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1. KSC Board Members



Muhoho Kenyatta – Representing Manufacturers and MD of Brookside



Hasit Shah – Representing Fresh Produce Exporters Association of Kenya (FPEAK)



Meshack Kipturgo – Representing East Africa Tea Traders Association (EATTA)



Kassim Mohamed – Representing East African Cement Producers Association (EACPA)

Isaac Muchomba – Representing Kenya Coffee Traders Association (KCTA)



Davis Ndonye, Alternate to George Arodi –
Representing the Metal and Steel sector



Batty Maina – CEO Kenya Association of
Manufacturers (KAM)



Gilbert Langat - CEO

2. Message from the Chairman

It is my pleasure to present KSC annual report to all our Members. The shippers Council has over the past two and half years registered tremendous growth Advocacy, visibility, membership and Secretariat. The role of the shippers Council in Logistics and Supply Chain has continued to be on an upward trend.

Over the last 2 ½ years, the Council has grown into an independent entity with a full complement of a functional secretariat and staff. The Board appreciates the role played by the Kenya Association of Manufacturers (KAM) in initial setting up and support to the secretariat establishment and administrative support spanning from July 2006 to May 2010. Special thanks go to Business Advocacy Fund (BAF) who provided Advocacy funding support to KSC at its formative stages opening doors for USAID COMPETE support for 2 years (2010-2011) that enabled the secretariat to establish independent offices and staffing. Major milestones and results were recorded with the two projects. The Current support that is being provided by Trade-Mark East Africa (TMEA) covering technical and sustainability support. The support in the Board from Founder Associations including EATTA, FPEAK, KCTA, EACPA and Steel Sector cannot go unmentioned.

Some of the major milestones that the council has been involved in the Transport s and logistics sector include 24/7 operations at the port, ECTS, Automation and Privatization of weighbridges, Port operations, removal of VDS by shipping lines, MSA 2009, and Maritime Regulations, tackling operational challenges on behalf of shippers at Ports among others, training workshops and Seminars, Single window Entity among others.

The journey has not been smooth sailing. Government bureaucracy, service providers' inefficiencies, changes in policy by some Regulatory and demand from members has put a lot of strain on available resources. To correct this, members are being requested to take more interest in the activities of the council. More resources need to be availed to the secretariat through subscriptions, participation in workshops towards self sustainability and reduce over reliance on Donor funding.

Our relationship with government Agencies, regional organizations and service providers have remained very cordial to the benefit of our members.

I wish to commend the Board, Founder Member Association, Members and Funding institutions for their unwavering support. I would wish to give special recognition to the Secretariat who have withstood the challenges to get us to this level. On behalf of the board WE are deeply indebted to you all.

God Bless

Mr. Muhoho Kenyatta, Chairman

3. Message from the CEO

The transport and logistics chain in the Northern Corridor and indeed the East African Region is characterized by complex procedures, multiple interventions, high costs and lengthy documentations leading to delays in delivery, and Very high, uncompetitive Costs of Doing Business.

Since inception, the Kenya Shippers Council has taken a lead in advocacy agenda with a focus on port performance, road and rail transport, customs clearance, border station clearance among others. WE are committed to **“Achieving logistical competitiveness for East African cargo owners”**

The Council Secretariat through the support of USAID COMPETE and currently TMEA has been able to recruit professional and qualified staff to provide efficient services to members through advocacy, research, publications, operational interventions, ICT among others. Through the support of the board, the Council has been very visible in all logistics and trade facilitation discussion that have made the council be recognized in various government committees and boards. In the last two and half years, the council has been proud to assist its members on some of the challenges that they have faced with the service providers and regulators making us a true partner in logistics. Some of the Policy papers that the council has published have found its way into government policy and implementation. Among them are Policy on National single window, Axle load, 24/7 operations and CFS operations. Our proposals to improve port performance have always been sort and received favorably. Though the journey to success is slow and complex, the secretariat is up to the task to ensure that we deliver the promise.

I wish to thank the board for the guidance they have provided so far, the founder member associations for establishing the council, the staff for their unwavering support, teamwork and commitment to the council, the Members for entrusting your challenges to us, the government and service providers for partnering with us and BAF, USAID COMPETE, TMEA for the financial and technical support and stakeholders for believing in us.

WE are committed to *“take the load off your mind”*.

4. Picture Gallery



Best Practises Training Workshop



President Kibaki Visits the KSC Booth at the IGAD Tri-Partied Conference and Exhibition



KSC 2011 Members Open Day



The KSC Secretariat. Right to Left: Gilbert Langat-CEO, Taigu Muchiri-Web Content Officer, Agayo Ogambi-Membership Development officer, Valerie Adhiambo-PA and Administrator, Humphrey Kisembe-Economist, Patrick Nasiombe-Accountant, Christine Munywe-Member Services, Canton Onyino-Office Assistant and Shadrack Nyagwaswa-Research Assistant



Team Building at Hyrax Museum, Nakuru



Secretariat visit to
International
enterprise Singapore



Secretariat visit to
Crimson logic in
Singapore



Participants at INCOTERMS 2010 training workshop



Grant signing ceremony at TradeMark East Africa (TMEA)



Participants at the open forum on long stay cargo and port congestion



Kenya Shippers Council/Uganda Shippers Council MOU discussion meeting



Launch of the KSC e-portal



KSC signs the business code of ethics

5. News

5.1. The KSC – USAID Compete Project Comes to Conclusion

During the year 2011, KSC successfully concluded a two year funding partnership with the USAID – COMPETE project. Through this partnership, COMPETE advanced KSC a grant of USD 249,024, and KSC made available from its resources, USD 73,650 towards strengthening the capacity of KSC to provide member services, lobby regional governments and regional economic corporations (RECs) to reduce the cost of transportation and enhance the competitiveness of the transport and logistics chain in the Eastern African region. The COMPETE grant, which came to completion at the end in December 2011, was geared towards implementing activities that would yield the following key results:

- Transition from a Kenyan to Eastern Africa representative - SCEA
- Increase membership numbers from current 37 to 100
- Hold 4 trainings workshops for shippers on how to effectively and efficiently manage transport logistics
- Develop **“Shippers Guide To Import/Export in Eastern Africa”** (handbook)
- Increase and improve website content
- Develop the Harmonized Model Commercial Transport Contract (HMCTC)
- Launch the new revamped website

The KSC secretariat and Board would like to register their appreciation to the USAID – COMPETE Project for their support over the period 2010 – 2011.

5.2. KSC Signs a Grant Partnership with TradeMark East Africa

In June 2011, Kenya Shippers Council (KSC) and TradeMark East Africa (TMEA) signed a partnership grant agreement whose broad objective is to enhance the capacity of KSC to positively influence regional integration policies and practices for growth in trade. Through this partnership, TMEA agreed to provide KSC with a grant of USD 708,994 to be used in implementing activities that would result in the improvement of transport, logistics and trade facilitation services in Kenya and in the Eastern African region.

KSC is now in the fourth quarter of implementing the TMEA grant activities and a number of milestones have been achieved. Two (2) quarterly reports have since been handed to TMEA with detailed outcomes of the project activities undertaken thus far. As per the grant agreement, KSC will use the TMEA grant to implement activities in line with the following core strategic goals:

- Implement strategies to reduce the cost of transport on the Northern Corridor
- Strengthen the capacity of KSC to expand its membership base and achieve sustainability
- Build on the current technical support provided by TMEA (The E-Regulations Portal Project) to establish KSC as a one-stop information centre for transport, logistics and trade information.
- Prepare KSC to transform to Shippers Council of East Africa (SCEA).

5.3. KSC Launches and Online Web-Based E-Portal

In 2011, Kenya Shippers Council partnered with TradeMark East Africa (TMEA) to develop of an online database of import rules, regulations and procedures (e-portal) in its quest to become a one-stop information centre for all shippers and service providers in Eastern Africa. The portal is a key component in the Council's strategy to transform into a regional organization in line with its vision and mandate under these strategic objectives for 2010-12:

Since 2007 when it started operations, the Shippers Council has led in advocating for the establishment of the National Single Window (NSW) and indeed is the convener of the National Stakeholders Forum of this initiative. This resulted in the gazettelement in 2011 of the Kenya Trade Network Agency (KENTRADE), an entity responsible for management of the NSW, which is a flagship project of Vision 2030 that aims to ease and expedite the processing and clearance of trade documentation through an online platform accessible by all cargo interveners.

KSC has designed the e-portal to link up with this government program and others such the Open Data initiative launched last month to offer the public access to government information including national census data, government expenditure, parliamentary proceedings, public service locations among other data sets.

TMEA's support in the portal's establishment is hinged on its goals of establishing systems for Single Window (SW) and Integrated Border Management (IBM) in the EAC. The initiatives are expected to provide online systems for application of various trading licenses and submissions of trade documents to various government agencies by shippers, traders and service providers.

The Council is committed to offer shippers and their service providers access to information that will cut down the time they take in trade transactions and logistics thus reducing the cost of transport in East Africa, which is one of the highest in the world, and impedes economic growth of the region. KSC urges traders to take advantage of the opportunities provided by the Common Market and e-platforms to expand markets for their products.

6. Report of the Independent Auditors to the Members of Kenya Shippers Council

The management and Board have the pleasure of submitting the annual report together with the financial statements for the year ended 31st December 201. The report discloses the state of affairs of the organization.

Balance Sheet

	NOTES	2011 KES	2010 KES
ASSETS			
Noncurrent assets	1	<u>13,098</u>	<u>19,550</u>
Current Assets			
Cash and Bank Balances	2	14,599,370	4,359,184
Debtors	3	<u>1,343,634</u>	<u>174,100</u>
Total Current Assets		<u>15,943,004</u>	<u>4,533,284</u>
Current Liabilities			
Accruals	4	<u>2,554,389</u>	<u>1,947,366</u>
Total Current Liabilities		<u>2,554,389</u>	<u>1,947,366</u>
Net Current Assets		<u>13,388,615</u>	<u>2,585,918</u>
Total Assets		<u>13,401,713</u>	<u>2,605,468</u>
CAPITAL AND RESERVES			
Adjusted Fund balance b/f		2,605,468	1,559,015
Prior period adjustment	5	(1,555,382)	(281,466)
Fund Balance		<u>12,351,627</u>	<u>1,327,919</u>
		<u>13,401,713</u>	<u>2,605,468</u>

Income and Expenditure Statement

	2011 KES	2010 KES
INCOME		
Grants Income	26,613,881	12,075,000
Members Subscriptions	2,438,333	1,251,250
Other Income	1,618,837	2,047,936
Total Income	30,671,051	15,374,186
EXPENDITURE		
Administrative costs	10,890,563	7,718,007
Meetings and functions	2,149,491	485,203
Communication	427,464	649,790
Professional fees	1,948,244	849,648
Advertising and promotions	771,802	-
Equipment	324,406	1,507,063
Replacement of Office Equipment	501,500	-
Travel	1,135,954	2,806,206
Audit fees	170,000	-
Total Expenditure	18,319,424	14,015,917
Fund Balance	12,351,627	1,358,269

..... 2012 and signed on its behalf by: -

..... **CHIEF EXECUTIVE OFFICER**

..... **DIRECTOR**

7. Key Activities and Accomplishments of 2011

7.1. Membership Development

For a business membership organization to be strong and remain sustainable, it must not only continuously strive to expand its membership but also respond to their needs in relevant fashion. During the year 2011, the KSC membership increased from 49 to 62 making it a strong and authoritative voice of cargo owners in the region. The period also witnessed a 100% membership retention level and KSC continues to ride on the goodwill and loyalty of its current membership in order to expand its membership by recruiting new members. The KSC board has also been very instrumental in providing appropriate leadership through its oversight role to ensure the targets related to membership development are met.

The anticipated increase in KSC membership will not only translate into increased revenues resulting from membership fees and annual subscriptions but also position KSC as an authoritative voice of cargo owners in the region. KSC membership and subscription have increased by USD 13,000 over the past six months and they are projected to reach the USD 20,000 mark by the end of 2012.

Over the coming year, KSC seeks to increase its membership by targeting SMEs and also venturing into strategic partnerships with relevant stakeholders in the region. Contact has already been established with the Uganda Shippers Council (USC) and an MOU is in the works on how the two organizations will work together to achieve the common goal of realizing an efficient and cost effective transport and logistics system in the region. As at December 31st 2011, KSC had a total membership of 63 members. The full listing of KSC members is as follows:

7.2. Member Services

- Members training needs identified through a TNA, one training workshop held giving momentum for more in 2012
- Launch of the trade information database, the KSC e-Portal has increased traffic to the website, our main communication tool.
- Best practices in trade facilitation imparted to cargo owners and their service providers. This was also a good platform for all logistics service providers (public and private) to share knowledge
- Communication strategy developed. This has helped the Council not only communicate better with its members and key stakeholders but also map out activities within the calendar year to keep the members engaged.
- Public relations activities rolled out- heightened public profile of the KSC, with more media coverage and recognition by government agencies. KSC is responded to the views of the stakeholders and initiated a rebranding process.

7.3. Knowledge Management

As KSC strives to become a one stop centre of knowledge and information disbursement, a number of activities were accomplished in the year 2011. Three policy papers that provide insights on the management of container freight satiations at the port of Mombasa, way forward in implementing electronic cargo tracking systems and the development of a national single window system were published and disseminated.

7.4. ICT

ICT cuts across all pillars of the Council. It is a support function that compliments all processes of the secretariat. During the year 2010, the Council developed a robust and highly interactive and informative website at www.kenyashippers.org. The key objective was to ensure that we serve our members across all mediums of communication while also maintaining a strong official online brand for the Shippers Council.

Some of the benefits accruing to members as a result of using this website include the following:

1. Unlimited access to the online resource centre that has a variety of information on transport logistics including policy/position papers, publications, reports and trade related information.
2. Online enquiries by members will ensure faster communication between our members and the Council secretariat
3. Members will be updated on the various events that the council could be holding in future. In addition, industry events are also carried on the website which helps members be informed about other events that will be instrumental in the daily running of their businesses and improve their operations
4. The KSC online press room highlights news, stories and features that have been carried out in the mainstream media about KSC and any other news events that might affect the normal operations of KSC members. The E-newsletter is published every bimonthly to ensure that our members are updated on new information in the industry. Currently, we have over 350 subscriptions to the newsletter.
5. The KSC frequently asked questions (FAQs) on the website will facilitate prompt response to member's inquiries on emerging issues in the transport and logistics sector.

Having launched the website, updates are undertaken on a needs basis. This content is generated internally. They include updating the CEO's message on various issues that are affecting the industry, events that the council could be having or other industry events that could be related to the industry, news and events to ensure that our members are aware of any activities that might affect or enhance their operations. In addition, the council has developed an online marketing strategy to ensure that we keep members and other new members visiting the website on a regular basis. As we enhance our optimization on the same, we are looking further onto developing content that will purely meet the needs of our members and also how to respond to their online queries.

The website use has increased to an average of 30% per quarter. Most of these viewers are from our membership but audiences who would like to find out more information not only about the council but also information in general.

7.5. Advocacy

Success was achieved in three (3) major business advocacy policy areas during the year 2011. KSC hopes that our membership will take full advantage of these new policy initiatives to improve their competitiveness. These policy areas include the following:

Gazettement of the Commercial Maritime Regulations of the Merchant Shipping Act 2009

Prior to the development and publication of the Merchant Shipping Act 2009, the maritime sector in Kenya was loosely regulated by a number of institutions often characterized by conflicts, overlapping of jurisdiction and duplication of efforts in their various mandates – a situation that resulted in lack of a clear policy direction and coordination of development efforts in the sector.

During this period, the port of Mombasa, which falls under this sector suffered most as this lack of coordination resulted in unregulated business activities and other malpractices which have been responsible to the rising cost of doing business at the port and jeopardizing the competitiveness of the East African region on the global market.

For instance, shipping lines calling at the port have consistently imposed unjustified charges on importers and exporters. Such charges, which are perceived as being harmful to the economies of the EAC region, add up to approximately USD 410 per TEU. Considering a 618,000 TEUs throughput for the year 2010, it is estimated that such malpractices could have cost importers and exporters an estimated extra cost of USD 253,380,000 (KShs. 21B) in the year 2011.

Other factors responsible for the rising cost of doing business at the port of Mombasa include the demurrage costs incurred by importers and exporters resulting from delays caused by the various trade facilitation agencies at the port, and their lack of accountability thereof. It is estimated that the direct cost of delays per TEU is approximately USD 285, which translates to about USD 176,130,000 (KShs. 14.6B) per year.

It is anticipated that the commercial maritime regulations will improve efficiency and reduce the cost of doing business at the port by ensuring accountability, streamlined maritime operations and guarantee faster cargo clearance time while also reducing the cost of doing business and encourage investment in the maritime sector in Kenya. It is estimated that successful implementation of these regulations will save the EAC economies a cumulative amount of USD 429,510,000 (KShs. 35.7B) in demurrage and irregular costs.

Establishment and Operationalisation of KENTRADE

KENTRADE is an independent entity established by the Government of Kenya to set up and manage the National Single Window System. It was gazetted in January 2011 and a board constituted in December 2011. Cargo owners are represented on the Board of KENTRADE through KSC. KENTRADE and the single window system are expected to significantly reduce the complexity of trade related procedures and result in faster and more efficient systems in trade transactions. Cargo dwell time at the port of Mombasa is expected to be reduced to a maximum **3 days** and a maximum of **one day** at the Jomo Kenyatta International Airport over a period of 3 years after operationalisation. At the border posts the electronic Single Window System is expected to reduce the cargo dwell time for both transit and intra-regional trade consignments to a maximum of one hour. The system is also expected to integrate other automated systems such as Electronic cargo tracking system (ECTS), EDI manifests and service provider user systems.

Based on the present volume of goods imported and transited through Kenya, it is estimated that the streamlined procedures will result in yearly savings to the Kenyan economy ranging between US\$ 150 million (or about Ksh.10.5 billion and US\$ 250 million (or about KShs. 17.5 billion) annually during the first 3 years of implementation.

The harmonization of EAC axle load regulations and gross vehicle weight limits

Cross-border transport is 3–5 times more expensive in Africa than in Asia and Latin America. It takes five (5) days for a truck to move cargo from the port of Mombasa to Kampala, a distance of 1,100 KMs. Out of these five (5) days, an average 19 hours is spent at weighbridges and police check points. The current practice of different axle load and gross vehicle mass (weight) limits among the Partner States is one of the major factors impeding efficient transport within the region. The EAC region is estimated to have lost KShs. 80B in 2011 due to the practice of applying different axle load and gross vehicle mass (weight) limits

by the EAC partner states, hence the need to develop a harmonized framework for axle load and gross vehicle mass limits in the region.

KSC has participated by way of giving insights on studies and forums on the extra costs accruing to the EAC economies as a result of applying different procedures for axle load control. In representing the interests of cargo owners, KSC has been a major stakeholder in three meetings held to discuss the findings of the PADECO study commissioned by JICA and the EAC Secretariat to give proposals for harmonization of EAC axle load policies. This has resulted in the drafting of the East African Community Vehicle Load Control Bill, 2012.

Once enacted the harmonized EAC axle load control policy is expected to result in more than a 10 minute reduction in weighbridge crossing time, thus a positive improvement in regional trade facilitation. It is estimated that the benefits resulting from removing impediments due to conflicting axle load regulations and procedures would result in total savings of USD 6.7 million in the regional transport sector, which should cascade into other sectors of the regional economy.

8. Key Challenges

In up scaling membership recruitment, one of the key challenges the secretariat has encountered is an apparent subscription fatigue from potential members. It is evident that a number of business entities approached for membership are already members of a particular BMO. This was evident as we approached individual members of the KSC founder associations for membership.

The lack of consultation with industry players with respect to the introduction of changes in trade related procedures by some government agencies, and the manner with which such changes are introduced has posed a great challenge to the achievement of an efficient logistics chain in the country. Such arbitrary and uncoordinated changes have often resulted in an extra cost of doing business for the KSC membership.

While considerable progress have been noted in some of the Container Freight Stations, there are still isolated but worrying delays in transfer of containers from the port to the CFSs and resulting to huge demurrage and detention charges. Our push for a service level agreement between Kenya Ports Authority and CFSs has not materialized. The Kenya Maritime Authority, which is the agency responsible for ensuring that the SLAs are signed, informs us that a draft which will be discussed with shareholders will be available soon.

We are recording a significantly less than desirable participation rate by our membership with respect to our activities and events. While we understand the busy schedules and business demands of our membership, it is our sincere appeal that they endeavor to

participate in our events in order to become abreast of the many emerging issues in our industry.

9. Way Forward

In the year 2012, KSC intends to upscale its efforts to not only effectively represent its members through ongoing policy and operational reforms in transport, logistics and trade facilitation but also offer a variety of value added services that are guaranteed to boost the competitiveness of our membership. The secretariat will deliver this through a variety of strategic partnerships that have been developed during the 2011 financial year.

The secretariat is grateful to the membership for the confidence they have shown in KSC over the past year and the continued support that the membership has offered to the secretariat by ensuring timely payment of annual subscriptions. In return to your confidence in the Council, the secretariat and Board assures all the members of a strong representation with respect to the variety of issues facing the industry and value for money with respect to your subscriptions.

We look forward to a fruitful 2012 financial year.

10. ANNEX

List of Fully Paid Up Members as at December 31st 2011

1. AIRFLO LIMITED
2. ALLPACK INDUSTRIES
3. ANDY FORWARDERS SERVICES LTD
4. BAHARI FORWARDERS LTD
5. BAMBURI CEMENT LTD
6. BIDCO OIL LIMITED
7. COOPERATIVE BANK
8. DAMCO LOGISTICS (K) LTD
9. DHL GLOBAL FORWARDING (K) LTD
10. EAST AFRICAN PACKAGING LTD
11. EAST AFRICAN SEA FOODS
12. EAST AFRICAN TEA TRADE ASSOCIATION
13. EVEREADY EA LTD
14. EXEL CONTRACT LOGISTICS
15. FREIGHT FORWARDERS (K) LTD
16. FREIGHT IN TIME
17. FRESH PRODUCE EXPORTERS ASSN OF KENYA
18. FRIGOKEN LIMITED
19. HACO INDUSTRIES
20. INTERFREIGHT (EA) LTD
21. KENYA COFFEE TRADERS ASSOCIATION
22. KENYA GROUPAGE CARGO HANDLING
23. KENYA PORTS AUTHORITY
24. LINTON PARK PLC
25. MABATI ROLLING MILLS
26. MAGADI SODA
27. MOMBASA MAIZE MILLERS
28. NAMPAK KENYA LTD
29. NAUSHAD TARDING CO LTD
30. NESTLE FOOD KENYA LTD
31. OSHO CHEMICALS LTD
32. POWER TECHNIQUES LTD
33. RAI PLYWOODS (K) LTD
34. SAMEER AFRICA
35. SDV TRANSAMI KENYA
36. SGS KENYA LIMITED
37. SIGINON FREIGHT LTD

38. SPEEDEX LOGISTICS LIMITED
39. SUNRIPE LTD
40. UNGA LIMITED
41. UNILEVER KENYA LIMITED
42. UNION LOGISTICS LTD
43. WIGGLESWORTH EXPORTERS LTD
44. KIBO SUGAR & ALLIED INDUSTRIES LTD
45. KENAFRIC INDUSTRIES LTD
46. PANAL FREIGHTERS COUNCIL
47. CADBURY KENYA LIMITED
48. GLAXOSMITHKLINE
49. NDONYE & ASSOCIATES
50. MERIDIAN SHIPPING EA LOGISTIC
51. CHAI TRADING CO LTD
52. ORBIT CHEMICALS INDUSTRIES LTD
53. GENERAL CARGO SERVICES LIMITED
54. KIBO SUGAR & ALLIED INDUSTRIES LTD
55. COTECNA INSPECTION S.A
56. GATEWAY MARINE SERVICES
57. WRIGLEY COMPANY E.A LTD
58. BROOKSIDE DAIRY LIMITED
59. INTERTEK INTERNATIONAL LTD
60. SCHENKER LTD
61. TNT EXPRESS WORLDWIDE
62. CORRUGATED SHEETS
63. TRANSNATIONAL BANK

Registered Office and Principal Place of business

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Interim Company Secretary

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Email: info@mnadvocates.co.ke
www.mnadvocates.co.ke

Interim Auditors

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Email: info@kimaniandassociates.com

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Barclays Plaza Business Centre
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