



Before: Judge Alexander W. Hunter, Jr.

Registry: Nairobi

Registrar: Abena Kwakye-Berko

MUTUNE

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

JUDGMENT

Counsel for the Applicant:
Self-Represented

Counsel for the Respondent:
Nicole Wynn, ALS/OHRM

INTRODUCTION

1. At the time of the application, the Applicant served as a Human Resources Officer, on a fixed term appointment, at the FS-6 level with the United Nations Mission in South Sudan (UNMISS). She is based in Juba, South Sudan.

PROCEDURAL HISTORY

2. On 21 November 2016, the Applicant filed this application with the United Nations Dispute Tribunal (UNDT/the Tribunal) in Nairobi, challenging the recruitment process pertaining to two Generic Job Opening (GJO) Roster positions that she had applied for. GJO 36628 was advertised in 2014 for a post at the FS-6 level, and GJO 40276 was advertised in 2015 for a post at the P-3 level.

3. The Respondent filed his Reply to the application on 21 December 2016.

4. On 4 September 2018, the Tribunal issued Order No. 128 (NBI/2018) setting this matter down for a case management discussion (CMD).

5. The CMD took place, as scheduled, on 7 September 2018. The Applicant, who is self-represented was present in person, as was counsel for the Respondent. Both parties agreed that this matter could be decided on the basis of their respective written submissions and that they had no further submissions to make.

FACTS

6. The Applicant joined the Organization on a fixed term appointment as a Secretary at the G-4 level on 15 April 1992.

7. On 15 August 2014, she joined UNMISS as a Human Resources Officer at the FS-6 level.

8. On 15 August 2014, GJO 36628, FS-6 Human Resources Officer, was issued. The purpose of the job opening was to generate a list of qualified candidates for inclusion in the Human Resources Officer (FS-6) roster.

9. On 30 August 2014, the Applicant applied for GJO 36628.

10. On 6 February 2015, GJO 40276, P-3 Human Resources Officer was issued for the same purpose, i.e., generating a list of qualified candidates for inclusion in the Human Resources Officer P-3 roster.

11. On 3 April 2015, the Applicant applied for GJO 40276.

12. In relevant part, the postings, where they both differ and are the same, read as follows:

FS-6

Org .Setting And Reporting

These positions are located in United Nations Field Peace Operations, Special Political Missions or other field operations. The Human Resources Officer generally reports to the mission Chief Human Resources Officer.

P-3

Org .Setting And Reporting

These positions are located in Peacekeeping Missions and Special Political Missions. Applicants will be expected to serve in hardship duty stations with difficult working and living conditions. An updated list of missions and additional information on working in the field can be found at <http://www.un.org/en/peacekeeping/about/dfs>. These positions encompass sub-functional specialties such as recruitment and placement, administration of entitlements, human resources planning, and staff development and career support. The Human Resources Officer usually reports to the Head of the Unit, a Human Resources Officer at a higher level, a Senior Human Resources Officer or Chief of Administration.

FS-6

Responsibilities

MONITORING, REPORTING AND INTERNAL COMMUNICATION:

Contribute to the monitoring and evaluation of the implementation of delegated authorities, through, inter-alia, the Human Resources Management Scorecard (HRM-S), Service Level Agreements,

HRM-S indicators, and the Senior Managers' Compact. Develop and implement practices and procedures based on HR policies to meet the evolving needs of the mission. Responsible for monitoring the implementation of human resources policies, practices and procedures in the mission. Prepares special reports, mission standard operating procedures (SOPs), and information circulars and participate and/or lead special human resources projects.

P-3

Responsibilities

GENERAL: Provides advice and support to managers and staff on human resources related matters. Prepares special reports and participates and/or leads special human resources project. Keeps abreast of developments in various areas of human resources.

STAFF DEVELOPMENT, CAREER SUPPORT AND

PERFORMANCE MANAGEMENT: Identifies and analyzes staff development and career support needs and designs programmes to meet identified needs. Prepares monitoring reports on staff development and career support programmes. Designs and manages sabbatical/external assistance schemes. Provides advice on mobility and career development to staff, particularly young professionals and staff in the General Service and related categories. Designs, plans, monitors and provides induction orientation programme and briefing to new staff members. Provides performance management advice to staff and management. Assists supervisors and staff with understanding and using the performance appraisal system (PAS). Assesses training needs, identifies, designs and delivers training programmes to staff at all levels throughout the Organization. Supports the mission in the implementation of the performance appraisal system and monitors its compliance with the proper implementation of the performance management system. Coordinates with the Integrated Mission Training Center to organize training/orientation programmes in performance management and supervisory skills as well as work plans. Ensures full compliance of ePAS and provides input to the establishment of Management Review Committee and Joint Monitoring Committee and Rebuttal Panel and acts as their facilitator and ex-officio member. Advises on training opportunities for HR staff as well as staff in general, and plans and prepares the mission training budget in coordination with the integrated training

service. Particular attention will be given to developing and implementing career development paths for national staff members. Provides regular information on global vacancies and opportunities for the generic rostering system and works with FPD as a conduit for headquarters initiatives and as the initiator of individual career advice and counseling. **PLANNING AND BUDGET:** Participates in the mission planning process throughout the mission life cycle for determining the staffing requirements, and advises on emerging capacity gaps in accordance with the mission's mandate. Participates in the budget development process and provides advice to the Senior Management Team on the human resources requirements and organizational structure of all sections based on the FPD guidelines on budget review. Advises hiring managers on loaning of posts between sections and movement of posts and staff between locations based on the SOP on Staffing Table and Post Management. **ADMINISTRATION OF JUSTICE:** Working with interested parties such as the Staff Association(s) and the mission's Conduct and Discipline component, Chief of Staff and/or CMS/DMS, the HRO will address and mitigate staff grievances with the purpose of resolving them at the lowest practical level. This includes preventive activities such as training and sharing best practices and recent jurisprudence related to human resources management. In coordination with FPD, the HRO will also coordinate the mission's responses to formal and informal requests coming from different entities under the Administration of Justice (AoJ) system and implement decisions applicable to the mission. **OTHER DUTIES:** Advises and counsels staff in respect of rights, responsibilities, code of conduct and difficulties associated with work and entitlements. Conducts and coordinates salary surveys assessing the labor market at Headquarters and in the field and establishes salaries and related allowances of locally-recruited staff. Prepares classification analysis of jobs in Professional and General Service and related categories. Provides guidance to programme managers on the application of classification policies and procedures and by undertaking whole office review. Assists in preparing policy papers, position papers and briefing notes on issues related to examinations and tests. Develops a communication strategy with a dedicated intranet page on HR issues and regular formal and informal meetings. Maintains constant dialogue with the Heads of Operations/Administration of UN Country Teams for coordination of national staff salary surveys, cost of living surveys, and other common policies on in country entitlements for staff. In consultation with the mission

Chief Security Advisor, the Staff Counselor and the Welfare Officers, the HRO works on the mission's response to a natural disaster/incident with focus on anticipating, planning and coordinating the overall HR response in coordination with FPD. Performs other related duties as required.

FS-6

Competencies

PROFESSIONALISM

TEAMWORK

COMMUNICATION

P-3

Competencies

PROFESSIONALISM

TEAMWORK

PLANNING AND ORGANIZING

FS-6

Education

High school diploma or equivalent. Technical or vocational certificate in human resources management, business or public administration, education or related area is required.

Work Experience

A minimum of ten (10) years of progressively responsible experience in human resources management, administrative services or a related area. Experience in the application of Human Resource Management Systems (for example: IMIS, Nucleus, Inspira, Umoja, or related) is required. Experience working in a post-conflict environment outside of your home country is required. Supervisory experience is required. The minimum years of relevant experience is reduced to five (5) years for candidates who possess a first level university degree.

P-3

Education

Advanced university degree (Master's degree or equivalent) in human resources management, business or public administration, social sciences, education or related area. A first-level university degree in combination with two (2) additional years of qualifying experience may be accepted in lieu of the advanced university degree.

Work Experience

A minimum of five (5) years of progressively responsible experience in human resources management, administration or related area. International experience is highly desirable.

13. Job applicants who had applied to both job openings were informed that they were required to participate in only one written assessment. This was done to facilitate the recruitment process, for which a combined one thousand nine hundred and thirty-five (1,935) job applications were received.

14. On 20 July 2015, the Applicant was invited to participate in a written assessment for both GJOs in accordance with section 7.5 of ST/AI/2010/3 on the Staff Selection System.

[Applicant]

From: Human Resources Og [UNHQ]

Sent: Monday, July 20, 2015 10:27 PM

To: Dorothy Mutune

Subject: Invitation to Assessment for FS-6 & P-3 Human Resources Officer (GJO 36628 & GJO 40276).

***** PLEASE READ THE FOLLOWING CAREFULLY *****

Dear **Dorothy Mutune**,

This message is in reference to your application to the **Generic Job Opening 36628 FS-6 and Generic Job Opening 40276 P-3 Human Resources Officer with United Nations Field Missions administered by the Department of Field Support, Field Personnel Division.**

We are pleased to invite you to participate in the next phase of the process which involves your participation in an online knowledge based assessment.

****While you are a candidate in both of the above job openings, you are only required to participate in one written (emphasis added) assessment.****

ASSESSMENT DETAILS

The assessment will consist of three parts: a **multiple choice portion, a situational judgement portion, and a short-answer question portion**. The short-answer question portion requires written responses to four scenarios and will be administered in **English**. ...It is mandatory to answer all questions.

You **must pass all components** of this test in order to proceed to the **next stage** (emphasis added) of the selection process.

15. The assessment criteria for this written essay portion of the examination, undated, reads, in relevant part, as follows:

Assessment Criteria – Section 3 (Essay)

Generic Job Opening (GJO) of Human Resources Office (GJO 40276 P3) and (GJO 36628 FS6)

The same written essay was presented for both GJOs

The essay was divided in 4 short questions. Each question is marked of 25 points with the total of 100 points.

The details of each question is listed below based on[:]

Successful passing mark for GJO 40276, HRO P3 is 75 points (75%)

Successful passing mark for GJO 36628, HRO FS6 is 70 points (70%)

16. On 28 July 2015, the Applicant completed the written assessment.
17. The Applicant scored seventy-four percent (74%) on the written assessment.
18. On 25 February 2016, the Applicant was invited for a competency-based interview tailored for the FS-6 post (GJO 36628).

19. The Applicant's job application for the P-3 GJO was not considered further because she scored below the minimum pass mark of seventy-five percent (75%).

20. On 24 June 2016, the final evaluation record for the FS-6 GJO recommending twenty-four (24) candidates for the roster was transmitted to the Field Central Review Board (FCRB). The Applicant was among the recommended candidates.

21. On 20 July 2016, the FCRB endorsed the recruitment exercise for the FS-6 post (GJO 36628).

22. On 12 July 2016, the Applicant was informed of her non-selection for the P-3 GJO roster. Eight candidates were selected.

23. On 25 August 2016, the Applicant was placed on the roster for the FS-6 GJO.

SUBMISSIONS

Applicant

24. It is the Applicant's case that the Respondent acted improperly when he administered the same written test for GJO 36628 (FS-6) and GJO 40276 (P-3), and did not notify applicants that it was applying a different marking scheme for each of those positions. The FS-6 position had three technical competencies and the P-3 position had 5. Only two of the competencies were similar and required in both posts.

25. The Respondent's submission that the same test was applied to both posts to "facilitate the recruitment process for which a combine 1935 applications were received" shows that the decision was made for "administrative convenience" which should not be allowed to override the rights of all candidates to a fair, just and transparent recruitment process.

26. The Applicant submits that had she been afforded the opportunity to take a test specifically targeted at the P-3 post, she would have passed it to the required standard. As it is, she scored 74 out of the required 75%.

Respondent

27. The Respondent's case is that the application should be dismissed because the Secretary-General enjoys broad discretion in the selection and appointment of staff.

28. The Applicant was given full and fair consideration for the P-3 GJO.

29. There were no procedural irregularities in the selection exercise. Candidates who applied for both job openings were informed that they were being required to participate in one written assessment. The Applicant passed the written assessment at the threshold set for the FS-6 post but fell short for the P-3 position which required five (5) additional points due to the added complexity of this position. She was, therefore, interviewed and subsequently rostered for only the FS-6 position.

CONSIDERATIONS***Legal Framework***

30. The Secretary-General has broad discretion in the selection and appointment of staff.¹ The basis for this discretion is found in the Charter of the United Nations which establishes the framework for staff selection through a general grant of authority to the Secretary-General. Specifically, article 101.1 of the Charter provides that “[t]he staff shall be appointed by the Secretary-General under regulations established by the General Assembly.”

31. Staff regulation 4.1 confirms that “the power of appointment of staff members rests with the Secretary-General.” In *Toropin*, Judgment No. 1477 (2008), the former United Nations Administrative Tribunal (UNAdT) observed that “[i]t is a well-recognized tenet of the Tribunal's jurisprudence that the Secretary-General enjoys great latitude in the selection and promotion of his workforce.”

¹ *Abbassi*, 2011-UNAT-110; *Charles*, 2013-UNAT-286; *Frohler*, 2011 UNAT-141.

32. The official acts of the Respondent enjoy a presumption of regularity.² The Secretary-General is vested with a wide discretion to select staff members for positions within the Organization. It is within the discretionary authority of the Secretary-General to evaluate job applicants' qualifications for positions.³ The Dispute Tribunal will not substitute its own judgment for that of the Secretary-General.⁴ Selection for a position is a competitive process.⁵

Legal Analysis

A case of non-selection

33. The Applicant avers that she is not challenging the selection process. She advances the position of contesting the evaluation criteria and the rostering process for two individually classified job openings which require different skill sets and competencies. However, her theory of prosecution deals does in fact deal with the overriding issue of how staff are selected or, in her case, not selected as a result of applying to fill an existing job opening.

33. By administering one written portion of this test for two classified jobs, the one examination herein met the standards of testing for two individually classified job openings. The P-3 GJO was based on the complexity of its functions and the range of its responsibilities. As such, the aptitude and competency to perform the complex functions and the range of responsibilities required for a P-3 Human Resources Officer can be and were ascertained from a common written test administered on a common platform that accepts only one answer for each question, whether it is meant for the FS-6 or P-3 GJOs. Bear in mind that successful candidates for each job opening were then subjected to competency-based interviews uniquely tailored to the respective job openings. And administering separate tests would have made no difference in the scoring since

² *Rolland*, UNAT-2010-119 at para. 26.

³ See *Safwat*, UNDT/2010/066, paragraph 39 (holding that it was within the discretionary authority of the Administration to evaluate an applicant's qualifications for the post); *Dumornay*, UNDT/2010/004 (dismissing the application of a staff member that was not selected to a position when the panel found that the Applicant lacked the required skills or competencies). See also *Sicat*, UNDT-2013-018, paragraph 25 and *Simmons*, UNDT-2011-084, paragraph 79.

⁴ *Sanwidi*, UNAT-2011-084 and *Krioutchkov*, UNDT-2010-065.

⁵ Staff Regulation 4.3.

this marking scheme would have applied to these written test results. As such, it was not necessary to test and grade each job GJO independently and on its own.

32. In reference to non-selection decisions, this Tribunal notes that, in line with the jurisprudence of the Organization, its role is limited to reviewing whether the candidate has received full and fair consideration, the procedures have been followed, improper motives were absent and relevant materials have been considered. In this regard, the United Nations Appeals Tribunal (UNAT) has held that a candidate alleging a failure to observe his or her right to full and fair consideration for selection must prove through clear and convincing evidence that procedure was violated, the panel was biased, irrelevant material was considered or relevant material ignored:

There is always a presumption that official acts have been regularly performed. This is called the presumption of regularity. But this presumption is a rebuttable one. If the management is able to even minimally show that the Appellant's candidature was given a full and fair consideration, then the presumption of law stands satisfied. Thereafter the burden of proof shifts to the Applicant who must show through clear and convincing evidence that she was denied a fair chance of promotion. *Niedermayr*, 2015-UNAT-603; *Survo*, 2015-UNAT-595 (both quoting *Rolland*, 2011-UNAT-122).

The Applicant was given full and fair consideration for the P-3 GJO

30. The decision to not select the Applicant for the roster is lawful. On 3 April 2015, the Applicant applied for the P-3 GJO. Her application met the eligibility criteria and was screened in by Inspira for further review of suitability by the Hiring Manager/Occupation Group Manager. On 20 July 2015, the Applicant was invited to participate in a written assessment for the P-3 GJO. The Applicant scored seventy-four percent (74%) on the written assessment. Consequently, her application was not considered further because she scored below the minimum pass mark of seventy-five (75%).

31. Contrary to the Applicant's contention, there were no procedural irregularities in the selection exercise. Candidates who had applied to both job openings were informed that they were required to only participate in one written assessment. This was done in order to facilitate the recruitment process for which a combined one thousand nine hundred and thirty-five (1,935) applications were received. The difference in the minimum scores required between the FS-6 and the P-3 GJOs was based on the complexity of the functions and the range of responsibilities. Given that P-3 Human Resources Officers are expected to perform more complex functions than FS-6 officers, applicants for the P-3 GJO were expected to answer seventy-five percent (75%) of the questions correctly.

32. The Administration explained to the Applicant that while the same written assessment was used for both the P-3 and FS-6 GJOs, there were different threshold passing scores allocated for the two GJOs. The P-3 applicants were expected to perform more complex functions than the FS-6 applicants (i.e., as noted above, in the areas of staff development, career support, performance management, planning and budget, administration of justice, etc.), so the passing score for the FS-6 GJO (36628) written segment of the test was set at 70 per cent but for the P-3 GJO (40276) branch of the examination, it was set at 75 per cent.

33. Furthermore, the Applicant was informed that candidates who reached the required score were admitted to the next part of the recruitment process, i.e., the competency-based interview. The competency-based interviews were conducted separately for both GJOs by different panels, using different interview questions reflecting the different duties and competencies required for each job opening.

34. The Administration indicated that in the case of the FS-6 GJO and the P-3 GJO, one and the same **written assessment** was used since both job openings were equivalent in grade (FS-6 and P-3) and had similar job titles. The Administration stated that this was done in order to facilitate the recruitment process for which a combined 1935 applications were received. This allowed the Organization to utilize the same assessment for a large audience of applicants while at the same time allowing for differentiation according to the requirements of the specific job opening using different passing marks.

35. The Applicant's contention that the method of grading the written assessment was unlawful is without merit. The written assessment consisted of a Multiple Choice Questionnaire, and a Situational Judgment test, and an essay section. The same written essay was presented for both GJOs. The record shows that the assessment criteria for the essay section of the test for both GJOs were the same. The essay was divided in four (4) short questions. Each question was worth twenty (25) points with the total of one hundred (100) points. The Applicant's combined score of seventy four percent (74%) was below the minimum pass mark required for the P-3 GJO. However, she was deemed to have passed the written assessment for the FS-6 GJO and subsequently interviewed for the position on 14 March 2016. On 25 August 2016, she was placed on the roster for the FS-6 GJO.

36. ST/AI/2010/3 (Staff Selection System), specifically section 7.5, provides as follows:

Shortlisted candidates shall be assessed to determine whether they meet the technical requirements and competencies of the job opening. The assessment may include a competency-based interview and/or other appropriate evaluation mechanisms such as, for example, written tests, work samples tests or assessment centres.

37. The Hiring Manager has the discretion to prepare "a knowledge-based test or other qualification exercise, which may be essay questions, technical test and/or other assessment techniques" as per section 5.4.5 of the Inspira Manual for the Hiring Manager.

38. The Applicant did not reach the next stage in the rostering exercise for the GJO because she failed to obtain the passing score for the written assessment of 75 per cent, 5 percentage points more than the FS-6 GJO passing score. She was given full and fair consideration.

39. The written assessment branch of the two different GJOs was administered which required some different skills sets and competencies overall. In accordance with the Staff Selection System, a written assessment forms an integral part of the evaluation criteria for every GJO. Section I (f) of ST/AI/2010/3 states:

Evaluation criteria: Criteria used for the evaluation of applicants for a particular position.

Evaluation criteria must be objective and related to the functions of the generic job profile or the individually classified job description and must reflect the key competencies that will be assessed.

40. Herein, the same written test was administered for each GJO since all of the competencies and duties for the FS-6 position apply to the P-3 position but not vice versa since much more is required for the P-3. In other words, while a passing mark on the written examination is required for both job openings (one being more complex than the other), the evaluation for both positions continues with an additional stage in order to be rostered, namely, a competency-based interview and/or other appropriate evaluation mechanisms such as, for example, written tests, work samples tests or assessment centres which are uniquely suited to the respective job qualifications. “You must pass all components of this test in order to proceed to the next stage of the selection process.”

41. The Recruiters Manual states:

Section 4.11.6 (1) For each job opening created, the evaluation criteria, against which applicants are pre-screened and assessed, are determined at the same time. They form a compliance tool for Central Review bodies to use in monitoring and reviewing the process. There should be no doubt as to how a Hiring Manager has gone from base document to the job opening, to screening questions (evaluation criteria), to assessments and finally to recommendations.

42. Further, 4.3.6 (4.b) of the Manual states:

The questions will form the basis for assessment exercises and shall be recorded in the evaluation criteria for the job opening. In essence, the job elements (experience and skills) captured in the questions will be used to conduct assessments. The questions must have clear linkages to the generic job profile or individually classified job description.

44. In guiding the Review Bodies, the Recruiters Manual states:

(1) The evaluation criteria against which applicants are to be assessed stem from the individually classified job descriptions and reflect the minimum organizational standards according to the classified level and job title.

(2) The evaluation criteria must be in line with the requirements stated in the job posting.

45. Therefore, criteria that are not mentioned in the job posting must not be included in the evaluation criteria.

46. Given that the written assessment forms a core component of the evaluation criteria and that stems from “individually classified job descriptions and reflect the minimum organizational standards according to the classified level and job title,” administering one test for two individually classified job descriptions was lawful since it was two identical tests at the written stage of the process which met the standard of one exam for each individually classified job description.

47. The FS-6 position had three (3) technical competencies and the P-3 position had five (5). Only two of the competencies were similar and required in both posts.

48. Additionally, the Applicant never stated that any of the questions went outside of the scope of the duties and competencies required for both positions.

49. Additionally, Section 4.3.6 (1) of the manual requires that the evaluation criteria against which applicants are pre-screened and assessed be set at the same time for each GJO. Even though the two GJOs were issued approximately ten (10) months apart, administration of both tests was set at the same time to streamline the process for administrative economy and efficiency without prejudice to the applicants. As the Applicant concedes, the advertisement of another GJO P3 Human Resources Officer opening “may take several years.”

The Applicant has not suffered the loss of a fair chance of promotion as a consequence of the contested decision

48. Article 10.5(b) of the UNDT's Statute, as amended by General Assembly Resolution 69/203, provides that compensation for harm may be awarded only where supported by evidence.

49. The Applicant's claim of loss of career opportunity is without merit. She bears the burden of substantiating the pecuniary and/or non-pecuniary damages that she claims to have suffered as a consequence of the contested decision.⁶

50. In this regard, the Applicant states as follows:

The Staff Selection System requires staff members to have roster membership in order to be selected for a particular position. Presently, I am serving as a Human Resources Officer at the FS6 level, to which I was selected in June 2012 based on my roster membership. This is evidence enough that one can only participate and benefit from the selection system based only on the roster membership. I can only move from the Field Service category to the Professional category if I have a roster membership at the P-3 level. By competing for GJO 40276, P3,1 had hoped that I would be placed on the P3 roster that would enable me to be selected and cross over to the Professional category as it has a career progression path up to the D-2 level. By denying me this opportunity, I have suffered loss of career opportunities because without a roster membership in the professional category, I cannot progress to the professional category and can never hope to have a career progression to the higher levels. For now, I can only wait until another P-3 GJO is advertised for me to apply to, and pass the relevant assessments before I can be placed on the roster. I have lost the only realistic opportunity to join the professional category and this adversely affects my career progression. I submit that by the manner in which they administered the test for the above two generic job openings, the Field Personnel Division caused prejudice and irreparable harm to me, which can only be redressed by an order of the UNDT.

51. The Applicant has not provided any evidence to show that she has suffered any loss of career opportunities as a result of the contested decision. Her contention is speculative at best.

⁶ *James*, 2010-UNAT-009; *Sina*, 2010-UNAT-094; *Antaki*, 2010-UNAT-095; *Abboud*, 2010-UNAT-100; and *Wasserstrom*, UNDT-2013-053.

52. However, please note that whilst it is entirely understandable that by missing the opportunity to advance to the competency-based interview for the P-3 position by one point is disappointing, this does not amount to a viable legal challenge of the entire process. The passing scores were different due to the added complexity of the duties and competencies required for the P-3 position.

53. Accordingly, the contested decision was lawful. The application is rejected.

(Signed)

Judge Alexander W. Hunter, Jr.
Dated this 8th day of October 2018

Entered in the Register on this 8th day of October 2018

(Signed)

Abena Kwakye-Berko, Registrar, Nairobi