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CHAIRPERSON'S FOREWORD

The Public Petition on harassment and confiscation of Slot and Gaming Machines belonging to the members of Counties Amusement and Gaming Society was presented to the National Assembly by the Hon. George Theuri, MP on 27th June, 2018 pursuant to Standing Order 225(2) and the Petition to Parliament (Procedure) Act, 2012. The petition dated 12th June, 2018 prays "that the National Assembly through the Departmental Committee on Sports, Culture and Tourism:

- (i) Cause an investigation into the alleged harassment of the Members of the Counties Amusement and Gaming Society and confiscation of their property by authorities;
- (ii) Recommends that Kenyans be allowed to own, manage and franchise slot and gaming machines as stipulated by the Betting, lotteries and Gaming Act; and
- (iii) Makes any other order or direction that it deems fit in the circumstances of the matter.

The Committee wishes to thank the Offices of the Speaker and the Clerk of the National Assembly for the support extended to it in the execution of its mandate.

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I take this opportunity to thank all the Members of the Committee for their patience, sacrifice, endurance and hard work during the long sitting hours under tight schedules, which enabled us to complete the tasks within the stipulated period.

The Committee wishes to record its appreciation for the services rendered by the staff of the National Assembly attached to the Committee. Their efforts made the work of the Committee and the production of this Report possible.

Finally, it is now my pleasant duty, on behalf of the Departmental Committee on Sports, Culture and Tourism to present this report to the House pursuant to the provisions of Standing Order 227 (2).

Hon. (Dr.) Victor Munyaka, M.P.

EXECUTIVE SUMMARY

This report contains the Committee's proceedings during the hearing of the Public Petition on harassment and confiscation of Slot and Gaming Machines belonging to the members of Counties Amusement and Gaming Society was presented to the National Assembly by the Hon. George Theuri, MP on 27th June, 2018. While considering the petition, the Committee noted the following:

- THAT the Counties Amusement and Gaming Society (herein referred to as the Society) is registered society of persons who are engaged in the gaming and amusement industry. The society indicated that they have 600 registered members, however, no proof was provided or list of the registered members to support this;
- 2. THAT, the Committee established that the some Members of the Society had been charged in court for various offences which were withdrawn by the Office of the Directorate of Public Prosecution under section 87(a) of the Criminal procedure Code.
- THAT, the Members of the Society have filed various Petitions in several courts challenging the harassment of the Police; A case in point is the Constitutional Petition Number 482 of 2018 which has all the registered members of the Society as Petitioners in the matter.
- 4. THAT, HC. Pet. No. 482 of 2018 was filed in July 2018 against the Betting Control and Licensing Board, the Ministry of Interior and National Co-ordination, Inspector General, Attorney General, Office of the Directorate of Public Prosecution, Council of Governors and Inter-Governmental Technical Relations Committee.
- THAT the HC. Pet. No. 482 of 2018 was mentioned on the 25th July 2018 whereas the Petition before the Committee was tabled in the House on the 27th June, 2018 during the subsistence of the suit in Court.

Having considered the petition, the Committee was dissatisfied with the petitioner's submission because the Petition did not disclose whether there were pending matters in court contrary to the Petitions to Parliament (Procedure) Act, the parties therefore did not disclose all the information as required therefore fail the test of equity of full disclosure.

1.0 MANDATE OF THE COMMITTEE

The Departmental Committee on Sports, Culture and Tourism is one of the fifteen departmental committees of the House established pursuant to Article 124 of the Constitution of Kenya 2010 and Standing Order 216 of the National Assembly and mandated to:

- (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 the 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 inquire 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*); and

Make reports and recommendations to the House as often as possible, including recommendation of proposed legislation.

1.1 COMMITTEE MEMBERSHIP

The committee comprises of the following members:-

Chairperson	The Hon. (Dr.) Victor Kioko Munyaka,M.P
Vice Chairperson	The Hon. (Dr.) Korei Ole Lemein, M.P.
	The Hon. Christopher Omulele, MP
	The Hon. (Dr.) Christine Ombaka, MP
	The Hon. Cyprian Kubai Iringo, M.P
	The Hon. Jones Mlolwa, MP
	The Hon. Daniel Wanyama Sitati, M.P.
	The Hon. Benard Masaka Shinali, M.P.
	The Hon. (Prof.) Jacqueline Oduol, MP
	The Hon. (Dr.) Tecla Chebet Tum, M.P
	The Hon. Jane Jepkorir Kiptoo Chebaibai, M.P
	The Hon. Lydia Haika Mnene Mizighi, M.P.
	The Hon. George Risa Sunkuyia, M.P.
	The Hon. Annie Wanjiku Kibeh, M.P.
	The Hon. Sylvanus Maritim, M.P.
	The Hon. Jeremiah Lomurukai, MP
	The Hon. Charles Ngusya Nguna, MP
	The Hon. Titus Mukhwana Khamala, MP

1.2 COMMITTEE SECRETARIAT

Second Clerk Assistant	-	Helen Kina
Third Clerk Assistant	-	Fredrick Otieno
Legal Counsel II	-	Clara Kimeli
Research Officer III	-	Vitus Okech
Fiscal Analyst	-	Catherine Gati
Media Relations Officer	-	James Macharia
Sergeant At-Arms	-	Sheila Chebotibin

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1.3 FINDINGS OF THE COMMITTEE

In its findings, the Committee noted that:

- The issues raised and the prayers in the Petition are similar in an active Petition before the High Court HC. Pet. No. 482 of 2018; under Standing order 89, the Committee shall not refer to any matter which is *subjudice* in this case an active matter in court.
- 2. The Petitioners failed the test of disclosure; They ought to disclose information as required by the Petitions to Parliament (Procedure) Act which they failed;

RECOMMENDATION

After considering the Petition and having made the above findings,

The Committee recommends that the Petition be dismissed pursuant to Standing Order 89.

2.0 INTRODUCTION

2.1 Background Information

Article 119(1) of the Constitution provides that every person has a right to petition Parliament to consider any matter within its authority, including enacting, amending or repealing any legislation. This Particular provision is operationalized by the Petitions to Parliament (Procedure) Act, 2012 and Standing Orders 219 and 220.

The Public Petition on harassment and confiscation of Slot and Gaming Machines belonging to the members of Counties Amusement and Gaming Society was presented to the National Assembly by the Hon. George Theuri, MP on 27th June, 2018 pursuant to Standing Order 225(2)(a) and the Petition to Parliament (Procedure) Act, 2012. In accordance with Standing Order 227, the petition was referred to the Departmental Committee on Sports, Culture and Tourism for consideration and preparation of a report.

2.2 The Petition

The petitioners wished to draw the attention of the House to the following:-

- THAT, the Counties Amusement and Gaming Society is a Kenyan owned organization duly registered by the Society Act and with over 600 registered members.
- THAT, the Counties Amusement and Gaming Society of Kenya operates legal business with the necessary permits from County Governments and they have complied with all statutory regulations as well as upholding to the high standards set by the Betting, Lotteries and Gaming Act;
- iii) THAT, the Society has created employment to hundreds of youths in Embakasi West Constituency and more than fifty thousand Kenyan citizens directly and indirectly through slot and gaming machines. The said machines are owned, run and managed by Kenyans as well as directly benefiting Kenyan Communities;
- THAT, the Members of the society in the last few months have been arbitrarily arrested, harassed and their constitutional rights violated, slot and gaming machines confiscated, destroyed and burnt hence their earning stolen in the process;

- v) **THAT,** in the recent past, there has been a crackdown on slot/gaming machines and thousands of youth and members of the society rendered jobless, hence affecting the economy negatively;
- vi) **THAT,** efforts to resolve this matter with relevant government agencies have been futile; and
- vii) **THAT**, the matter presented in this petition is not pending before any tribunal, court of law or independent body;
- viii) **THAT**, the National Assembly, through the Departmental Committee on Sports, Culture and Tourism:
 - a) Cause an investigation into the alleged harassment of the Members of the Counties Amusement and Gaming Society and confiscation of their property by authorities;
 - b) Recommends that Kenyans be allowed to own, manage and franchise slot and gaming machines as stipulated by the Betting, lotteries and Gaming Act; and
 - c) Makes any other order or direction that it deems fit in the circumstances of the matter.

3.0 SUBMISSIONS AND EVIDENCE

3.1 Petitioner- Hon. George Theuri, MP

Having been seized of the Petition, the Committee invited the Hon. George Theuri, MP, for a briefing session on 23rd July, 2018, he was accompanied by other petitioners whom he presented the petition to the National Assembly on their behalf. During the meeting, the Hon. George Theuri, MP informed the Committee as follows:

- 1. He was presenting the petition on behalf of the Counties Amusement and Gaming Society who had approached him to do so.
- 2. Thirty three (33) Members of the Society had signed the petition.
- 3. The society was formed with the express intention of allowing ordinary Kenyans from all walk of lives to be part of the gaming and amusement industry and build their livelihoods from it. By Self-Regulation and adherence to the rule of law in regard to betting and gaming, the intention has and always will be to provide employment opportunities and generate income for the members of the society;
- 4. The society is a professional and dedicated society that is in no way associated with the entities that have been operating gaming slot machines illegally and or immorally;
- 5. The society have paid for licenses to the following county governments: Nairobi, Kericho, Narok, Kajiado, Homabay and Nakuru. On numerous occasions, the society have tried to communicate to the Betting Control and Licensing Board but have received no reply or communication in regards to any additional license requirements;
- 6. The society has a strict code of conduct and internal regulations to ensure promotion of responsible gambling where underage, people with mental challenges and those struggling with addiction are not allowed to bet;
- 7. The society has written to the Cabinet Secretary for Interior and Coordination of National Government and have tried visiting Betting Control and Licensing Board for consultative meetings and seeking for any additional licensing requirements but no response has been forthcoming.

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8. The Society has created employment to hundreds of youths in Embakasi West Constituency and more than fifty thousand Kenyan citizens directly and indirectly through slot and gaming machines. The said machines are owned, run and managed by Kenyans as well as directly benefiting Kenyan Communities; 1

9. In the recent past, there has been a crackdown on slot/gaming machines and thousands of youth and members of the society rendered jobless, hence affecting the economy negatively;

4.0 COMMITTEE'S OBSERVATIONS

Upon analyzing the petition and through interaction with the Petitioners, the Committee made the following observations:

- The Counties Amusement and Gaming Society (herein referred to as the Society) is registered society of persons who are engaged in the gaming and amusement industry with over 600 members;
- Some Members of the Society had been charged in court for various offences which were withdrawn by the Office of the Directorate of Public Prosecution under section 87(a) of the Criminal procedure Code;
- Members of the Society have filed various Petitions in several courts challenging the harassment by the Police; a case in point is the Constitutional Petition Number 482 of 2018 which has all the registered members of the Society as Petitioners in the matter.
- 4. The HC. Pet. No. 482 of 2018 was filed in July 2018 against the Betting Control and Licensing Board, the Ministry of Interior and Co-ordination of National Government, Inspector General, Attorney General, Office of the Directorate of Public Prosecution, Council of Governors and Inter-Governmental Technical Relations Committee.
- The HC. Pet. No. 482 of 2018 was mentioned on the 25th July 2018 whereas the Petition before the Committee was tabled in the House on the 27th June, 2018 during the subsistence of the suit in Court.
- 6. The Petition did not disclose whether there were pending matter in court contrary to the Petitions to Parliament (Procedure) Act, the Petitioners therefore did not disclose all the information as required raising the question of *sub judice*. The petitioners therefore failed the test of equity of full disclosure.

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5.0 COMMITTEE RECOMMENDATION

Having considered the Petition and the prayers sought, the Committee recommends that the Petition be dismissed pursuant to Standing Order 89.

(THE HON. (DR.) VICTOR KIOKO MUNYAKA, M.P.)

CHAIRPERSON, DEPARTMENTAL COMMITTEE ON SPORTS, CULTURE AND TOURISM

MINUTES OF THE 63RD SITTING OF THE DEPARTMENTAL COMMITTEE ON SPORTS, CULTURE AND TOURISM HELD ON TUESDAY 9TH OCTOBER, 2018 IN BOARD ROOM, 9TH FLOOR, HARAMBEE PLAZA, PARLIAMENT BUILDINGS AT 12:30 NOON

PRESENT

- 1. The Hon. (Dr.) Victor Kioko Munyaka, MP.
- 2. The Hon. (Dr.) Korei Ole Lemein, MP.
- 3. The Hon. Christopher Omulele, MP.
- 4. The Hon. Jones Mlolwa, MP.
- 5. The Hon. Daniel Wanyama Sitati, MP.
- 6. The Hon. Kubai Iringo, MP.
- 7. The Hon. (Prof.) Jacqueline Oduol, MP.
- 8. The Hon. (Dr.) Tecla Chebet Tum, MP.
- 9. The Hon. Lydia Haika Mnene Mizighi, MP.
- 10. The Hon. George Risa Sunkuyia, MP.
- 11. The Hon. Annie Wanjiku Kibeh, MP.
- 12. The Hon. Sylvanus Maritim, MP.

APOLOGY

- 1. The Hon. Dr. Christine Ombaka, MP.
- 2. The Hon. Benard Masaka Shinali, MP.
- 3. The Hon. Charles Ngusya Nguna, MP.
- 4. The Hon. Jane Jepkorir Kiptoo Chebaibai, MP.
- 5. The Hon. Jeremiah Lomorukai, MP.
- 6. The Hon. Titus Mukhwana Khamala, MP.

IN-ATTENDANCE

NATIONAL ASSEMBLY

1. Ms. Helen Kina - Second Clerk Assistant

-

- 2. Mr. Fredrick Otieno
- Third Clerk Assistant
- 3. Mr. Vitus Okech
 - Media Relations Officer

Research Officer

4. Mr. James Macharia

- Chairperson
- Vice Chairperson

5. Ms. Sheila Chebotibin - Sergeant At Arm

MIN.NO.NA/SCT/2018/307: PRELIMINARIES

The Vice - Chairperson called the meeting to order at half past twelve O'clock followed by a prayer. He then welcomed the Members to the meeting and stated that the agenda of the meeting was as follows:

- i. Confirmation of Minutes
- Consideration and adoption of the report on a Public Petition by Hon. George Theuri, MP regarding Harassment and Confiscation of Slot Machines belonging to Members of Counties Amusement and Gaming Society.
- iii. Consideration and adoption of the report on a trip to Zanzibar International Film Festival.

MIN.NO.NA/SCT/2018/308: CONFIRMATION OF MINUTES

Minutes of the 62nd sitting held on 2nd October, 2018 were confirmed as a true record of the proceedings after being proposed by the Hon. Kubai Iringo, MP and Seconded by the Hon. Jones Mlolwa, MP.

MIN.NO.NA/SCT/2018/309: CONSIDERATION AND ADOPTION OF THE REPORT ON A PUBLIC PETITION BY HON. GEORGE THEURI, MP REGARDING HARASSMENT AND CONFISCATION OF SLOT MACHINES BELONGING TO MEMBERS OF COUNTIES AMUSEMENT AND GAMING SOCIETY

The Committee considered and unanimously adopted the report. The Secretariat were directed to prepare the report for tabling in the House on Thursday 11th October, 2018.

MIN.NO.NA/SCT/2018/310: CONSIDERATION AND ADOPTION OF THE REPORT ON TRIP TO ZANZIBAR INTERNATIONAL FILM FESTIVAL

The Committee considered and unanimously adopted the report. The Secretariat were directed to prepare the report for tabling in the House on Thursday 11th October, 2018.

MIN.NO.NA/SCT/2018/311: ANY OTHER BUSINESS

Under this agenda, Members sought to know the progress of the Draft Gaming Bill, 2018 and were concerned that the Bill has a lot of interest from different people and delay in publishing it may be

harmful to the Committee because someone might run away with it and publish a bill with the same content as private Member's Bill. The Vice – Chairperson informed Members that he signed the Bill and he undertook to follow it up.

MIN.NO.NA/SCT/2018/312: ADJOURNMENT

There being no other business, the meeting was adjourned at ten minutes past one O'clock.

Muy 2. DATE: 16/10/2018 SIGN:

CHAIRPERSON

MINUTES OF THE 42ND SITTING OF THE DEPARTMENTAL COMMITTEE ON SPORTS, CULTURE AND TOURISM HELD ON MONDAY 23RD JULY, 2018 IN COMMITTEE ROOM, 2ND FLOOR, CONTINENTAL HOUSE, PARLIAMENT BULDINGS AT 10:00AM.

PRESENT

- 1. The Hon. (Dr.) Victor Kioko Munyaka, MP.
- 2. The Hon. (Dr.) Korei Ole Lemein, MP.
- 3. The Hon. Christopher Omulele, MP.
- 4. The Hon. Daniel Wanyama Sitati, MP.
- 5. The Hon. Kubai Iringo, MP.
- 6. The Hon. Titus Mukhwana Khamala, MP
- 7. The Hon. Sylvanus Maritim, MP.
- 8. The Hon. George Risa Sunkuyia, MP.

APOLOGY

- 1. The Hon. Dr. Christine Ombaka, MP.
- 2. The Hon. Benard Masaka Shinali, MP
- 3. The Hon. Jones Mlolwa, MP.
- 4. The Hon. (Prof.) Jacqueline Oduol, MP.
- 5. The Hon. Annie Wanjiku Kibeh, MP.
- 6. The Hon. (Dr.) Tecla Chebet Tum, MP
- 7. The Hon. Charles Ngusya Nguna, MP.
- 8. The Hon. Jeremiah Lomorukai, MP.
- 9. The Hon. Lydia Haika Mnene Mizighi, MP.
- 10. The Hon. Jane Jepkorir Kiptoo Chebaibai, M.P

IN-ATTENDANCE

NATIONAL ASSEMBLY

- 1. Ms. Hellen Kina
- Third Clerk Assistant
- 2. Mr. Fredrick Otieno
- 3. Ms. Clarah Kimeli
- Legal Counsel
- 4. Mr. Vitus Okech Research Officer

- Chairperson
- Vice Chairperson

5. Mr. James Macharia	-	Media Relations Officer
6. Mrs. Jane Serem	-	Audio Officer
7. Mrs. Sheila Chebotibin	-	Senior Sergeant At -Arms

PETITIONERS

The Hon. George Theuri, MP		
Mr. Samuel K. Namiyiok	-	Chairperson CAGSK
Ms. Mary Wanjiru	-	Secretary
Mr. Alphonse Gaga	-	Organising Secretary
Ms. Lucy Wanjiku	-	Member
Mr. Stephen Koech	-	Member
Ms. Judith Chepkoech	-	Member
Mr. Martin Mutuma	-	Member
Mr. Joseph Chumo	-	Member
Mr. Joshua Sakwa	-	Member
Ms. Diana Muthoni	-	Member
Mr. Anthony Wambugu	-	Member
Mr. Justus Yegon	-	Member

MIN.NO.NA/SCT/2018/197:

PRELIMINARIES

The Chairperson called the meeting to order at ten minutes past ten O'clock followed by a prayer from the Hon. Christopher Omulele. He then requested for a round of introductions Members of the Committee and the witnesses.

MIN.NO.NA/SCT/2018/198: CONSIDERATION OF THE PETITION BY HON. GEORGE THEURI, MP REGARDING THE HARASSMENT AND CONFISCATION OF SLOT AND GAMING MACHINES BELONGING TO THE MEMBERS OF COUNTIES AMUSEMENT AND GAMING SOCIETY

The Hon. George Theuri, MP, accompanied by the members of the Counties Amusement and Gaming Society, appeared before the Committee and presented their petition as follows:

That;

i. The Counties Amusement and Gaming Society is a Kenyan owned organization duly registered by the Society Act and with over 600 registered members.

- ii. Counties Amusement and Gaming Society of Kenya operates legal business with the necessary permits from County Governments and they have complied with all statutory regulations as well as upholding to the high standards set by the Betting, Lotteries and Gaming Act;
- iii. The Society has created employment to hundreds of youths in Embakasi West Constituency and more than fifty thousand Kenyan citizens directly and indirectly through slot and gaming machines. The said machines are owned, run and managed by Kenyans as well as directly benefiting Kenyan Communities;
- Members of the society in the last few months have been arbitrarily arrested, harassed and their constitutional rights violated, slot and gaming machines confiscated, destroyed and burnt hence their earning stolen in the process;
- v. In the recent past, there has been a crackdown on slot/gaming machines and thousands of youth and members of the society rendered jobless, hence affecting the economy negatively;

vi. Efforts to resolve this matter with relevant government agencies have been futile; and

vii. The matter presented in this petition is not pending before any tribunal, court of law or independent body;

In addition, the Chairperson of the Counties Amusement and Gaming Society informed the Committee that;

- a) The society was formed with the express intention of allowing ordinary Kenyans from all walk of lives to be part of the gaming and amusement industry and build their livelihoods from it. By Self-Regulation and adherence to the rule of law in regard to betting and gaming, the intention has and always will be to provide employment opportunities and generate income for the members of the society;
- b) The society is a professional and dedicated society that is in no way associated with the entities that have been operating gaming slot machines illegally and or immorally;
- c) The society have paid for licenses to the following county governments: Nairobi, Kericho, Narok, Kajiado, Homabay and Nakuru. On numerous occasions, the society have tried to communicate to the Betting Control and Licensing Board but have received no reply or communication in regards to any additional license requirements;
- d) The society has a strict code of conduct and internal regulations to ensure promotion of responsible gambling where underage, people with mental challenges and those struggling with addiction are not allowed to bet;

e) The society has written to the Cabinet Secretary for Interior and Coordination of National Government and have tried visiting Betting Control and Licensing Board for consultative meetings and seeking for any additional licensing requirements but no response has been forthcoming.

MIN.NO.NA/SCT/2018/199: OBSERVATIONS

The Committee observed that;

- 1. The society indicated that they have 600 registered members but no proof has been provided or list of the registered members to support this;
- 2. No documentation has been provided in support of adherence to the set standards as indicated by the petitioners/society;
- 3. The members of the society indicated that there has been harassment by the government but failed to furnish the Committee with the specific cases in support of the allegations;
- 4. Concerned whether there is any court case filed, proceedings or court process by any member of the society, the Committee observed from the petitioners that there are a few cases in court by part of the members of the society in different areas. Pursuant to S.O. 89, matters Sub Judice or Secret, the Committee resolved to suspend the matter until the petitioners provide relevant court documents on the cases filed in court and their status.

The petitioners were then directed to table the documents and all evidence from the court on the matters before the Committee during its next sitting to be held on Thursday 26th July, 2018.

MIN.NO.NA/SCT/2018/200: ADJOURNMENT

There being no other business, the meeting was adjourned at half past eleven O'clock.

Many 2 DATE: 14/8/2018

CHAIRPERSON

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DEPARTMENTAL COMMITTEE ON SPORTS, CULTURE AND TOUR						M		
	MEMBERS ATTENDANCE REGISTER							
DATE	9/10/2018		TIME	the state of the s	12:30 PM	1		
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REPUBLIC OF KENYA



TWELFTH PARLIAMENT THE NATIONAL ASSEMBLY (SECOND SESSION)



SAKER'S OSALJe

PUBLIC PETITION

BY RESIDENTS OF EMBAKASI WEST CONSTITUENCY REGARDING HARASSMENT AND CONFISCATION OF SLOT AND GAMING MACHINES BELONGING TO THE MEMBERS OF COUNTIES AMUSEMENT AND GAMING SOCIETY

I, the UNDERSIGNED, on behalf of residents of Embakasi West Constituency,

DRAW the attention of the House to the following: -

- i) **THAT**, the Counties Amusement and Gaming Society is a Kenyan owned organization duly registered by the Societies Act and with over 600 registered members;
- ii) **THAT**, Counties Amusement and Gaming Society of Kenya operates legal businesses with the necessary permits from County Governments and they have complied with all statutory regulations as well as upholding to the high standards set by the Betting, Lotteries and Gaming Act;
- iii) THAT, the Society has created employment to hundreds of youths in Embakasi West Constituency and more than fifty thousand Kenyan citizens directly and indirectly through slot and gaming machines. The said machines are owned, run and managed by Kenyans as well as directly benefitting Kenyan communities;
- iv) THAT, members of the Society in the last few months have been arbitrarily arrested, harassed and their constitutional rights violated, slot and gaming machines confiscated, destroyed and burnt hence their earning stolen in the process;
- v) THAT, in the recent past there has been a crackdown on slot/gaming machines and thousands of youth and members of the society rendered jobless, hence affecting the economy negatively;
- vi) THAT, efforts to resolve this matter with the relevant government agencies have been futile; and

PUBLIC PETITION

BY RESIDENTS OF EMBAKASI WEST CONSTITUENCY REGARDING HARASSMENT AND CONFISCATION OF SLOT AND GAMING MACHINES BELONGING TO THE MEMBERS OF COUNTIES AMUSEMENT AND GAMING SOCIETY

vii) THAT, the matter presented in this petition is not pending before any tribunal, court of law or Independent body;

THEREFORE, your humble Petitioners pray that the National Assembly, through the Departmental Committee on Sports, Culture and Tourism: -

- i) Cause an investigation into the alleged harassment of the Members of the Counties Amusement and Gaming Society and confiscation of their property by authorities;
- ii) Recommends that Kenyans be allowed to own, manage and franchise slot and gaming machines as stipulated by the Betting, Lotteries and Gaming Act; and
- iii) Makes any other order or direction that it deems fit in the circumstances of the matter.

And your **PETITIONERS** will ever pray.

PRESENTED BY:

HON. GEORGE THEURI, MP <u>MEMBER FOR EMBAKASI WEST CONSTITUENCY</u> Date: 12/6/2018

	N FOR THE REGULARIZATION AND LICENSING OF THE COUNTY	ID NUMBER	TELEPHONE NO.	SIGNATURES
·	1 SAMMEL GITAU	28062955	0729802172	Bando
	2 JOSEPH - MUISPA KATINMO	24750974	0700673259	aptops
	3 TACKSON OCHIENG	32492127	0704745122	
	A STEPHEN MUTHEE KAGWE	24451595	0723756589	Kap
	5 TENJEWE MWATELA	21730アデン	0725062405	AD
	6 ALINES NGINA	10224807	D72D55382	Alling
	7 ILLIAND KASTOKA MANUKI	25949434	0710376356	
	8 Mary Wanjiry	10 550 5 23	072159574	Margin
	9 James Owno Myondiera	22045119	0712825556	Jean
	10 Peter Butan Myan	10316560	0722996603	452
	11 ANTHONY WAMBUCH	4330226	0722770974	¢
	12 JONATHAN MWANGI	30523719	0722 60256	H Y
	13 DIANA MUTHONI	11240589	0722501775	-
	14 LUCY WANTIKN	12500205	073393922	K quo
	15 Kevin Kefri	1052436	0723-57-17	6 Entri
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	17 ATE EDWIN NYAINGO	29 335043	670724369	4 Fino
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	20 Joseph Kitongg	2830642		A .D
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	25 JITUS KOKE CH	25645253		• • • • •
	26 Robert MUSTIM	24532757	0725509390	TD
	27 Peter Koech	27160811	0725 120 169	tek_r
	28 Peter GITTU	29082219		
	29 DAVIL Silld	25437175	07:285-8704	8 0.

NO.	NAME	ID NUMBER	TELEPHONE NO.	SIGNATURES
	31 Esther Ngendo	22640059	0720450078	Nul.
	32 Anne Kingugo.	201559.	0726 863 886.	-
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IN THE SENIOR PRINCIPAL MAGISTRATE'S COURT

AT GATUNDU

CRIMINAL CASE NO. 644 OF 2017

REPUBLIC

VERSUS

ANCIS-KARANJA-WANJIRU......ACCUSED-

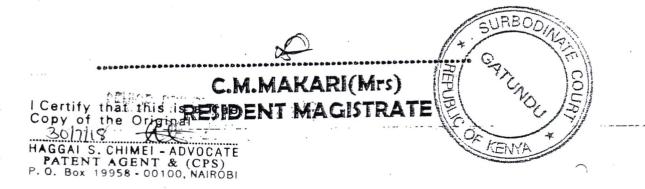
ORDER

(Before C.M.Makari(Mrs) – Resident Magistrate on 24th August, 2017)

IS CASE coming up for directions in the presence of the accused rson, Prosecutor and the Court clerk AND IT IS HEREBY

- 1. That the case be and is hereby withdrawn under section 87 (a) of the Criminal Procedure Code.
- 2. That the cash bail be released to the depositor.
- 3. That the exhibits seized also be returned to the owner.

en under the hand and the seal of this Court this 24th August, 2017



ORIGINAL-Payee **REPUBLIC OF KENYA** 0323195 DEPOSIT RECEIPT um of Shillings 14 Criminal g payment into Court inCase No MM an ature of Receiving Officer ECEN

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I Certify that this is a True Copy of the Original 30/7/18 HAGGAI S. CHIMEI - ADVOCATE PATENT AGENT & (CPS) P. O. Box 19958 - 00100, NAIROBI

THE KENYA POLICE CHARGE SHEET

POLICE CASE **PCR 458/2017** DATE TO COURT **12/6/2017** COURT FILE NO. GUIL [17-

ов34/11/06/2016

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Christian names in full or Name FRANCIS KARANJA	SURNAME WANJIRU	,		Sex MALES	Nationality Or tribe KIKUYU	Age ADUL	Address (include T District and locat GATUNDU	
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REPUBLIC OF KENYA

IN THE CHIEF MAGISTRATE'S COURT AT MAKADARA

PCR CASE NO. 3825 OF 2018

KAYOLE POLICE STATION.....PROSECUTOR

-VRS-

SHARON ADHIAMBOACCUSED

IN COURT ON 19TH JULY, 2018

BEFORE HON. J. KIBOSIA, (SENIOR RESIDENT MAGISTRATE)

<u>order</u>

THIS MATTER coming up for hearing 19TH July, 2018 before Hon. J. •Kibosia, (Senior Resident Magistrate),

IT IS HEREBY ORDERED:-

1) THAT matter is withdrawn under section 87(a) CPC.

2) THAT copies of the availed documents to be filed.

GIVEN under my hand and seal of the court at Makadara this 19th day of July, 2018.

.....2018. day of/.... **ISSUED** at Makadara this . HON. J. KIBOSIA

HØN. J. KIBOSIA SENIOR RESIDENT MAGISTRATE <u>MAKADARA COURT</u>

/ Certj that is a True AGENT 958-001

REPUBLIC OF KENYA

IN THE CHIEF MAGISTRATE'S COURT AT MAKADARA

PCR CASE NO. 3825 OF 2018

KAYOLE POLICE STATION.....PROSECUTOR

-VRS-

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ORDER

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REPUBLIC OF KENYA IN THE SENIOR PRINCIPAL MAGISTRATE'S COURT AT GATUNDU CIVIL SUIT89....OF 2018

AFFIDAVIT OF SERVICE

I, Emmanuel Emekui of P.O. Box 298, Gatundu in the Republic of Kenya do hereby solemn and sincerely make oath and state as follows:-

- 1. <u>THAT I am the process server of the Court.</u>
- <u>THAT</u> on the 22nd March, 2018, I received an Order from Senior Principal Magistrate at Gatundu dated 21st March, 2018 with instructions to serve herein JAMES KAHURO attached at Gatundu North of Kiambu County.
- <u>THAT</u> on the same day, 22nd March, 2018 I proceeded to Kamwangi Sub-County office, in company of one PIUS KARIUKI for the Plaintiff where the said Defendant works as inforcement officer.
- 4. On arrival at his office, he appointed out to me the said Defendant. At 12.02pm, I introduced the purpose of my visit. I served him with copy of an Order in presence of Kamwangi Sub-County Ward Administrator; Mr. Mwangi Gachogu. He acknowledged receipt but declined to sign on the principal copy.
- 5. <u>THAT I now return the same to the Court as duly served.</u>
- 6. <u>**THAT**</u> what I have deponed herein above are all true and correct to the best of my knowledge, information and belief.

by the said Emmanuel Emekui - 01000 strate/Commissioner For Oaths)

REPUBLIC OF KENYA

IN THE CHIEF MAGISTRATE'S COURT AT THIKA

CRIMINAL CASE NUMBER 678 OF 2018

(ENNEDY MURIITHI NJOKI.....ACCUSED

VS

EPUBLIC	PROSECUTOR
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<u>9.1.18</u>

Magistrate- Hon G Omodho S.R.M

itate Counsel- Peninah

Court Clerk- Simiyu

nterpretation- English/Kiswahili

\ccused-present/absent

lepresented-Mwathe for accused.

he substance of the charge and every element thereof has been stated by the court to the ccused person in the language that he/she understands who being asked whether he/she dmits or denies the truth of the charge replies.

lot true- plea of not guilty entered.

<u>/Iwathe</u>

Ve bring to court attention orders in Petition No. 447/16 of 19.12.16 where High Court rdered that there be stay of arrest till hearing of that application. I have the copy of the rder in court. He is an employee of 33rd petitioner. Orders were extended on 24.1.18 by J fativo. We seek charges withdrawn.

rosecutor

Ve have perused the order but are not sure if the accused in an employee of 33rd ⁻⁻ etitioner.

<u>Iwathe</u>

,he petitioner is in court he can swear.

that

Prosecutor

We are convinced that the accused is an employee and seek to withdraw charges under Sec 87 a of CPC. He has produced his identity Card.

HON G OMODHO

S.R.M

Court

In the circumstances I proceed to withdraw charges under Section 87 a of CPC. Machines may be released.

HON G OMODHO

S.R.M

29.1.2018

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TOTOTIFY that this is a trac

SENIOR PRINCIPAL M GISTRATE THIKA

I Certify that this is a True Copy of the Original 12118 HAGGAI S. CHIMEI - ADVOCATE PATENT AGENT & (CPS) P. O. Box 19958 - 00100, NAIROBI

REPUBLIC OF KENYA IN THE PRINCIPAL MAGISTRATE'S COURT AS SLAYA CRIMINAL /TRAFFIC CASE NO. (2017) OF 20 J. (2017) p.2352/18 REPUBLIC PROSECUTOR VERSUS 0 70. ·C· ACCUSED ORDER 001 pn person(s) to be Accused .1. sel and the report to be submitted to court on or before 5511 地で 12 017 PRINCIPAL MAGISTRATE / SENIOR MAGISTRATE SIAYA 24 OP KET I Certify that this is a True Copy of the Original BOITINS HAGGAI S. CHIMEI - ADVOCATE PATENT AGENT & (CPS) P. O. Box 19958 - 00100, NAIROBI

PCP 212 IN THE PRINCIPAL MAGISTRATE'S COURT AS SLAVA CRIMINAL TRAFFIC CASE NO. LALL. OF 20 J. 6 VERSUS a. 645 P15F ACCUSED g. Day water Ofizik Accused person(s) to be affect light to be the phase the general and the first the phase the general and the first the phase t ORDER Applais forth parts The superior and the su PRINCIPAL MAGISTRATE / SENIOR MAGISTRATE SIAYA P. O. Box 19958 - 00100, NAIROBI

THE KENYA POLICE Police 18 BOND AND BAIL BOND 0797322221 Server 124, CP.C . 1. JOHN OKOTH ONCUTN 0732522204 " Kuma KANYARWAR senne marged with the offenes of BEING IN POSEDTION OF CAMPANY MACHINE require as sprear belows the Magniture of and after mayness and after mount of and any sea recognizances to aperar shes required do hereby had mosels to appear at on the 18" 13 TH Sur al TUNE 2013 red a in the Crews of 8: 00 a deste nez Orticati in attante The the land shares and music W X Kenna 11 The same a shi tangs 10.000 Chart BALL Same as Dated the NE SIE -LIP ST Stalo C.I NYACA 30 1P Tohour

I Certify that this is a True Copy of the Original 30/7/15 HAGGAI S. CHIMEI - ADVOCATE PATENT AGENT & (CPS) P. O. Box 19958 - 00100, NAIROBI

CRIMINAL 95 REPUBLIC OF KENYA 2 M IN MALID COURT charged with the offe L'ork. when required hereby bind \$1w Court at ... faftemoon on the ... quired and so to continue to attend until otherwise directed by the Court, aking default herein, I bind e of my p 00.0001 10 ... day of 20 1 Witness 7 Signature ... 1h faxq 1. John 7170 . of do hereby declare myself surety for the above-mentioned ... that he shall attend at on the _____ 111 day of .. 1. 20 . 44 (or on such day as he may hereafter be required to attend) further to answer to the charge pending 2 pt day of ... Dated this 2.7 I Certify that this is a True Copy of the Original 30/7118 HAGGAI S. CHIMEI - ADVOCATE PATENT AGENT & (CPS) P. O. Box 19958 - 00100, NAIROBI Witness to Signature(s)

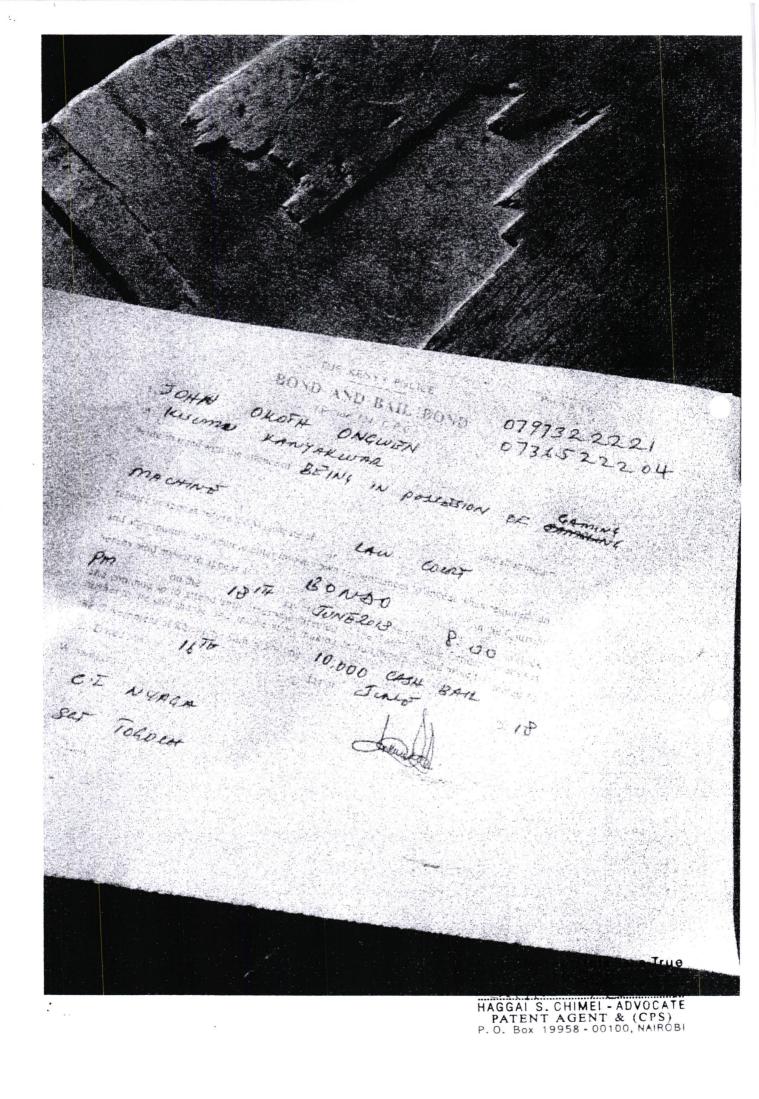
PEREN J F Hallet 1 KENYA PULICE SERVICE BOND AND BAIL BOND (section 124, CPC) aliely Courts? Q and after inquiry call upon to enter into 09 remarcio appear helcare mogistrate of neverby hind mysell to appear at , pe March and continue to to altend unit furfeit to the government of 1 I wall Being charged with the offence Activet anne Dated this 1.0.1 Witnesse CALLER NO. 0 elf= wen receiptizances to appear when required. do Penner 18 and alter inquiry dicer) to answe 2018 DUNE OF dar of The ALA lignatur v 9 S KINVALOUCE SERVICE BOND AND BAIL BOND COLIE Discel. Norfeet to the government of Millings and writing so to attend with the weeks of the till 15 DON 174, CPC1 P ō Canal and after inspary call upon to entry mito require to applicat before maghtran of 4 andry bood invosit to appear a Beblg charged with the offere 2-120 9 Paterd Unis. 34 Is a True Witnesse I Certify that this Copy of the Origin 201718 HAGGAI S. CHIMEI -PATENT AGENT P. O. Box 19958 - 001 (M ADVOCATE & (CPS) 100, NAIROBI

POLICE 18 1 6 11 1 43.1 NUMATOLICE SERVICE BOND AND BAIL BOND Betton 14, Ora hematai GAMBUNG Dorice Floret targed whithen the pilewice and after inquiry cu's require to appear before magistrate of ni and after inquiry call upon to enter into my own recognizances to appear when required, do hereby bind myspifite appear at . Cin ? In the court of Etdoret on the 2nd in July next at mon o'clock and continue so to attend until otherwise directed by the court (Police officer) to answer 20001= day of June 2018 Winessespdw Laural FETCUDE I Certify that this is a True Copy of the Original 30/1115

HAGGAI S. CHIMEL - ADVOCATE PATENT AGENT & (CPS) P. O. Box 19958 - 00100, NAIROBI

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REPUBLILC OF KENYA

IN THE SENIOR PRINCIPAL MAGISTRATE'S COURT

AT GATUNDU

CRIMINAL CASE NO. 644 OF 2017

REPUBLIC

VERSUS

order

(Before C.M.Makari(Mrs) - Resident Magistrate on 24th August, 2017)

THUS CASE coming up for directions in the presence of the accused person. Prosecutor and the Court clerk AND IT IS MEDERY ORDERED-

- 1. That the case be and is hereby withdrawn under section 87 (a) of the Criminal Procedure Code.
- 2. That the cash ball be released to the depositor.
- 3. That the exhibits seized also be returned to the owner.

Given under the hand and the seal of this Court this 24th August, 2017

I Certify that this is a True Copy of the Original BOI7118 HAGGAI S. CHIMEI - ADVOCATE PATENT AGENT & (CPS) P. O. Box 19958 - 00100, NAIROBI

-. This1254/17/h Copy of the Original BOTINS HAGGAI S. CHIMEI - ADVOCATE PATENT AGENT & (CPS) P. O. Box 19958 - 00100, NAIROBI Bond and Bail Bond 23/6/17. CREAT 1 bail 682 REPUBLIC OF KENYA IN THE COURT atund AT Kariuki itundi . of tin dr Millac Gam! Machire Wilhout NA IE 24 A C. COP DIC and after inquiry called upon to enter into my own recognizance to appear when required have helf to appear in the deligick in the fore/afternoon-on the 1 thui hully day of 20 L.T. or whenever required and so to continue to attend until otherwise directed by the answer further to the said charge, and in case of my making default herein, myself to the forfeit the sum of Shillings 50,000 Dated this 2310 day of. 201 Witness. Signature do hereby declare myself surety for the above-meationed. ... that he shall attend at (or on such day as he may hereafter be required to attend) further to answer to the charge pe against him; and in case of his making default therein. I hereby bind a Dated this day of Witness to Signature(s) Signature

Bond and Hall Band CRIMINAL 95 M5618 REPUBLIC OF KENYA IN THE PM'S COURT AT SJA (A being charged with the offence(s) be permission of the offence (s) be permission of the offence (s) be permission of the offence of the offence of the permission of the offence of the offence of the offence of the permission of the offence offence of the offence offence offence offence offence offenc and after inquiry required to appear before the Ludge/Magistrate at and after inquivy called upon to enter into my own recognizance to appear when required hereby bind myself to appear in the β in β in β in β in β . Court at β is β in β is β in the fore/aftermoon on the β is β in β in β is β in β . or whenever required and so to continue to strend until otherwise directed by the Court, to answer further, to the said charge, and in case of my paking default herein, I bind Dated Ups 3/1- day of May 20 J. L. Warness 7 Signature 1. Juhn Dofe us a Drino of Still To to hereby declare myself surery for the above-mentioned ferson 1 that he shall attend at (or on such day as he may hereafter be required to attend) further to answer to the charge pending against him, and in case of his making default therein, I hereby bind myself Dated this 315 day of May 2012 Copy of the Original Bitness to Signature(s) HAGGAI S. CHIMEI - ADVOCATE PATENT AGENT & (CPS) P. O. Box 19958 - 00100, NAIROBI

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CHIMEI & COMPANY ADVOCATES

LL.B (Hons.)(Moi),PGD(KSL),CPA,CPS(K), ACIarb EMAIL: <u>info@chimeiadvocates.co.ke</u> / <u>hchimss@gmail.com</u> Uchumi House 10th Floor, Office No.10. AgaKhan Walk, NAIROBI P.O. BOX 19958-00100 NAIROBI.

Your Ref: TBA

Date: 1st February, 2018

Certify that this is a True

GAL S. CHIMEL ADVOCATE

(CPS)

Copv

of th

P. O. Box 19958 - 00

TENT AGENT

Our Ref: MW/C/015/2018`

GEORGE MURIUKI CHIEF INSPECTOR GATUNDU POLICE STATION

RE: COMPLAINT ON DEATH THREATS ISSUED ON JANE NJERI KARIUKI AN EMPLOYEE OF PETER MWANGI AT KIMUNYO WITHIN KIAMBU COUNTY

We refer to the above matter.

We have been retained by PETER MWANGI an employer of one JANE NJERI KARIUKI, under whose firm instructions we address you as herein under;

That on or about the 28th Day of January, 2018, at Kimunyo market in within Gatundu, you approached the business premises of the aforesaid and issued death threats to one JANE NJERI KARIUKI. The facts surrounding the said matter are within the purview of your knowledge.

What is appalling is that in the course of the said incidence, you uttered words to the complainant to wit: "I want to know the godfather of this place, and if takes to put comeone down I will do it." Words which were construed to maim, injure and/or kill the complaint herein in the course of her business or whoever you purport to be the godfather'. The complainant later on called and informed her dad and her employer regarding the same acts. A complaint was also raised at Gatundu Police station too.

To date, the complainant has been living in fear on her life as to that threat. This is a erious complaint raised against a public officer of your rank and the reputation of the Office you hold. This act also goes against the tenets of principles of justice, the law egulating police officers and the Constitution of Kenya, 2010.

We are instructed to bring this complaint to your attention and various government nstitutions copied in this letter that are responsible to investigate the complaint. The

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to life is sacrosanct and is protected under the law. This right should not be tened at will by you as is in the above case.

NOTICE that any acts and/or omissions by yourselves or your agents that are I at threatening the life of the victim/complainant or anyone close to them, in this r will be addressed through the courts of law to uphold justice.

FURTHER NOTICE that unless the said acts desist, we shall move and file a aint against you as stipulated under the law.

faithfully,

S. Haggai
 ate of the High Court of Kenya

CLIENT (Mwangi's Copy

NATIONAL POLICE SERVICE

"HE IN-CHARGE DCIO GATUNDU

ndependent Policing Oversight Authority (IPOA) ^t Ngong Avenue, ACK Garden Annex . O.Box 23035-00100 Nairobi, Kenya mail: <u>info@ipoa.go.ke</u>

irectorate of Criminal Investigations O.Box 30036-00100 <u>AIROBI, KENYA</u>

ffice of the Director of Public Prosecutions SSF BUILDING BLOCK A, 19TH FLOOR D.BOX 30701-00100 <u>AIROBI, KENYA</u>

REPUBLIC OF KENYA IN THE SENIOR PRINCIPAL MAGISTRATE'S COURT AT GATUNDU CRIMINAL CASE NO 1004 OF 2017

REPUBLIC.....PROSECUTION

-VERSUS-

CYNTHIA NERI GATHECA AND ANOTHER...... ACCUSED

<u>ORDER</u>

1. THAT: The FOUR gaming machines be released to the owner, Peter

Mwangi IDNO 22493055 on condition that the four are availed in court at

any of the hearing date.



HON L.M WACHIRA SENIOR PRINCIPAL MAGISTRATE

REPUBLIC OF KENYA IN THE SENIOR PRINCIPAL MAGISTRATE'S COURT AT GATUNDU CRIMINAL CASE NO 682 OF 2017

REPUBLIC.....PROSECUTION

-VERSUS-

JANE NJERI KARIUKI...... ACCUSED

ORDER

1. THAT: The THREE gaming machines be released to the owner, Peter Mwangi.





HON L.M WACHIRA SENIOR PRINCIPAL MAGISTRATE

True

REPUBLILC OF KENYA

IN THE SENIOR PRINCIPAL MAGISTRATE'S COURT

AT GATUNDU

CRIMINAL CASE NO. 644 OF 2017

REPUBLIC

VERSUS

FRANCIS KARANJA WANJIRU......ACCUSED-

OPDER

(Before C.M.Makari(Mrs) - Resident Magistrate on 24th August, 2017)

THIS CASE coming up for directions in the presence of the accused person, Prosecutor and the Court clerk AND IT IS HEREBY ORDERED;-

- 1. That the case be and is hereby withdrawn under section 87 (a) of the Criminal Procedure Code.
- 2. That the cash bail be released to the depositor.
- 3. That the exhibits seized also be returned to the owner.

Given under the hand and the seal of this Court this 24th August, 2017

^{a Tru}C.M.MAKARI(Mrs) SIDENT MAGISTRATE

THE KENYA POLICE

CHARGE SHEET

POLICE CASE MER 422 /1 /2

DATE TO COURT 27/09/2011 COURT FILE NO. A.C.D.C.

OB24/25/	1								
HIANJERI	GATHECA		ID NIL	Sex MALES	Nationality Or tribe KIKUYU	Age ADULT	Address Atlade District and Iocasca GATUNE J		
MWANGI	WANGARE								
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A	CONTRARY TO SECTION 55(1) OF THE BETTING AND LOTTERING ACT CAP LAWS OF KENYA								
XXI	(1) <u>CYNTHIA NJERI GATHECA (2)</u> <u>PAUL MWANGI WANGARE</u> : On the 25th day of September						I day of Saatomian and		
NUMBE	kimunyu snoppi	Nimunyu snopping centre, in Gatundu south sub- county, within Kiambu county wass fared							
	gambing for money in a public place using four unauthorized gaming machines i with						ning machines tude to be		
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COUNT 11

OPERATING UNAUTHORISED GAMING MACHINES WITHOUT A PERMIT CONTRACT TO SECTION 53(1)(a) OF THE BETTING AND LOTTERIES ACT CAP 131 LAWS OF REPORT

<u>CYNTHIA NJERI GATHECA</u>: On the 25th day of September 2017, at Kimunyu shopping centre, in Gatundu south sub-county, within Kiambu county, was found operating four unauthorized gaming machines (without name) without a permit from the betting and lotteries control board.

Officer commanding station Gaturdu PULICE S The Branch in the

I Certify that this is a True Copy of the Original 30(7)10 HAGGAI S. CHIMEI - ADVOCATE PATENT AGENT & (CPS) P. O. Box 19958 - 00100, NAIROBI

27

To: _____THE DEPARTMENTAL COMMITTEE ON SPORTS, CULTURE AND TOURISM.

COUNTIES AMUSEMENT AND GAMING SOCIETY KENYA.

From:

HARASSMENT OF SOCIETY MEMBERS, CONFISCATION AND DESTRUCTION OF SLOT AND GAMING MACHINES.

The COUNTIES AMUSEMENT AND GAMING SOCIETY has been in existence since 2016 and registered under the societies act registration number 49897 of year 2017. The COUNTIES AMUSEMENT AND GAMING SOCIETY is 100% owned and run by Kenyans.

Kindly allow me to bring the attention of this honorable committee of the following grievances from the COUNTIES AMUSEMENT AND GAMING SOCIETY.

We formed the COUNTIES AMUSEMENT AND GAMING SOCIETY with the express intention of allowing ordinary Kenyans from all walk of lives to be part of the gaming and amusement industry and build their livelihoods from it. By Self Regulation and adherence to the rule of LAW in regards to betting and gaming, our intention has and always will be to provide employment opportunities and generate income for our members.

We are a professional and dedicated society that is in no way associated with the entities that have been operating gaming slot machines illegally and or immorally.

We decry the continuous harassment, confiscation and burning of our machines by Regional Cocoordinators, County Commissioners, D.Os, Chiefs and Police Officers under the instructions of Cabinet Secretary Interior Dr. Fred Matiangi. We consider this harassment illegal and unconstitutional.

While arbitrarily harassing genuine members of the COUNTIES AMUSEMENT AND GAMING SOCIETY other companies running almost similar businesses but co-owned by foreigners continue to thrive across the country. These companies are running similar set ups as us and are allowed to operate without a license and with temporary arrangements. Find attached pictures to illustrate our point, it is worth noting that this business is constitutional and there is no legal valid explanation at all why we have been victimized. Our society consists mainly of Kenyan youths who have come together in groups in each country and who basically try to earn a living legally through slot machines to be able to buy food, pay school fees and medical bills for their young families. Our society has an office in Ngara Nairobi as the head office while county branches have offices in their respective counties. We have managed to set up systems and operations procedures to comply with all laws of the land in regards to Betting and Control.

We have as a Society paid for licenses to the following county governments: Nairobi, Kericho, Narok, Kajiado, , Homabay, and Nakuru. We have attached all of them herein for ease of your perusal. On numerous occasions we have tried communicating to the Betting Control and Licensing Board but we have received no reply or communication in regards to any additional license requirements. Under our

I Certify that this is a True Copy of the Original 2017118 HAGGAI S. CHIMEI - ADVOCATE PATENT AGENT & (CPS) P. O. Box 19958 - 00100, NAIROBI own initiative we have tried to sit down with betting regulators but to no avail. Please find copies and correspondence of applications to that effect.

The Betting Control and Licensing Board is mandated by law as a core function to

Licensing and controlling betting premises and activities carried therein.

II. Authorizing and controlling prize competitions and lotteries.

III. Curbing illegal gambling.

IV. Formulating and implementing gaming Policies.

V. Facilitating the development and enforcement of gaming laws in Kenya.

VI. Encourage a conducive environment in which the gaming industry adds value to overall national development.

VII. Advocating for betting, lotteries and gaming as legitimate consumer pursuits.

It is therefore puzzling for a gaming society like ours to be persecuted while those super brands of gambling whose revenues collected, we know are not retained in the Kenyan economy enjoy a monopoly and attract the unilateral interest of the Betting Control and Licensing Board.

Our society has a strict code of conduct and internal regulations to ensure promotion of responsible gambling where under age, people with mental challenges and those struggling with addiction are not allowed to bet. This is done by ensuring our slot machines are kept inside enclosed premises with proper visibility arrangements on the entrance ensuring those outside cannot see what is going on inside and a full time guard confirming only responsible adults are allowed in. Some of our members will also put machines in entertainment spots where none of the above is allowed.

Our slot/gaming machines have created employment to thousands of youth in this country where each member has an average of 50 machines and every 3 machine requires 2 attendants and one technician that translate to about 90,000 direct employment and thousands other indirectly only by our society. Comparing the above figures with our competitors doing online gaming with very few employees logic will tell you which one is better owing to the fact that Kenya is a labor surplus market with thousands of our youth looking for employment.

We have written to the Cabinet Secretary Interior asking for consultative meetings to regularize the slot/gaming industry, seeking to understand what is undesirable with our business even though it is legal, so that we can formulate new policies where necessary. We have also on numerous occasions tried visiting Betting Control and Licensing Board offices asking for any additional licensing requirements but no response has been forthcoming. It was therefore very sad to hear our premises broken into by county administrative officers and police both regular and APs. The subsequent destruction of our property either through confiscation, or burning was by all means illegal and draconian. This has led to massive losses through lost machines and stolen cash belonging to ordinary Kenyans in addition to thousands of jobs being lost.

Honorable committee of Parliament we come before you as equal opportunity employers, with a vast presence in this country grounded to the common Mwananchi. We have watched as bigger players, with deeper pockets gain monopoly of the gaming industry with revenue going out of the country as opposed to remaining in this country. Our revenue remains in the country, our workers are paid within the country, we comply with all licenses on County Level and still we are told that we cannot operate and do business. We have the capacity to institute reforms within our society, we have the capacity to engage both the National and County Governments on this issue but every time we try we are met with closed doors and cold stares.

The COUNTIES AMUSEMENT AND GAMING SOCIETY is ready to restructure its operations to conform to any requirements required by the government.

Our request to this honorable committee is to protect Kenyan entrepreneurship by allowing our society to continue transacting business throughout the country and ordering the immediate surrender of assets belonging to members of the COUNTIES AMUSEMENT AND GAMING SOCIETY illegally detained.

We also request that COUNTIES AMUSEMENT AND GAMING SOCIETY be regularized, licensed by licensing authorities, in both national and county governments and recognized as a legal association as well as an equal opportunity empowerer.

Being cognizant of this fact, as COUNTIES AMUSEMENT AND GAMING SOCIETY we support the removal of foreigners who use corrupt means to run illegal Slot/Gaming machines and tarnish the hard work of thousands of Kenyans. As a society we support all genuine measures to regularize and protect the rights and property of hardworking Kenyans.

Condemning Slot/Gaming Machines as evil without working into the finer details of fair business practices, compliance and policy formulation involving taxation smacks of ill will and the influence of powerful unseen hands hell bent on destroying us. We pray that this honorable committee will see fit to consider our proposals for regulation of this industry.

Chairman: Samuel K. Namiyiok

Sign:

Secretary: Mary Wanjiru

Sign:

Organizing Secretary: Alfonce Gaga

Robins Sign:

CODE OF CONDUCT COMMITMENT UNDERTAKING:

membership no. CAGKOUI commits as follows:

(1)That am committed to promote responsible gambling so as to ensure protection of underage, people with mental challenges and those struggling with betting addiction from engaging in betting activities in my operations through the following:

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(3)My betting shops will be located at least 500 meters away from learning institutions or places of worship.

(4)! commit to follow all legal requirements by the necessary authority including payment of all fees payable as required by the law.

(5)) will do my best to advertise my betting business only to those allowed by law and ensure that I will not in any way encourage the wrong group of people to bet.

(6)) will follow any other requirement from COUNTIES AMUSEMENT AND GAMING SOCIETY KENYA geared to promote responsible gambling and the welfare of members of m_V society.

(7)I will follow any other legal requirement by county and or national government.

Sign...

Failure to comply with any or all of the above I allow our national committee to terminate my membership without further communication as long as there will be convincing evidence.

L Certify that this is a True Copy of the Original 30/118 HAGGAI S. CHIMEI - ADVOCATE PATENT AGENT & (CPS) P. O. Box 19958 - 00100, NAIROBI

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membership no. 002 commits as follows:

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CODE OF CONDUCT COMMITMENT UNDERTAKING:

PETER & MWANTON of ID No. 22443055 membership no C.A.G.C.K. 042commits as follows:

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membership no. 200.2 commits as follows:

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CODE OF CONDUCT COMMITMENT UNDERTAKING:

1 LUCT DAALIKY OF ID No. 12500205

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CODE OF CONDUCT COMMITMENT UNDERTAKING:

membership no. 5705 commits as follows:

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Sign Huala

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membership no. 0013 commits as follows:

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CODE OF CONDUCT COMMITMENT UNDERTAKING:

I MUTHONI of ID No. 270. 33372 membership no. 0015 commits as follows:

(1)That am committed to promote responsible gambling so as to ensure protection of underage, people with mental challenges and those struggling with betting addiction from engaging in betting activities in my operations through the following:

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Sign MULIUNI

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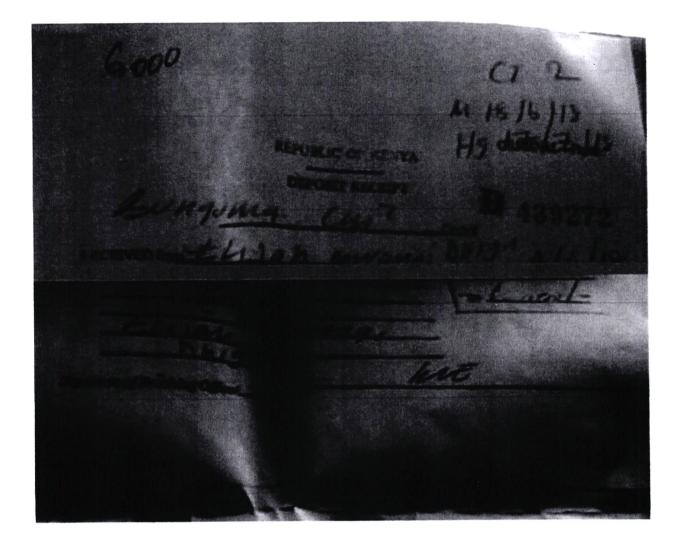
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Sign. MARS



I Certify that this is a True Copy of the Original 3017/18 HAGGAI S. CHIMEL - ADVOCATE PATENT AGENT & (CPS) P. O. Box 19958 - 00100, NAIROBI



I Certify that this is a True Copy of the Original HAGGAI S. CHIMEI - ADVOCATE PATENT AGENT & (CPS) P. O. Box 19958 - 00100, NAIROBI

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0097	KELVIN MUTTOMI	30586930	
00078	BETRICE UBONYO	20907889	
0099	PHINEAS MURINKI	29117889	
0100	GITTON (413 MITHIKA	23700121	
0101	AUREDSE KINTUA	7-862475	
0102	EUTACUS MURETI	26793692	
0103	JEBE MUNETE	25339163	
0104	DAVID 22ARIMIK	36330953	
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0106	DONIS MUTHOMI	2420127	
0107	KINJOT WAINIRA	23297245	
6103	MICHELANS MUTUR	aa63 4564	
109	NICHOLAS MUDDIDA	25010553	
110	ELIPHUS MUGANIBI	14644355	
0111	ALLAN KALURE	1170159	
OUZ	DORY KAKIRA	21136601	
6113	JOSEPH NUMENE	3610572	
0114	CESNAS MURETI	23403478	
0115	CHARLES KARIADU	7039674	
0116	FRANKLIN WILLTENBET	30074829	
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0113	JAPHETH NJIRU	9697119	
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. 0123	JAME WYAGA	22326791
0129	JACKSON KARININ	9670322
0130	LANDERICE KINDAI	26454154
0.031	PETER KIONGO	2305060 3
0132	EULID HGANAY	20484737
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0134	CELESTINE KINANIBOKET	25090109
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0146	STEPHEN OCHENG	26046012
0147	DAVID OUTENG	25642071
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0150	SILATS OUNIA	220-38016
0151	BRIAN DIBOGO	30032254
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0153	PHELIX OWUMBI	23966493
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62.50	KELDON LANGAT	13034990	
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0324	JOEL MUTHAURA	28541247
0325	JOITH MUTURI	11420060
0326	JORAN MORCASIUM	23-696359
0324	JOSEPH 17914	34219554
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03.29	JOCEPH MUTULI	347219554
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033)	Jastus MUTUR	23164516
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0336	MARTAN MURIITH	73324563
0337	MARTIN HARADIRY	25559511
0338	MIGHERL GITCHGA	13322599
0339	MICHERE HJIPU	27730407
0340	MOSES LARIUKI	22137572
0341	NUCRATHE NJURY	71209256
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