

## GAZETTE NOTICE NO. 31

## THE LAND REGISTRATION ACT

(No. 3 of 2012)

## REGISTRATION OF INSTRUMENT

WHEREAS Kibiu Magu alias Kabiu Magu (deceased), is registered as proprietor of that piece of land known as Baragwe/Guama/509, situate in the district of Kirinyaga, and whereas the High Court at Kerugoya in succession cause No. 562 of 2013, has issued grant and confirmation letters to Njuki Kibiu, and whereas all efforts made to recover the land title deed and be surrendered to the land registrar for cancellation have failed, notice is given that after the expiration of thirty (30) days from the date hereof, provided no valid objection has been received within that period, I intend to dispense with the production of the said land title deed and proceed with registration of the said administration letters to Njuki Kibiu, and upon such registration the land title deed issued earlier to the said Kibiu Magu alias Kabiu Magu (deceased), shall be deemed to be cancelled and of no effect.

Dated the 5th January, 2018.

J. K. MUTHEE,

MR/4167403

Land Registrar, Kirinyaga District.

## GAZETTE NOTICE NO. 32

## THE TRUSTEE ACT

(Cap. 167)

IN THE MATTER OF THE ESTATE OF HON. KIPYATOR  
NICHOLAS KIPRONO BIWOTT (DECEASED)

PURSUANT to section 29 of the Trustee Act (Cap. 167), notice is given that all creditors and others having any claims against or claiming to be beneficially interested in the estate of the deceased, late of Nairobi in the Republic of Kenya who died on 11th July, 2017, at Nairobi are required to send particulars in writing to the executors named in the deceased's last will and testament and or to the undersigned advocates all of whose address for such purposes is at P.O. Box 40034-00100, Nairobi on or before the expiry of two calendar months from the date that a copy of this notice shall appear in the *Kenya Gazette* after the expiry of which period the executors will proceed to administer the estate and when able to do so to distribute the assets of the deceased among the persons entitled to them having regard only to the claims of which they have had notice and shall not be liable for the assets of the deceased or any part of them so distributed to any person or persons of whose claims or demands they then have not had notice.

Dated the 20th December, 2017.

DALY &amp; INAMDAR,

MR/4167167

Advocates for the Executors.

## GAZETTE NOTICE NO. 33

## THE WATER ACT

(No. 43 of 2016)

## NZOIA WATER SERVICES COMPANY LIMITED

## APPROVED TARIFF STRUCTURE FOR THE PERIOD 2017/18 TO 2019/20

The Water Services Regulatory Board (WASREB) under powers granted by sections 72 (1) (b) and (2) of the Water Act, 2016 has approved the regular tariff adjustment for the area served by Nzoia Water Services Company Limited (NZOWASCO).

Pursuant to powers granted under section 156 (3) (a) and (b) of the Water Act, 2016 as read together with Rule 37 (3) of The Water (Services Regulatory) Rules, 2012, Lake Victoria North Water Services Board (LVNWSB), do hereby give a one month notice from the date of this communication to all existing and potential customers of Nzoia Water Services Company Ltd that the structure of approved tariff for water services for the financial year 2017/18 to 2019/20 is as follows:

## 1.0 Water Tariff Structure for Year 2017/18 to 2019/20

Customer Category	Consumption Block in m <sup>3</sup>	Current Tariff (KSh/m <sup>3</sup> )	Approved Tariff (KSh/m <sup>3</sup> )
Residential/Government institutions	0-6	Flat rate ksh 222.00	Flat rate KSh 300.00
	7-20	55.40	70
	21-50	72.02	77
	51-100	88.64	89
	101-300	110.80	120
	Above 300	144.04	150
Commercial/Industrial	0-6	Flat rate KSh 222.00	Flat rate KSh 330.00
	7-20	55.40	75
	21-50	72.02	82
	51-100	88.64	94
	101-300	110.80	125
	Above 300	144.04	155
Standpipes/Kiosks Public schools, Universities and Colleges		35	35
	0-600	44.32	55
	601-1200	55.40	72
	Above 1200	99.72	99

## 1.1 Sewerage Tariff

Sewerage is charged at 75% of the water billed for all customers with a sewer connection

- (a) Disconnected water accounts shall be charged based on the average of the last three months' sewer charges before the disconnection.
- (b) Customers with no water connection but connected to the sewerage system—
  - (i) Domestic Customers: flat rate of Ksh. 200 per month
  - (ii) Government, Schools, Multi-dwelling units, Gated Communities and Commercial/Industrial customers: 75% of volume of water used as per the metered source of water.

## 2.0 Miscellaneous Charges

## Standing Charges Per Month

Meter size	Approved Charge (KSh.)
½ inches	50
¾ inches	100
1 inch	250
1 ½ inches	250
2 inches	250
3 inches	450
4 inches	800
6 inches	1250
8 and above	2000
Water Deposit	—
Category of consumer	—
Domestic	2,500
Water Kiosks	5,000
Commercial	25,000
Industries	50,000
Domestic Construction	25,000
Commercial construction	50,000
Other Charges	
New Water Connection fee,	
½ inch to 1 inch	2,500
New Water Connection fee, 1	
½ to 3 inch	7,500
New Water Connection fee,	
above 3 inch	15,000
Illegal connection-	
Commercial, Industry,	100,000 plus estimated consumption
Construction(Fraud)	during the period of the illegality
Illegal connection (Fraud) -	30,000 plus estimated consumption
Domestic	during the period of the illegality
	2,500, 5,000 respectively per tanker
Tanker 8000, 16,000 litres	within WSP area for all consumers

*Standing Charges Per Month*

Meter size	Approved Charge (KSh.)
Replacement of stolen or damaged meters	100% of the market cost of the meter
Sewer Connection- Residential	5,000
Sewer Connection- Commercial	7,500
Sewer Connection- Industrial	15,000
Private sewer unblocking(per manhole)	2,500
Sewer Reconnection	15,000
Exhauster Services (Company Exhauster)	5,000 for other customers and 4,000. for informal settlements
Private Exhausters (Dumping into the company's sewer system)	15,000. per Truck per month Charges equal to those of illegal connections of water per category.
Illegal connection sewerage	
Surcharge for tampering with meters (this to include meter removal, reversing of meter, etc)	5000
Surcharge for direct suction of water from the supply line using a pump	10,000
For special reading of a meter	200
For cutting off the supply at the request of the consumer	200
For turning on the supply otherwise than in respect of a first connection	200
For turning on the supply after a disconnection for non payment	500

## 3.0 Analysis of Cost Structure

Below is the summary of the cost structure that makes up the total costs incurred by the Water Service Provider (WSP):

Expenditure Item	2017/18	2018/19	2019/20
Operations	252,020,224	263,084,794	270,424,469
Maintenance	10,519,617	11,045,597	11,597,877
Regulatory Levy WSB	4,744,230	5,185,769	5,814,687
Administrative Fees	42,504,987	44,705,859	48,212,904
Loan Repayment	132,439,444	131,235,252	139,362,590
Minor Investments	4,000,000	7,500,000	4,000,000
Total Costs	446,228,502	462,757,272	479,412,527
Projected Rev. (KSh.)	450,701,895	492,648,064	552,395,258
O&M Cost Coverage (%)	101%	106%	115%

## 4 Conditions to the tariff:

## i. Tariff period

The tariff adjustment approval is recommended for the remaining period of 2017/18 financial year and 2018/19 and 2019/20 financial years, during which time all the assumptions made in the tariff projections will be monitored and the WSP (NZOWASCO) will be expected to meet the targets below:

Target	2017/18	2018/19	2019/20
Water Coverage (%)	82%	83%	84%
Water quality standards (%)	100% compliance with the quality standards		
Non Revenue Water (%)	27%	23%	20%
Hours of Supply (Hrs)	22	23	23
Staff per 1000 connections	6	5	5
Metering ratio (%)	97	98	100
Collection Efficiency (%)	95	95	95
Resale at Kiosk	Regulate resale by kiosk vendors at KSh. 1 per 20-litres. Tariffs at kiosks must be		

displayed at strategic points for public awareness with prominent display of NZOWASCO and WASREB logos with the words 'WASREB APPROVED'

## ii. Personnel Costs:

The WSP shall progressively work towards attaining the sector benchmark of the proportion of personnel cost to the Operations and Maintenance (O&M) cost by 2019/20.

Year	2017/18	2018/19	2019/20
Amount in KSh.	113,800,550	114,200,884	114,613,227
% of O&M	37%	35%	34%

## iii. Investments:

The County Governments of Bungoma and Trans Nzoia, LVNWSB and WASREB shall monitor the funds set aside for investment in the following pipelines:

Monitoring the project cycle of all the projects is necessary and the projects here in shall be publicized.

	2017/2018	2018/2019	2019/20
Kitale			
St. Joseph - Birunda 6km,			
4" Upvc		3,500,000	
Legacy - Bikeke 2.5km, 3"	2,500,000		
Upvc			
Bungoma			
Muskoma - Mumias 3km,			4,000,000-
4" Upvc			
Total	2,500,000	3,500,000	4,000,000

## iv. Debt Repayment:

Open and operate a bank account for debt repayments which shall receive no less than the following amounts per annum to be credited on a monthly basis. The amount shall be disbursed from the account as per the loan repayment agreements.

Year	2017/18	2018/19	2019/20
Amount in KSh.	132,439,444	131,235,252	139,362,590

## v. Regulatory levy:

The WSP shall remit the regulatory levy on monthly basis being 1% of the billing as per Legal Notice No. 36 of 2008.

## vi. Performance Evaluation:

Performance targets to be met and ascertained by the County Governments of Bungoma and Trans Nzoia, LVNWSB and WASREB, at the end of the 1st year of the tariff period. Non achievement of the all targets without justifiable cause shall lead to revision of the tariff for the protection of the consumers including other measures which shall be ordered by WASREB.

## vii. SPA Revision:

The clause on tariffs and licensee remuneration levy which is the equivalent of Clause 9 of the Model Service Provision Agreement (SPA) on "Tariffs, Remuneration and Financial Arrangements") shall be amended to conform with the approved tariffs: The agent shall remit fixed annual payments to Licensee, which shall be paid on equal monthly rates, at the end of respective months according to the amount in section 3.

Dated the 20th December, 2017.

ANTHONY KISAKA,  
Ag. Chief Executive Officer,  
Lake Victoria North Water Services Board.

## GAZETTE NOTICE No. 34

## THE ENVIRONMENTAL MANAGEMENT AND

## CO-ORDINATION ACT

(No. 8 of 1999)