

REPORT OF THE AUDITOR-GENERAL ON KIAMBERE-MWINGI WATER AND SANITATION COMPANY LIMITED FOR THE YEAR ENDED 30 JUNE 2017

REPORT ON THE FINANCIAL STATEMENTS

Qualified Opinion

I have audited the accompanying financial statements of the Kiambere – Mwingi Water and Sanitation Company Limited set out on pages 19 to 48, which comprise the statement of financial position as at 30 June 2017, and the statement of comprehensive income, statement of changes in equity, statement of cash flows for the year then ended, and a summary of significant accounting policies and other explanatory information in accordance with the provisions of Article 229 of the Constitution of Kenya and Section 35 of the Public Audit Act, 2015. I have obtained all the information and explanations which, to the best of my knowledge and belief, were necessary for the purpose of the audit.

In my opinion, except for the effects of the matter described in the Basis for Qualified Opinion section of my report, the financial statements present fairly, in all material respects, the financial position of Kiambere – Mwingi Water and Sanitation Company Limited as at 30 June 2017, and its financial performance and its cash flows for the year then ended, in accordance with International Financial Reporting Standards and comply with the Water Act, 2016 and the Companies Act, 2015.

In addition, as required by Article 229(6) of the Constitution, except for the matters described in the Basis for Qualified Opinion and Other Matter sections of my report, based on the procedures performed, I confirm that, nothing has come to my attention to cause me to believe that public money has not been applied lawfully and in an effective way.

Basis for Qualified Opinion

Share Capital

As reported in the previous years, the Kiambere - Mwingi Water and Sanitation Company Limited was registered with a share capital of Kshs.100,000 divided into 5,000 shares of Kshs.20 each. The shares were distributed to eleven individuals who had not paid for the shares. The Company had not provided explanation for this unsatisfactory state of affairs as at 30 June 2017.

The audit was conducted in accordance with International Standards of Supreme Audit Institutions (ISSAIs). I am independent of Kiambere – Mwingi Water and Sanitation Company Limited in accordance with ISSAI 30 on Code of Ethics. I have fulfilled other ethical responsibilities in accordance with the ISSAI and in accordance with other ethical requirements applicable to performing audits of financial statements in Kenya. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my qualified opinion.

Key Audit Matters

Key audit matters are those matters that, in my professional judgment, are of most significance in the audit of the financial statements. Except for the matter described in the Basis for Qualified Opinion section of my report, I have determined that there are no Key Audit Matters to communicate in my report.

Other Matter

1.0 Lawfulness and Effectiveness (VFM) in Use of Public Money

1.1 Ethnicity

As reported in the previous year, review of the staff biodata revealed that the Company had a total of 39 employees who represent only 5 ethnic communities of the Country. Out of the total 39 employees, 30 (77%) came from the dominant ethnic community in the area while the remaining 23% is distributed as tabulated below;

Ethnic Community	Number of Employee	Percentage %
Kamba	30	76.9%
Meru	5	12.8%
Masai	1	2.5%
Kikuyu	1	2.5%
Luo	2	5.1%
Total Staff	39	100%

The Company did not ensure that at least 30% of its employees came from other ethnic communities other than the dominant community as required by Section 7 (2) of the National Cohesion and Integration Act, 2008.

In the circumstances, the Company was in breach of the Law.

1.2 Non-Revenue Water (NRW)

During the year under review, the Company produced 698,582 cubic meter (m³) of water. However, only 425,435m³ was billed to customers. The balance of 273,147m³ or approximately 39% of the total volume produced represented Non-Revenue Water (NRW) which was over and above the allowable loss of 25% as provided by Schedule E, Section 85 of the Water Service Regulatory Board (WASREB) guidelines. Therefore, although 39% of the 698,582 cubic meter (m³) total water produced during the year was NRW, only 174,646m³ (25%) with an estimated sale price of Kshs.15,421,242 (Average price /m³ = Kshs.88.3) was an allowable loss while the balance of 98,501m³ (14%) with an estimated sale price of Kshs.8,697,638 was a non-allowable loss. The total NRW of 39% may have resulted in a loss of water sales estimated at Kshs.24,118,880.

In the circumstances, the significant high level of NRW if not addressed will negatively impact on the Company's profitability and its long-term sustainability.

1.3 Budget and Budgetary Control

During the year under review, the Company had an approved expenditure budget of Kshs.104,030,456. However, a comparison of the approved budget with the actual expenditures revealed that the Company over spent in seven (7) items by Kshs.4,609,334 as follows;

Expenditure Item	Approved Budget Kshs.	Actual Expenditure Kshs.	Variance Kshs.	Budget Absorption %
Casual wages	400,000	498,738	(98,738)	125
Motor vehicle fuel	1,980,000	3,032,324	(1,052,324)	153
Motor vehicle maintenance	1,800,000	2,265,742	(465,742)	126
Printing and photocopy	6,000	8,569	(2,569)	143
Staff training	700,000	838,300	(138,300)	120
Office general expenses	72,000	81,832	(9,832)	114
TAWSB	2,036,000	4,877,829	(2,841,829)	240
Total	6,994,000	11,603,334	(4,609,334)	166

No supplementary budget covering the Kshs.4,609,334 over-expenditure was made available for audit review.

In the circumstances, it was not possible to ascertain the source and authority of the Kshs.4,609,334 over-expenditure as at 30 June 2017.

Responsibilities of Management and Those Charged with Governance for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with International Financial Reporting Standards and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Company's ability to continue as a going concern/ sustain services, disclosing, as applicable, matters related to sustainability of services and using the applicable basis of accounting unless the management either intends to liquidate the Company's or to cease operations, or have no realistic alternative but to do so.

Management is also responsible for the submission of the financial statements to the Auditor-General in accordance with the provisions of Section 47 of the Public Audit Act, 2015.

Those charged with governance are responsible for overseeing the Company's financial reporting process.

Auditor-General's Responsibilities for the Audit of the Financial Statements

The audit objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion in accordance with the provisions of Section 48 of the Public Audit Act, 2015 and submit the audit report in compliance with Article 229(7) of the Constitution. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISSAIs will always detect a material misstatement and weakness when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit conducted in accordance with ISSAIs, I exercise professional judgement and maintain professional skepticism throughout the audit. I also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances and for the purpose of giving an assurance on the effectiveness of the Company's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the management.
- Conclude on the appropriateness of the management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Company's ability to continue as a going concern or to sustain its services. If I conclude that a material uncertainty exists, I am required to draw attention in the auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my audit report. However, future events or conditions may cause the Company's to cease to continue as a going concern or to sustain its services.

- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Obtain sufficient appropriate audit evidence regarding the financial information and business activities of the Company to express an opinion on the financial statements.
- Perform such other procedures as I consider necessary in the circumstances.

I communicate with the management regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that are identified during the audit.

I also provide management with a statement that I have complied with relevant ethical requirements regarding independence, and to communicate with them all relationships and other matters that may reasonably be thought to bear on my independence, and where applicable, related safeguards.

REPORT ON OTHER LEGAL AND REGULATORY REQUIREMENTS

As required by the Companies Act 2015, I report based on the audit, that;

- I have obtained all the information and explanations which, to the best of my knowledge and belief, were necessary for the purpose of the audit; and
- In my opinion, adequate accounting records have been kept by the Company, so far as appears from my examination of those books; and
- The Company's financial statements are in agreement with the accounting records and returns.



FCPA Edward R. O. Ouko, CBS
AUDITOR-GENERAL

Nairobi

29 May 2018