GAZETTE NOTICE NO. 297

OFFICE OF THE PRESIDENT
PENDING BILLS CLOSING COMMITTEE
ESTABLISHMENT OF PENDING BILLS CLOSING COMMITTEE

IT IS notified for general information that His Excellency, Mwai Kibaki, President and Commander-in-Chief of the Armed Forces of the Republic of Kenya has established a committee to be known as the Pending Bills Closing Committee. The purpose of the Committee is to bring to finality the problem of pending bills.

It is further notified for information that upon publication of this notice, any person with any claim or pending bill against Government should submit such claims or bills to the Committee for consideration.

1. (1) The Committee shall consist of—
   (a) a Chairman appointed by the President; and
   (b) the following other members—
      (i) a member from the Institute of Engineers of Kenya;
      (ii) a member from the Institute of Certified Public Accountants of Kenya;
      (iii) a member from the Law Society of Kenya;
      (iv) a member from the Kenya Anti-Corruption Commission;
      (v) the Permanent Secretary/Ministry of Roads and Public Works or his representative;
      (vi) the Permanent Secretary/Ministry of Finance or his representative;
      (vii) three procurement experts appointed by the Minister for Finance; and
      (viii) the Attorney-General or his representative.

(2) The Chairman and other members of the Committee shall, prior to embarking on their duties, subscribe to the declaration prescribed in the schedule.

2. The functions of the Committee shall be to—
   (a) scrutinize and analyze all existing stock of Government pending bills with a view to making appropriate recommendations to the Treasury for payment or otherwise;
   (b) develop a clear procedure and criteria for dealing with existing Government pending bills;
   (c) identify cases where there may have been corrupt, fraudulent and false claims against the Government and make appropriate recommendations to the relevant Government departments;
   (d) develop a system to ensure that future escalation of pending bills within Government is avoided;
   (e) identify cases where Government officials may have facilitated or abetted unjustified claims against the Government and make appropriate recommendations for action by the relevant Government departments; and
   (f) perform any other function incidental to the foregoing.

3. In the performance of its functions the Committee—
   (a) shall have access to reports of any previous investigations relevant to its mandate;
   (b) shall as it considers appropriate, carry out or cause to be carried out such studies or research as may inform the Committee on its mandate;
   (c) shall, through the Minister for Finance, submit monthly progress reports to the Cabinet’s Anti-Corruption Committee; and
   (d) subject to the foregoing, the Committee shall have all the independence necessary for carrying out its functions or expedient for the proper execution of its mandate, including the power to regulate its own procedure, without being the subject of control by any other authority.

4. The Committee shall—
   (a) within four (4) months, after scrutiny and analysis of the Government stock of pending bills, submit to His Excellency the President a report recommending to the Treasury settlement or otherwise of the pending bills;
   (b) within twelve (12) months submit to His Excellency the President a final report detailing a system geared towards ensuring that future escalation of pending bills within Government is avoided;
   (c) in the report referred to in paragraph (b), identify cases where Government officials may have facilitated or abetted unjustified claims against the Government and make appropriate recommendations for action by the relevant Government departments.
I certify that I am fully aware of the legal consequences of this declaration and that my engagement may be terminated if any of the information I have provided herein is incorrect in any material respect.

Signature: ____________________________
Date: ________________________________
Witnessed by: _________________________
Signature: ____________________________
Date: ________________________________

Dated the 12th January, 2005.

MWAI KIBAKI,
President.

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GAZETTE NOTICE NO. 298

OFFICE OF THE PRESIDENT

PENDING BILLS CLOSING COMMITTEE

APPOINTMENT OF CHAIRMAN AND MEMBERS OF THE COMMITTEE

PURSUANT to Gazette Notice No. 297 of 2005, I, Mwai Kibaki, President and Commander-in-Chief of the Armed Forces of the Republic of Kenya, appoints the following to serve on the Pending Bills Closing Committee:

(a) Under paragraph 1 (1) (a)—

D. G. Njoroge—(Chairman).

(b) Under paragraph 1 (1) (b) (i) representing the Institute of Engineers of Kenya—

I. G. Wanjohi (Eng.).

(c) Under paragraph 1 (1) (b) (ii) representing the Institute of Certified Public Accountants of Kenya—

John Karimi Njiraini.

(d) Under paragraph 1 (1) (b) (iii) representing the Law Society of Kenya—

Violet Awori (Mrs.).

(e) Under paragraph 1 (1) (b) (iv) representing the Kenya Anti-Corruption Commission—

Vincent Kibet Kiptoo.

(f) Under paragraph 1 (1) (b) (v) representing the Permanent Secretary Ministry of Roads and Public Works—

Chief Quantity Surveyor, V. B. Walubayi.

(g) Under paragraph 1 (1) (b) (vi) representing the Permanent Secretary Ministry of Finance—

Accountant-General, S. L. Boboti (Mrs.).

(h) Under paragraph 1 (1) (b) (vii) representing the procurement experts—

Angela Kithinji (Mrs.),

Richard Mwongo; and

(i) Under paragraph 1 (1) (b) (viii) representing the Attorney-General—

Deputy Solicitor-General, Mathoni Kimani (Ms.).

Dated the 12th January, 2005.

MWAI KIBAKI,
President.