

Fredrick Wakhungu
Robert W. Mwembe
Centrine N. Tunduli
Sella Mutsotso
Wellington Billy Sindani
Metrine Nabwile Masika
Kings Hasting Khisa
Carolyn Chepkorir
Winston Sakwa — *Secretary*

Dated the 17th May, 2023.

DOUGLAS S. WEKESA,
*CECM, Lands, Urban/Physical Planning,
Housing and Municipalities.*

MR/5151165

GAZETTE NOTICE No. 6478

THE PUBLIC FINANCE MANAGEMENT ACT

(No. 18 of 2012)

THE PUBLIC FINANCE MANAGEMENT (COUNTY
GOVERNMENTS) REGULATIONS, 2015

COUNTY ASSEMBLY OF KWALE SERVICE BOARD

APPOINTMENT

IN EXERCISE of the powers conferred on the Kwale County Services Board by section 155 (5) of the Public Finance Management Act, 2012 and the Public Finance Management (County Governments) Regulations, the Kwale County Assembly Service Board appoints the persons whose names appear below, to be Members and Chairperson of the Kwale County Assembly Audit Committee, for a period of three (3) years, with effect from the 2nd April, 2023.

SCHEDULE

Name	Designation
Francis Kalama Fondo	Chairman
Kamil Said Bokoko	Member
Joseph Mwanzanje Nyawa	Member
Dickson Nyundo Mangale	Member

Dated the 9th May, 2023.

FATUMA H. MWALUPA,
Secretary, Kwale County Assembly Service Board.

GAZETTE NOTICE No. 6479

THE PROCEEDS OF CRIME AND ANTI-MONEY LAUNDERING
ACT

(No. 9 of 2009)

PRESERVATION ORDERS

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

Lule Abdi Kala and Lulu Pearl Logistics Limited that the High Court has issued preservation orders in Nairobi High Court Miscellaneous Application No. E010 of 2023 as specified in the Schedule hereto.

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

ANTI-CORRUPTION AND ECONOMIC CRIMES DIVISION

MISCELLANEOUS CIVIL APPLICATION No. E010 OF 2023

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

AND

IN THE MATTER OF PRESERVATION OF KSH. 1, 317,032.00
HELD IN ACCOUNT NUMBER 1080279804812 IN THE NAME

OF LULU PEARL LOGISTICS LIMITED HELD AT EQUITY
BANK LIMITED, MOMBASA ROAD BRANCH

BETWEEN

ASSETS RECOVERY AGENCY—(*Applicant*)

VERSUS

LULE ABDI KALA—(*1st Respondent*)

LULU PEARL LOGISTICS LIMITED—(*2nd Respondent*)

IN CHAMBERS ON 12TH MAY, 2023

BEFORE HON. JUSTICE PROF. (DR.) NIXON SIFUNA

ORDER

THIS MATTER COMING UP Before Honourable Justice Prof. (Dr.) Nixon Sifuna on 12th May, 2023 for Directions of the originating motion dated 11th May, 2023 brought by Counsel for the applicant under sections 81 and 82 of the Proceeds of Crime and Anti-Money Laundering Act and Order 51 of the Civil Procedure Rules, and all other enabling provisions of the law and upon reading the supporting affidavit of Sautet Jeremiah and all the Annexures thereto:

Ex parte;

IT IS HEREBY ORDERED:

1. THAT this Application be and is hereby certified urgent.
2. THAT a Preservation Order be and is hereby issued prohibiting the Respondents and/or the 2nd Respondent's directors, employees, agents, servants or any other persons acting on its behalf from transacting, transferring and/or dealing in any manner with KShs. 1,317,032.00 deposited in the 2nd Respondent's bank account number 1080279804812 in the name of Lulu Pearl Logistics Limited held at Equity Bank Mombasa Road Branch.
3. THAT as per the said supporting affidavit of the said Sautet Jeremiah, the funds are suspected to be proceeds of crime, in terms of the Proceeds of Crime and Anti-Money Laundering Act No. 9 of 2009.

It is so ordered.

GIVEN under my hand and the seal of this Honourable Court this 12th day of May, 2023.

ISSUED at NAIROBI this 12th day of May, 2023.

DEPUTY REGISTRAR
HIGH COURT

ANTI-CORRUPTION AND ECONOMIC CRIMES DIVISION

PENAL NOTICE

Take notice that if you, the above named respondents or your servants/agents disobey this order, you will be cited for contempt of court and shall be liable to imprisonment for a period of not more than six months.

Dated the 15th May, 2023.

PTG No. 2746/22-23
BRIG. ALICE M. MATE,
Director.

GAZETTE NOTICE No. 6480

THE WATER ACT

(No. 43 of 2016)

KARIMENU II DAM BULK WATER SUPPLY SYSTEM

APPROVED BULK TARIFF STRUCTURE FOR THE PERIOD 2022/2023 TO
2024/2025

Athi Water Works Development Agency (AWWDA) applied to the Water Services Regulatory Board (WASREB) for a tariff for Karimenu II Dam Water Supply Project, for the period 2022/2023 to 2024/2025 as per section 72 (1) b of the Water Act, 2016.

Public consultation on the Karimenu Bulk application was carried out in accordance with the requirements of section 139 of the Water Act, 2016.

After considering the application, the written and oral submissions by all stakeholders during the consultation period, and based on latest available data, WASREB has determined a justified tariff to improve service delivery, operate sustainably and protect consumer interests by meeting the tariff conditions attached to the tariff.

WASREB notifies all existing and potential customers of Karimenu II Dam Bulk Water Supply that the approved tariffs for the three financial years 2022/23, 2023/24 and 2024/25 shall be as follows:

1.0 Approved Bulk Tariff Structure

1.1 Bulk Water Tariff Structure for the Period 2022/2023 to 2024/2025

	Approved Tariff (KSh/M ³)
Sale per m ³	36

2.0 Analysis of Cost Structure

Below is the summary of the projected annual cost structure that makes up the total costs to be incurred by Karimenu Bulk Supply during the tariff period:

Particulars	Average Annual Revenue/Costs for the Period
	Amount (KSh.)
Personnel Expenditure	37,190,799
Training	3,762,367
General Administration	12,584,327
Other Operational Expenditure*	78,868,987
Maintenance Expenditure	9,276,696
Total O&M Expenditure	141,683,175
Minor Investments	
(i) Water supply to areas affected by construction of the dam	30,000,000
(ii) Fencing around the dam	12,000,000
(iii) Source protection works/ conservation activities (Addressing pollution from Kirache market)	18,000,000
(iv) Buffer zone acquisition	15,000,000
Loan Repayment (Interest Only) *	660,082,187
Total Expenditure	876,765,363
Average Revenue	901,698,663
Total Cost Coverage	103%

3.0 Conditions Attached to the Tariff Approval

The conditions attached to this approval which shall form part of the license conditions for Karimenu Bulk Water Supply are:

(a) Service Delivery Conditions Attached to the Tariff.

Target	2022/2023	2023/2024	2024/2025
Non-Revenue water	7%	7%	7%
Water Quality Standards	100% Compliance with all standards		
Hours of Supply	24	24	24
Metering ratio	100%	100%	100%
Staff per 1million m ³ billed (No.)	33	35	35
Collection Efficiency (%)	95%	95%	95%
Total Cost Coverage	103%	103%	103%

(i) Performance Evaluation

Performance targets to be met and ascertained by WASREB, at the end of the 1st year of the tariff period. Non achievement of the set targets without justifiable cause shall lead to reduction of the approved tariffs as a penalty.

(ii) Annual Budgets

The approved cost structure shall form the annual budget for the Bulk Water Supply for each of the financial years of the tariff period.

(iii) Ring-Fencing of Capital Expenditure

The WSP to open a separate account for capital component of the tariff, to deposit the appropriate share of revenue into this account which is only to be used for capital expenditure and repayment of loans as provided for in the approved tariff.

(iv) Tariff Assessment

WASREB will carry out a tariff implementation review within the first 12 months of approval and implementation during which a joint assessment with the utility on the trend in Billing (KSh.) shall be carried out and status of implementation of the tariff evaluated.

(v) Loan Repayment

AWWDA shall immediately open a separate bank account where it shall deposit monthly equal instalments for the semi-annual loan repayments.

	2023/2024	2024/2025	2025/2026
Loan Repayment Amount (KSh.)	731,883,016	660,876,256	587,487,289

(b) Investments: The utility shall undertake the following investments within the tariff period and submit progress reports on a quarterly Basis.

Item No.	Item Description	Estimated Cost (KSh.)/Per Year
1.	Water supply to areas affected by construction of the dam	30,000,000.00
	a. Water Supply for Gathanji area	15,000,000.00
	b. Water Supply for Kanyoni area	15,000,000.00
2.	Fencing around the dam	12,000,000.00
	Initial stage to include fencing of red zone areas - including areas near schools/ markets etc.	
3.	Source protection works/ conservation activities	18,000,000.00
	Addressing pollution from Kirache market	
4.	Buffer zone acquisition	15,000,000.00
	Initial acquisition of stage 1 buffer zone areas - areas affected by potential flood water within 1 year	
Total (KSh.)		75,000,000.00

MR/5164675 JULIUS ITUNGA,
Ag. Chief Executive Officer.

GAZETTE NOTICE NO. 6481

THE WATER ACT, 2016

(Section 77 and 139)

PUBLIC CONSULTATION MEETINGS ON LICENCING OF WATER SERVICE PROVIDERS

THE Water Services Regulatory Board (WASREB) has received licence applications from two water companies to provide water services within their respective counties.

The licence applications have been made pursuant to the Water Act 2016 (section 85(1)). A person shall not provide water services except under a licence issued by the Regulatory Board, upon submission of an application and such supporting documents as the Board may require.

Therefore, in compliance to Water Act, 2016, section 139 on the mandatory requirement for public consultation and WASREB principal object under Section 70(1) of the Water Act 2016 -protection of the interests and rights of consumers in the provision of water services, we wish to advise that a public consultation meeting shall be held at the venue stated below to get stakeholders concerns on services provided, licencing conditions and proposals for services development going forward.

Please note that due to the challenge posed by the COVID 19 Pandemic, the Water Service Providers will hold hybrid public consultation meetings; face to face meetings for few stakeholders and virtual meetings for the rest of the stakeholders as outlined below;