One of their clients, Creative Innovations Ltd maintains four current accounts with the bank but has only one set of account opening documents. The bank claims that the other three are operated by the same set. Curiously, two of the bank accounts for this client are not disclosed to the Kenya Revenue Authority yet there is evidence that sales proceeds are deposited into these accounts. The accounts for this company were initially opened by the current Managing Director of the bank and there is suspicion that though he resigned as a director of the company, he still remains a signatory to the accounts.

(iii)

Huge sums, converted into foreign currency in excess of Kshs.157 Million were transferred from one of the secret accounts to unspecified foreign destinations through Telegraphic Foreign Exchange transfers between May 2003 to October 2004.

(iv) The bank gave us the account opening form of Capricon SRL for the accounts of Paolo Sattanino. No other documents were made available to us for all the three foreign currency accounts of Paolo Sattanino. Huge foreign exchange transfers to the tune of Ksh.89,000,000 were effected through these accounts to foreign destinations between May 2003- October 2004.

Ne have evidence that the bank prepared a Bankers Cheque of Ksh.879,000 and purported to have cleared it through Middle East Bank.

Our investigations have established that Middle East Bank never cleared the Cheque but was instead stamped cleared with a take Middle East Stamp within Charlerhouse bank and the amount of the cheque withdrawn in cash to unknown destination. We suspect this type of forgery could be in cash to unknown destination. We suspect this type of forgery could be cash out of the Bank.

3. The bank has consistently resisted investigations into the accounts of Kariuki Muigua (clients accounts) citing court orders barring any party from accessing them. We however have evidence that the bank acts on unsigned instructions to operate the accounts of Kariuki Muigua. It is suspected that these instructions are prepared within the bank and that the accounts are operated on behalf of big businesses as parallel accounts for illegal purposes.

4. Information with the task force indicates that this bank mainly runs, fictitious accounts for some of the big businesses in town for purposes of tax evasion, siphoning of money out of the country into offshore accounts and probably money laundering. Some of the bank accounts mentioned above are actually run by big business in assumed names, hence the lack of proper documentation.

The Task Force has considered various options; some of which would be to serve court orders and demand for more documents or contest some of

impede our progress. be fraught with delays and counter court actions which would further investigating their accounts. We observed that either of the options would the court orders their "clients" have obtained to bar any party from

offshore thus rendering our efforts even more futile. evidence and even liquidating some of their assets and moving them hurdles on our way, they could in the meantime be destroying all trace of The team is also concerned that while the bank and its clients place

It is for the above reasons that I am writing to you as the Regulator to seek investigation is at the same time the biggest obstacle to the investigation. The Task Force feels that the bank, being at the centre of this

your intervention on this matter.

FOR: DIRECTOR/CHIEF EXECUTIVE SAM, IYNOTUM . Я.С. ЯО

Kenya Anti Corruption Commission cc. Director

JPM/ea

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Charterhouse Bank Ltd. First Account Listing - Pages 1 to 13

General

Account Designations

Accounts beginning CA 01-0
Accounts beginning CA 01-7
Accounts beginning CA 01-8
Accounts beginning CA 01-8
Accounts beginning CA 01-8
Accounts beginning CA 01-2
Accounts beginning CD 01-2

Although the Kenya shilling accounts are numbered to a/c 626 there are several blocks of numbers unissued so that the total number of accounts opened is 519, this is over a period of six to seven years (with so few clients one would think that this was not a very successful commercial bank). However some clients have multiple accounts reducing this number even further.

Of the Kenya shilling accounts opened:-

The Kingsway Group have 13,

Manoj Shah, Sanjay Shah, Hamed Ehsani and Meraz Ehsani have either singly or jointly 11 accounts,

Creative Innovations Ltd. has four,

Brand Import Group has six,

Pegrume Group has seven,

Kariuki Muigua & Co. has five,

John Harun Group has 18 which were opened on the same day and two further accounts later,

There are many other companies and individuals with two accounts, such as Triton, Dalbit, Kitek etc, which can be identified by a quick glance through the document.

Some of the accounts have suprising turnovers i.e. the CEO of Nakumatt, on TV, described the account at Charterhouse as a petty cash account, this account has a turnover of 69.65 billion Kenya shillings - almost a billion US dollars - some petty cash !!!

The dollar, sterling and euro accounts belong to the same clients as the Kenya shilling accounts with the exception of Paulo Santanino. Again there are multiple accounts for some clients e.g. King sway Group, Ehsani etc. These accounts only reflect turnovers in their respective currencies from April 1, 2004 as this was the date the forex ledger was computerised.

## Charterhouse Bank Ltd. Second Account Listing - Pages 155 to 166

## General

## Account Designations

Loan accounts

Mostro Forex Accounts
Local Bank Forex Accounts
Local Savings Accounts
Sundry Creditors
Mombasa Current Accounts
Cash Term Deposits
Fixed Term Deposits

Accounts beginning LN 01-Accounts beginning N0 01-Accounts beginning SB 01-Accounts beginning SC 01-Accounts beginning SD 01-Accounts beginning CA 02-Accounts beginning CA 02-Accounts beginning CA 02-Accounts beginning CA 02-Accounts beginning CD 02-Accounts CD 02-Accounts CD 02-Accounts CD 02-Accounts CD 02-Accounts CD

Accounts beginning FD 02-

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Page: 12:54:54 PM :0 03/08/04	Turnover	49, 329, 373.95 CR 9, 281, 724.27 DR 30, 383.00 DR 17, 053.40 DR 17, 053.40 DR 29, 246, 479.22 DR 65, 647, 064.74 DR 25, 241, 506.76 DR 8, 595, 437.50 DR 11, 168, 354.32 DR 6, 914, 755.95 DR 6, 915.15 DR 8, 994, 753.46 DR 10, 842.35 DR 44, 787.86 DR 44, 787.86 DR 10, 842.35 DR 44, 787.86 DR 44, 787.86 DR 44, 787.86 DR 20, 066.85 CR 16, 915.15 DR 44, 787.86 DR 7, 700.30 CR 158, 502.35 DR 44, 787.86 DR 7, 700.30 CR 1, 570.30 CR 2, 446.00 DR 864, 907.80 DR 864, 907.80 DR 864, 907.80 DR 7, 770.00 CR 16, 854.44 DR 16, 894, 669.16 DR 16, 894, 669.16 DR 17, 000000000000000000000000000000000000
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Charterhouse Bar PWA-79	ACCOUNT Number	CAPAPAPAPAPAPAPAPAPAPAPAPAPAPAPAPAPAPAP

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KENAV KON AV BVNKI

Governor

Haile Selassie Avenue P.O. Box 60000 Mairobi Kenya Telephone 226431 Telex 22324 December 22, 2004

The Director
Kenya Anti-Corruption Commission .
Integrity Centre
P.O. Box 61130 00200

<u>NAIROBI</u>

For the attention of Dr. J.P. Mutonyi

Dear Sir

## LTD AND RELATED COMPANIES RE: INVESTIGATION OF ECONOMIC CRIMES BY CHARTERHOUSE BANK

We acknowledge receipt of your letter dated December 15, 2004 and note with concern the hurdles you are facing in accessing information from Charterhouse bank.

Although we believe that the various options referred to in your letter may "be fraught with delays and counter court actions" we nonetheless are of the view that it would be appropriate for you to seek the opinion of the Altorney General in respect of the hurdles you are encountering in the course of your investigation especially having regard to the powers bestowed upon you by the statutes.

Needless to say, the Central Bank will endeavour to follow up with the bank the matters raised in your letter in so far as they relate to compliance with the Central Bank of Kenya Act, Banking Act and the Regulations issued thereunder as well as the Prudential Regulations issued by the Central Bank. To facilitate this, we would appreciate your availing to us any additional information of failure/refusal to provide data by the Charterhouse bank that you would wish to draw to our attention so as to enable us demand the same from the institution.

You may wish to note, however, that the information gathered by the Central Bank can only be used for our regulatory function under the Banking Act and cannot be availed to you in view of the constraints imposed on the Bank under the Act with regard to disclosure of information obtained in the course of inspections.

Vours faithfully

VADDEM K WOLLEI

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Charterhouse	PW4-79

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Bank Limited Account Turnover Charterhouse Bank Limited	Account Description	MODERN WEAR LTD	1 WAWERU GACWE	MBUGUA	NATIACI E MUCENGERA	T T T T T T T T T T T T T T T T T T T	N NJAU S GACWE	K.S BRAHAMBHATT & OTHERS	DIMPORTS	UNIVERSAL CHURCH OF GOD	ABBAS EHSANI 111 ??	_	·isi		KINGSWAY MOTORS (K) LTD-SPARES	NAIVASHA MATRESSES	KARSAN K SEYANI	S TME	~ ~	DRIVE IN TYRE CENTRE				E SE	) 	<u>֓</u> ֞֞֞֞֞֞֞֞֞֞֞֞֞֞֞֞֞֞֞	MOTOR LINE SPARES	SWALEH IBRAHIM KAMAU CREATIVE INNOVATIONS (FUCHS OIL X BACTETC SYSTEMS ITO	ADIL LAKHANI & MINAZ JAVER LAKH
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Charterhouse Bank Limited PWA-79

Account Turnover Charterhouse Bank Limited

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MARA TRADING LIMITED
AMAAAL TYRES & ACCESSORIES SHANTA SHAH PACE ADVERTISING PACE ADVERTISI FARM TEA PACKERS COMBINED ENTERPRISES LTD PETROLEUM & IND. SERVICES LTD. OWEN GITAU ESQUIRE TYRE SALES LIMITED AFRICA WASTE PAPER LTD |
KENYA, COSMETICS INDUSTRY LTD Description MALDE TRANSPORTERS LTD KEMPAPER LTD LAMP SHADES ş 85,109,924.85 62,438,962.91 65,773,046 46 38,540,278.99 3,115,089.75 Opening Balance ,947,234.30 100,788.43 , 567, 199.94 ,986,885.83 ,999,916.00 27,304.50 30,189.15 2,338.70 2,866.30 763,094.10 9,294 3,606.20 75,640.39 , 225.00 195 ,050 0.00 0.00 0.00 . . 88 . 8 . ე .00 8 .10 9 . 90 65 . 60 .20 222 S S S RRRRRR £ 22 99 몼 무요요 Ç 2,663, 247,344, 1,137,500.00 93,549,213.86-56,988,377.76 244, 974, 345.57 240,165,489.00 50,924,1 124,462,210.40 22,648 14,930 3,433,481.60 230,677.00 0.00 242,350.00 ,008 ,691,247.28 295,803 448, 514. 205,300.00 ,955,998.20 58,670.00 700,000.00 /56,246.40 Amount 7,443. , 488.80 7,291.60 ,697 , 498 Debit 10.00 Report Da Run Date: From 869,879,682.58 660,977,378.30 320,188,739.22 431,663 92,443,975.7 57,146,851.2 112,892,453.90 158,054.75 205,026,610.01 244,292,243.28 4,909,203.35 116 2,821,838.32 87,385,172.55 16,999,852.55 94, 209, 879.90 50,354,3 20,881,674.15 25,323,107.72 714,934.30 1,084,750.00 14,887 118,567,094.00 234,426.00 0.00 248,500.00 16,148,243.90 4,633,726.10 33,947,747.60 ,008,210.00 ,918,835.32 ,635,402.4 534,980.55 03/08/04 03/08/2004 01/01/98 t Credit Amount ,040.04 **76** 40,721,764.90 682,10 1,475,7 8,972, ಕ 10,972 35,138,878.99 გიგ Page: 12:54:58 PM o 03/08/04 , 309, 917 5,895,116.40 400, 105 0.00 0.00 1,075.90 11,009.30 5,200.00 353,684 3,749. თ ll4,474.30 Turnover , 857 , 560. 941.80 270.65 8 . 88 . ģ . 8 . ငွ 8 RRRRRR S CR S S 유유유유 무무무유 딨 40,718,158.70 8,800,007.u/ 7,545,440.29 2,422,500 , 455, 969,887.35 1,075.90 9,784.30 5,200.00 110,469.82 104,799.60 **Balance** 1,125.90 1,212.00 Closing 461.90 RRRRRR

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FAREAST TECHNOLOGIES (EPZ) LTD WEIGHBRIDGE ESTATE REATA PRINTERS KINGSWAY AUTOMART LTD P.K.PATEL & ASSOCIATES LTD ALLOY STEEL & CASTINGS LTD LAKMER TECHS LTD MARKFIRST (KENYA) LTD MOTOR BOTIQUE 6TH LIONS AFRICA CONFERENCE DR.KIRTEE BABUBHAI PATEL MOHÂMED P JOO KIRIT N PATEL KENMOSA HOLDINGS SHAIKH ABDUL & SHAIK ALTAF MUSSILLI & MUSSILLI ADVOCATES-O ASPEN HILL LIMITED EPSOM HOLDINGS CORPORATION LIMI MILLENNIUM HOLDINGS LTD MOSOCO TRADERS LTD DAVID M MEREKA MEHRAZ EHSANI V ASCAP ENTERPRISES LTD CRYSTAL CREDIT LIMITED SHETHIA CREDIT LTD. LIONS CLUB INTERNATIONAL DISTRI MAHESH TAILOR & PARTNERS WAKWETU RADIO HOUSE Description CINDERELLA ICE PARLOUR Account (0.47832 GET 2 7 A/C 33,987,346 17,058,403. 12,946,036.55 1,148,326.50 Opening ,650,349 .,598,203. 0. 31,175, ,990,876. ,000,000.00 ,699,922. ,500,000 313, 500,164.12 32,370 202,761.86 5,966 2,195.15 0.00 26 317.50 2,801.40 ,601.40 ,469.35 , 696 577.00 574.27 0.00 0.00 00 84888 90 . 8 . Ba lance .07 8 . 8 8 90 . 888 유모유 Я 유유유 S Я 유무 RRRR R 22 유유유유 유무 되유 107,809,908.33 3,920,000.00 18,951,937.20 103,596,400.00 ,251,031,163.80( 2,911,265.65 100,000.00 150,000,140.00 57,244,052.05 89,170,445.80 19,605,040.00 273,496.80 42,732,992.15 1,793,957.00 748,541,562.67 85,973,401.20 7,279,160.00 18,327,206.65 29 28,000,270.30 497,310,840.36 810,728.50 11,153,434.20 5,313,326.12 72,478,155.45 8,044,505.10 46,287,405.60 236,791,388.70 10,690 2,582,450.00 2,328,051.80 35,822,950.90 , 589, 153.80 ., 484, 103.70 1,500,000 ,243,114.40 781,471.68 091,647.92 , 313, 326. 726,413.95 , 117.78 Amount , 363, 85 , 650.00 Debit 0.00 . 8 2,163,161.80 3,945,000.00 14,382,725.27 110,382,585.30 4,879,921.35 1,683,500.00 114,035,139.63 2,102,049,501.54 2,911,265.65 100,000.00 150,000,200.00 54,593,703.95 89,176,100.91 18,256,903.80 273,496.80 300,403,533.53 89,397.50
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THEMIS INDUSTRIAL SERVICES DIAMOND FOODS SUPPLIERS RHODA NTHAMBA MBATO CLASSIC MOTOR PARTS LTD THE SIMPSON CO. EASTERN AFRICA CROWN SEVENTY LIMITED EITHER SAVANNAH ACADEMY LTD Communication Concepts Ltd HIDDEN TREASURES STAFF TRITON NETWORK SOLUTIONS LTD MEGA GOLDEN CLEARING ALLOY STEEL CASTINGS LTD BRAND VAN SALES EXPRESS IMPEX LIMITED MBWANJI MILLERS LTD Description INVESTMENTS CONSOLIDATED HOLDINGS LTD KIBUGI MUITE Account Turnover Charterhouse Bank Limited 占. KINGDOM GT) EADB רבם S SA KARINKI 60,956,389.15 2,289.88 36,920.52 8,000,600.98 15,371,220.50 0.00 ဖ Opening Balance 3,998,827.49 879 ,012,122.80 ,401,880 521,028 8,334.88 16,342.37 2,227.62 500.00 35,186.99 992,498.60 12,859 3,000.00 01,880.20 484.46 759.42 261.75 500.00 0.00 0.00 0.00 ė .0 8 8 88 REEREGR 222 유모유 S S 유무유 Ç 유유유 £ 무무유 S 1,500,000,00 115,295,750.68 11,137,449.25 20,163,910.12 31,575,048.70 813,000.00 813,000.00 369,500.00 ,174,859,794.87 29,857,436.47 154,756,343.92 315,871,737.50 1,020,940.58 18,001,249.00 15,735,000.00 >32,945,055.33 12,268,231.00 6,865,464.85 26,081,565.30 156,022,833.53 1,157,469.00 36,229,490.60 17,450,280.19 80,481,819.90 27,736,683.38 11,374,912.96 11,622,242.40 19,238,788.24 7,162,029.10 15,145,277.89 6,042,929.90 1,500.00 1,105,852.78 150,589,597.33 11,126,423.98 52,774,833.65 34,563,492.21 5,000.00 2,114,406.00 548,640.08 4,910.51 Amount ,662.80 Debit 0.00 From Run Date: Report Da  $\bigcirc$  525, 417, 241.81 25, 887, 269. 85 152, 397, 793. 40 298, 286, 730. 60 10, 307, 701. 00 7, 247, 634. 00 156, 870, 375. 16 7, 135, 725. 23 25, 298, 568. 85 144, 542, 060.20 587, 675.84 14, 010, 142.96 0.00 11, 142, 514, 25 1,072, 356, 28 18,015,059,65 15,748, 526, 75 28,713,960,69 11,646,386,05 1,500,000.00 115,406,309.62 5,000.00 5,539,180.90 20,591,873.70 29,593,933.75 819,200.00 31,695,720.86 18,865,361.10 69,100,615.25 27,352,805.66 12,122,386.70 11,639,350.55 1,105,178.70 150,911,454.91 27,352,805.66 12,040,014.54 2,127,047.00 10,000.00 6,827,577.60 27,051,096.62 ,911,454.91 160,134.85 5,001.00 03/08/2004 01/01/98 Amount Credit 7,162.50 1.00 3,970, 2,358, 17,585, 8,931, g 11,437,671.7 1,415 4,533,769.74 12:54:59 PM 0 03/08/04 51,415.70 13,810.65 13,526.75 13,526.75 7, 512, 395 110,558.94 747,473.74 17,108.15 0.00 ,405,648.26 747,473. Turnover 7,457.50 ,006.90 , 260.38 604.90 166.62 90.49 500.00 96.45 0.00 9 RRRRRRR

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MEHRAZ EHSANI MAGIC KINGDOM COMPULYNX LTD DR. K. S. & MR MARA TRADING L HAMED & MEHRAZ CEMPACK LTD KINGSWAY MOTOR PETROLEUM & IN KINGSWAY INVES VASANT N GAROO PATEL P SAGARBI NISHIT K PATEL RAJIV KHANNA V AND A SHAH & ASPEN HILL LIM NATIONAL SP. A. CORUCIAL PROPER CORUCIAL PROPER CORUCIAL PROPER CORUCIAL PROPER CORUCIAL PROPER MARKFIRST (KEN) MARKF	Account Description KINGSWAY TYRE & AUTOMAR COMMUNICATION CARRIER L	Account Turnover Charterhouse Bank Limited
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