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PRESS RELEASE

KACC ARRESTS HON. JUSTICE SAID JUMA CHITEMBWE AT HIS RESIDENCE IN MOMBASA AND RACHEAL KHAVAYA LUMBASYO, A FORMER MANAGING TRUSTEE WITH NSSF.

CHIEF NEWS EDITOR

The Kenya Anti-Corruption Commission arrested today Monday 28th December 2009 **Hon. Justice Said Juma CHITEMBWE** at his residence in Mombasa and **RACHEAL Khavaya LUMBASYO** a former Managing Trustee with NSSF. They are spending the night in Kenya Police cell and will be taken to the Anti-Corruption Court tomorrow 29th December 2009 to face charges of **FRAUDULENTLY MAKING PAYMENT FROM PUBLIC PROPERTY CONTRARY TO SECTION 45(2) (a)(iii) AS READ WITH SECTION 48(1) OF THE ANTI-CORRUPTION AND ECONOMIC CRIMES ACT, NO.3 OF 2003.** They will face an alternative charge of ABUSE OF OFFICE CONTRARY TO SECTION 46 AS READ WITH SECTION 48 OF THE ANTI-CORRUPTION AND ECONOMIC CRIMES ACT, NO.3 OF 2003.

It is alleged that on or about 7th July 2008, at the NSSF Building, Nairobi, within Nairobi Province, being persons whose functions concerned the management of public property, to wit, the funds of the National Social Security Fund as the Corporation Secretary and Managing Trustee respectively, used their respective offices to improperly confer a benefit on M/s Kipkenda, Lilan & Co. Advocates by paying the said firm a sum of Kshs.8, 071,724.00 for services not adequately rendered in respect of sale of Kenyatta Avenue plots Nos.LR 209/11412, 209/11331, 209/12220, 209/12219 and 209/12287 belonging to the said National Social Security Fund.

Please find attached the charge sheets for ease of reference.

The Commission would appreciate if you can publicize this press release and highlight the court proceedings tomorrow at the Nairobi law courts.

Your continued support in publishing and broadcasting these cases is highly appreciated and goes a long way in the prevention of corruption.

Thank you,

Nicholas M. Simani

PRINCIPAL PUBLIC RELATIONS AND PROTOCOL OFFICER

28th December 2009