



# ***KENYA NATIONAL SHIPPING LINE LTD.***

Cannon Towers II, Moi Avenue,  
P.o Box 88206-80100, Mombasa  
Tel: 0202300015, 17, 0700 510 592  
E-Mail: [admin@knsi.co.ke](mailto:admin@knsi.co.ke),  
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**30<sup>th</sup> May, 2022**

**Okoa Mombasa**

A Coalition of Concerned Coast Residents Working to keep Mombasa vibrant,

**MOMBASA.**

Email: [elbusaidykk@gmail.com](mailto:elbusaidykk@gmail.com)

**Attn: Mr. Khelef Khalifa,**

**RE: REQUEST FOR ACCESS TO INFORMATION-JOINT VENTURE INVOLVING  
SAS SHIPPING AGENCIES SARL, KENYA PORTS AUTHORITY AND KENYA  
NATIONAL SHIPPING LINES LIMITED**

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Reference is made to the above matter.

We acknowledge receipt of your letter dated 12<sup>th</sup> May 2022 and wish respond as follows:

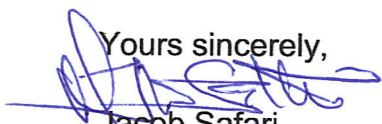
Pursuant to section 12 of the Kenya Ports Authority Act, The Authority has a mandate to carry out any business that is to the benefit of the Authority with the consent of the government as the Authority will under the circumstances be acting as an agent for the Government. The Joint Venture which is the subject of this exchange is going to be beneficial to the Authority which is taking into account the interests of the public.

Article 24 of the Constitution provides circumstances under which the right to access to information under Article 35 of the Constitution can be limited. In addition to Article 24 of the Constitution, Section 6 of the Access to Information Act, 2016 has specifically provided for limitations to access to information. It is our contention that the request by yourselves falls within the limitations enshrined under the Constitution and the Access to Information Act, 2016.

Your request is founded upon the Right to access to information as enshrined in Article 35 of the Constitution of Kenya 2010. The Access to Information Act which gives effect to Article 35 provides that the aforementioned right is not absolute. It is limited especially where granting access to information will be prejudicial to commercial interests and other interests at large.

Therefore, your request being limited in accordance with the aforementioned provisions, we shall not at this stage be in a position to accede to your request for the information

Yours sincerely,

  
Jacob Safari

**For: Ag. MANAGING DIRECTOR**