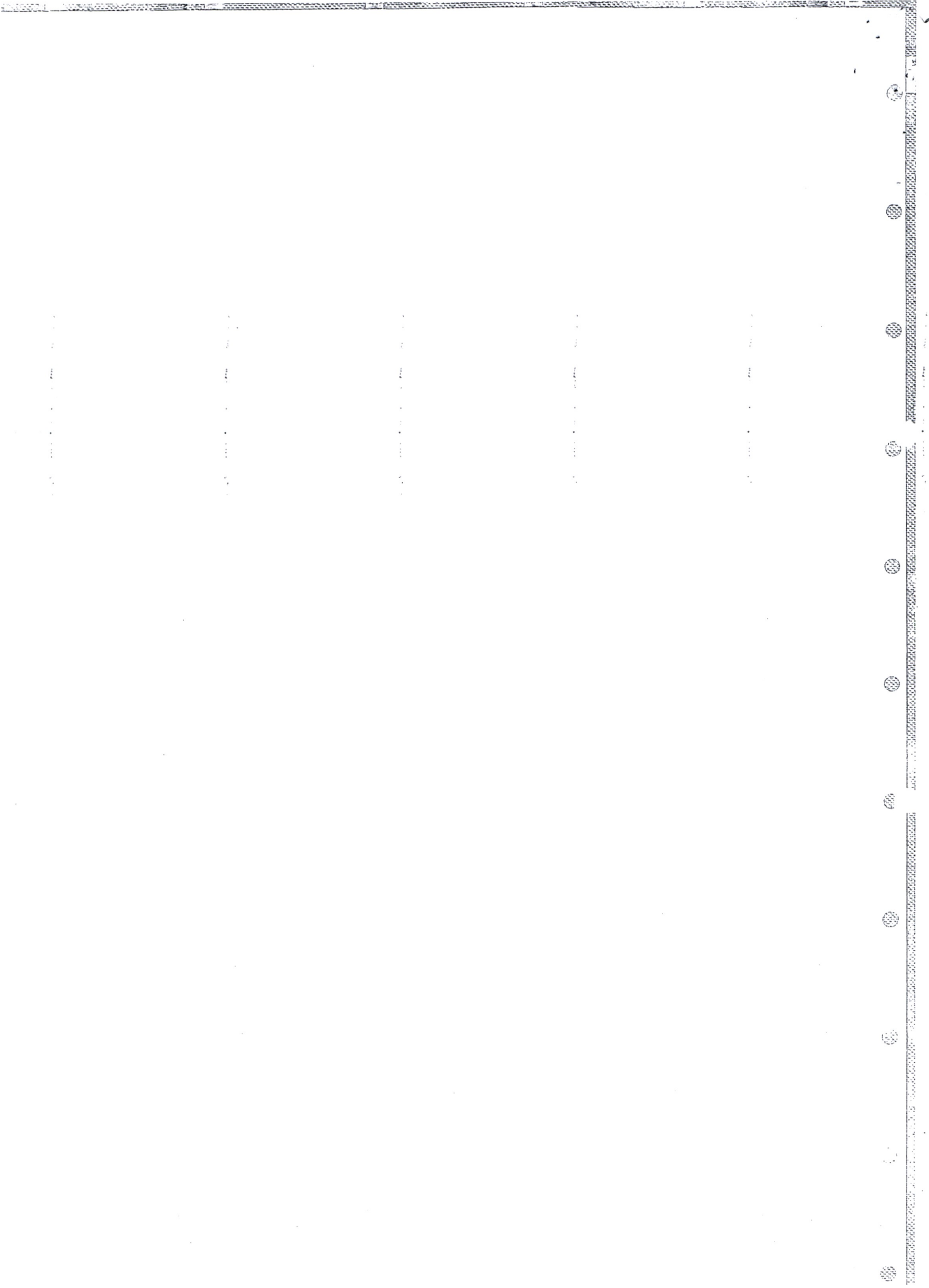
RESULTS OF TRIAL: NIL

DATE: NIL

This Certificate has been issued without any alteration or any erasure


(P.M. Ndunda)
For: Director, Directorate of Criminal Investigations
(P.T.O)

NOTE: This is a computer generated certificate, to verify the authenticity of this document, send DCI to 21546



NATIONAL POLICE SERVICE

C. 24A



DIRECTORATE OF CRIMINAL INVESTIGATIONS

DIRECTORATE OF CRIMINAL INVESTIGATIONS HEADQUARTERS

P.O. Box 30036-00100 GPO

NAIROBI, KENYA

Ref. No: PCC-AAADOGT3

Date: 26 February 2018

POLICE CLEARANCE CERTIFICATE

I hereby certify that the fingerprints recorded from

WASHINGTON OPIYO SATI

holder of ID No. 22769440 have been searched in Criminal Records Office's database with/without previous record. The validity of the information on this certificate is as of the date of issue.

REMARKS IN CASE OF PREVIOUS RECORD

OFFENCE(S): NIL

RESULTS OF TRIAL: NIL

DATE: NIL

This Certificate has been issued without any alteration or any erasure

(Signature)

(P.M. Ndunda)

For: Director, Directorate of Criminal Investigations

(P.T.O)

NOTE: This is a computer generated certificate, to verify the authenticity of this document, send DCI to 21546

NATIONAL POLICE SERVICE

C. 24A



DIRECTORATE OF CRIMINAL INVESTIGATIONS

DIRECTORATE OF CRIMINAL INVESTIGATIONS HEADQUARTERS

P.O. Box 30036-00100 GPO

NAIROBI, KENYA

Ref. No: RCG-AAACWJK8

Date: 05 December 2017

POLICE CLEARANCE CERTIFICATE

I hereby certify that the fingerprints recorded from

LUCY WACHUKA KAMUNYE

holder of ID No. **5482858** have been searched in Criminal Records Office's database with/without previous record. The validity of the information on this certificate is as of the date of issue.

REMARKS IN CASE OF PREVIOUS RECORD

OFFENCE(S): NIL

RESULTS OF TRIAL: NIL

DATE: NIL

This Certificate has been issued without any alteration or any erasure

(P.M. Ndunda)

For: Director, Directorate of Criminal Investigations

(P.T.O)

NOTE: This is a computer generated certificate, to verify the authenticity of this document, send DCI to 21546

REMARKS

1.

Offence(s):

Result of Trial:

Date:

2.

Offence(s):

Result of Trial:

Date:

3.

Offence(s):

Result of Trial:

Date:

4.

Offence(s):

Result of Trial:

Date:

5.

Offence(s):

Result of Trial:

Date:

6.

Offence(s):

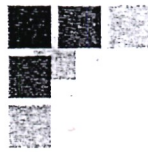
Result of Trial:

Date:

ANNEXURE 9

(Nominees' Curricula Vitae)

CURRICULUM VITAE



HON. FLORENCE KAJUJU

KCB Building, 2nd Floor, Njuri Ncheke St,
P. O. Box 1361-60200, Meru Mobile: 0722 302 378
Email: kajuflog@yahoo.com

