



REPORT

OF

THE AUDITOR-GENERAL

ON

**TANATHI WATER WORKS
DEVELOPMENT AGENCY**

**FOR THE YEAR ENDED
30 JUNE, 2022**



TANATHI WATER WORKS DEVELOPMENT AGENCY

ANNUAL REPORT AND FINANCIAL STATEMENTS

FOR THE FINANCIAL YEAR ENDING

30TH JUNE 2022

**Prepared in accordance with the Accrual Basis of Accounting Method under the
International Public Sector Accounting Standards (IPSAS)**

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1.1 AGENCY INFORMATION AND MANAGEMENT

(a) Background information

Tanathi Water Works Development Agency (TAWWDA) is a State Corporation established by Legal Notice No. 27 dated 26th April, 2019 and under Section 68 of the Water Act, 2016 replacing Tanathi Water Services Board which had been established under the Water Act, 2002. At cabinet level, the Agency is represented by the Cabinet Secretary for Water, Sanitation and Irrigation who is responsible for the general policy and strategic direction of the Agency.

(b) Principal Activities

Vision

Universal access to adequate, clean & safe water and sanitation.

Mission

To develop, maintain and manage national public water and sanitation infrastructure within the Agency's area of jurisdiction to achieve sustainable socio-economic development.

The Agency's principal activities are to;

- i. Undertake the development, maintenance and management of the national public water works within its area of jurisdiction (Kitui, Machakos, Makueni & Kajiado Counties);
- ii. Operate the water works and provide water services as a water service provider, until such a time as responsibility for the operation and management of the waterworks are handed over to a county government, joint committee, authority of county governments or water services provider within whose area of jurisdiction or supply the waterworks is located;
- iii. Provide reserve capacity for purposes of providing water services where pursuant to section 103 of the Water Act, 2016, the Regulatory Board orders the transfer of water services functions from a defaulting water services provider to another licensee;
- iv. Provide technical services and capacity building to such county governments and water services providers within Kajiado, Makueni, Kitui and Machakos counties;
- v. Provide to the Cabinet Secretary technical support in the discharge of his or her functions under the Kenyan Constitution 2010 and the Water Act, 2016.

2) Key Management

The Agency's day-to-day management is under the following key organs: -

- The Board of Directors

- The Chief Executive Officer
- The Senior Management including:
 - General Manager-Infrastructure Development
 - General Manager-Corporate Services
 - Manager, Supply Chain Management
 - Manager, Internal Audit
 - Manager, Legal Services & Ag. Corporation Secretary

(d) Fiduciary Management

The key management personnel who held office during the financial year ended 30th June 2022 and who had direct fiduciary responsibility were:

No.	Designation	Name
1.	Chief Executive Officer	Fredrick Tito Mwamati (P. Eng. Tech.)
2.	General Manager-Corporate Services	CPA. Dennis Kiilu Mulu
3.	General Manager-Infrastructure Development	Francis Kyalo Siva
4.	Manager, Supply Chain Management	Lamet Kimirei Maika
5.	Manager, Legal Services & Ag. Corporation Secretary	Ronald Nyakweba Oyagi
6.	Manager, Internal Auditor	Alexander King'awi Nyamai

(e) Fiduciary Oversight Arrangements

- Audit, Risk and Governance Committee of the Board of Directors
- Finance & General-Purpose Committee of the Board of Directors
- Technical Committee of the Board of Directors
- Corporate Planning & Strategic Management Committee of the Board of Directors
- Inspector-General (Corporations)
- Development partner oversight activities
- Ministry of Water, Sanitation and Irrigation
- The National Treasury and Planning

(f) The Agency's Headquarters

Private Bag-90200

KITUI, KENYA

(g) The Agency's Contacts

Telephone: (+254) 712-351104

E-mail: info@tanathi.go.ke

Website: www.tanathi.go.ke

(h) The Agency's Bankers

1. Kenya Commercial Bank

Kitui Branch

P.O. Box 683 – 90200

KITUI

2. Co-operative Bank of Kenya Limited

Kitui Branch

(i) Independent Auditors

Auditor General

Office of the Auditor General

Anniversary Towers, University Way

P.O. Box 30084

GPO 00100

Nairobi, Kenya

(j) Principal Legal Adviser

The Attorney General

State Law Office

Harambee Avenue

P.O. Box 40112

City Square 00200

Nairobi, Kenya

2. THE BOARD OF DIRECTORS

The Board of Directors who served during the financial year 2021/2022 are as below:

Ref	Directors	Details
1.	 <p>Kakuta Ole Maimai <u>Academic & Professional Qualification</u></p> <ul style="list-style-type: none"> ➤ BA in Political Economy from The Evergreen State College in Olympia Washington ➤ Master's Degree in International Development from the School for International Training (SIT) in Brattleboro Vermont, USA. 	<p>Kakuta Ole Maimai (Chairman) was appointed as Board chairman of Tanathi Water Works Development Agency for a period of three years with effect 7th February, 2019 and exited on 6th February, 2022. He was born in 1974</p> <p>He has great working experience with various organizations as Director and a Coordinator, both locally and internationally. He is knowledgeable in international trade & investment and international development.</p> <p>These professional qualities and the skills acquired from working locally and abroad makes him an effective Chairman and team player in Tanathi Water Works Development Agency.</p>
2.	 <p>Willlliam Ole Mayiani <u>Academic & Professional Qualification</u></p> <p>Bachelor of Arts Business Economics Kenyatta University.</p>	<p>Willlliam Ole Mayiani (Chairman) was appointed as Board chairman of Tanathi Water Works Development Agency for three years with effect from 5th July, 2022. He was born on 19th September, 1967.</p> <p>He has extensive experience in leadership and business management having worked with various organizations at senior management levels both locally and internationally including Shell & BP Kenya limited, Total Kenya, Addax & Oryx group among others. William has served as director in various boards most recently at Kenya Airports Authority where he chaired the Audit committee and Finance & Strategy Committee of the board. His wealth of experience from both private and public sector makes him an effective Chairman and team player in Tanathi Water Works Development Agency.</p>



Kiema Mwandia

Academic & Professional Qualification.

- Masters in Project Planning and Management (MPPM) - University of Nairobi-2012
- Bachelor of Science in Agriculture-1991-1996:

Professional Associations Membership:

- Kenya Association of Project Managers Member No. 131
- Institute of Directors (Kenya) Member No. 0719

(Independent Director) was born on 23rd April, 1974. He was appointed a Director of Tanathi Water Work Development Agency for a period of three years with effect from 7th February, 2019 and exited on 6th February, 2022.

During the period ended 30th June 2022 he served as the Chairperson of Finance & General-Purposes Committee and Technical Committee of the Board.

He has a very wide experience as a consultant in strategy, business plan and budgeting. He has served as a seasoned director of various institutions in water and higher education sectors including Alup University College (AUC), Embu University College (EUC), Water Services Trust Fund (WSTF) besides having served in various capacities as a civil servant.

He is also the managing director of Adteck Creations Limited and a Managing Partner of Caritas Kitui.

4.



Mukina Kivuvani Maingi



Academic & Professional Qualification




- 1983 - Morris School of Hairdressing - Tottenham Court Rd. London England
Diploma: - World Federation of Supreme Hairdressing, Afro/European
- 1984 London Institute of Beauty Culture - Tottenham Court Rd. London England
Diploma: - London Institute of Beauty Culture in Beauty Culture /Therapy
- 1985 Morris Advance Master Class -LondonTottenham Court Rd. London England




Director Mukina Kivuvani Maingi (Independent Director) was appointed as Director of Tanathi Water Work Development Agency for a period of three years with effect from 7th February, 2019 and exited on 6th February, 2022. She was born on 23rd January, 1964.

During the period ended 30th June 2022 she served as the Chairperson of the Corporate Planning & Strategic Management Committee and member of Audit, Risk and Governance Committee of the Board.

She has a wealth of experience in cosmetology and beauty therapy having worked as a Spa Consultant at Fairmount Mount Kenya Safari Club International Institute of Cosmetology School/Consultancy, Windsor Go

	<p>Advance Diploma: - World federation of Supreme Hairdressing.</p> <p>➤ 1993 Dudley's Cosmetology University - North Carolina, U.S.A 1991 T.C.B. Alberto Culver - Chicago U.S.A</p> <p>Certificate: - T.C.B Educator - 3 months</p> <p>➤ 1993 Dudley's Cosmetology University - North Carolina, U.S.A</p>	<p>Hotel and County Club as Health Consultant/Manager and P.Z Cus Company Kenya Consultant as Prod Ambassador</p>
5.	 <p>Titus Mavuui Ngumu Academic & Professional Qualification.</p> <ul style="list-style-type: none"> • Masters of Project Management with Distinction (MPM) from RMIT UNIVERSITY (Royal Melbourne Institute of Technology university) - AUSTRALIA)- 2008-2009 • Bachelor of Arts. (Second Class Upper Honours-Sociology, Business Studies and Mathematics), Kenyatta University, 1996 - 2000. 	<p>Director Titus Mavuui Ngumu (Independent Director) was appointed as director of Tanathi Water Works Development Agency on 7th February 2019 and exited on 6th February, 2022. He was born on 24th July, 1975.</p> <p>During the period ended 30th June 2022 he served as the chairperson of the Audit, Risk & Governance Committee and member of the Corporate Planning & Strategic Management Committee of the Board.</p> <p>He has a wide experience in public and private and the financial sector where he is serving in various capacities at Stanbic Bank Ltd and formerly Equity Bank.</p> <p>He is also a managing partner of the International Centre for Participatory Health & Environmental Research (ICPHER)</p>
6.	 <p>Daniel Mogusu Academic & Professional Qualification. University of Nairobi 2009 – 2011</p> <ul style="list-style-type: none"> • MA (Masters in International Conflict Management) • Bachelor of Science, Hons (Geology)- University of Nairobi 1985 – 1988 	<p>Director Daniel Mogusu was appointed as Principal Secretary and Representative Ministry of Water, Sanitation and Irrigation on 28th June 2018.</p> <p>During the period ended 30th June 2022 he served as both a member of the Technical Committee and Finance & General-Purpose Committee of the Board.</p> <p>He has a very wide experience in the water sector having served in the sector at different capacities. Currently he is the Head of Surface Water and Hydrology, Ministry of Water, Sanitation and Irrigation</p>

7.	 <p>Eric Kimutai Korir</p> <p><u>Academic & Professional Qualification.</u></p> <ul style="list-style-type: none"> ➤ Master of Business Administration (Strategic Management) from Moi University ➤ Bachelor of Arts Degree from the University of Nairobi, ➤ Diploma in Supply Chain Management from the Chartered Institute of Purchasing and Supply (UK). ➤ He is a member of the Chartered Institute of Purchasing and Supply, Kenya Institute of Supply Management and the Institute of Transport and Logistics (UK). 	<p>Eric Kimutai Korir was appointed Cabinet Secretary Representative Ministry of the National Treasury Planning on 28th January, 2021 and exited on 20th May, 2022.</p> <p>During the period under review, he served as both a member of the Finance & General-Purpose Committee and the Audit, Risk and Governance Committee of the Board.</p> <p>Eric Korir is a seasoned Supply Chain Management practitioner with over 20 years' experience in both the public and private sector. He is currently the Director of Public Procurement at the National Treasury handling Policy, Research, Legal and Technical matters in the Public Sector Procurement for both National and County Governments.</p>
8.	 <p><u>Jonathan K. Katiku</u></p> <p><u>Academic & Professional Qualification</u></p> <ul style="list-style-type: none"> • ICM Diploma in Legal studies and Sales & Marketing • Bachelor's degree in humanitarian Diplomacy, Diplomatic etiquette & protocol from International School of Peace Studies United Nations (UN) • Certificate in Strategic Management from Kenya School of Government (KSG) 	<p>Director Jonathan K. Katiku (Independent Director) was born on 12th December, 1974. He was appointed as director of Tanathi Water Works Development Agency for three years with effect from 6th October 2021</p> <p>During the period under review, he was a member of both Finance & General Purpose Committee and Technical Committee of the Board.</p>
9.		<p>Director Kirk Mutua Mbiti (Independent Director) was appointed as director of Tanathi Water Works Development Agency for three years with effect from 5th July, 2022. He was born on 3rd March, 1978.</p> <p>He has over 10 years' experience in</p>




	<u>Academic & Professional Qualification</u> Bachelor of Commerce (Finance Option)	
10.	 <p>David Kiprop</p> <u>Academic & Professional Qualification</u> <ul style="list-style-type: none"> • Master of Science in Project Management from Jomo Kenyatta University of Science & Technology (2014-2017) • Bachelor of Science Applied Statistics with IT from Maseno University (2005-2009) 	<p>David Kiprop was born on 17 December, 1985. He was appointed as Cabinet Secretary Representative Ministry of the National Treasury & Planning on 20th May, 2022 replacing Director Eric Korir.</p> <p>Served in several positions at the National Treasury & Planning including, Ag. Director (Defacto)/Senior Economist/ Public Investment Management and Economist/Statistician I.</p>
11.	 <p>Fredrick Tito Mwamati (P. Eng. Tech.) <u>Professional/ Academic Qualification.</u></p> <ul style="list-style-type: none"> • MSc. (Integrated Water Resources and Watershed Management) • MBA (Strategic Management) • HND (Building & Civil Engineering), • Diploma (Water Technology) • He is a registered Professional Engineer with KETRIB. 	<p>Chief Executive Officer</p>
12.	 <p>Ronald Nyakwebwa Oyagi <u>Professional/ Academic Qualification.</u></p> <ul style="list-style-type: none"> • Master of Laws (LLM) • Bachelor of Laws (LLB) • Post Graduate Diploma in Laws from Kenya School of Law 	<p>Manager, Legal Services & Ag Corporation Secretary</p>


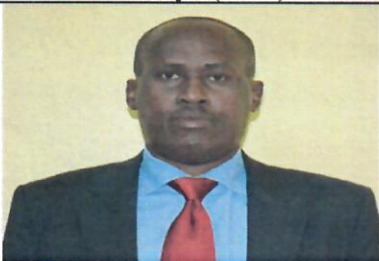

	<ul style="list-style-type: none"> • He is registered advocate with Law Society of Kenya (LSK) & East Africa Law Society 	
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The following Directors are yet to report:

S/NO	Name	Details
1.	Wilson Wariua	Director Wilson Wariua (Independent Director) was appointed as director of Tanathi Water Works Development Agency on for 3 years on 5 th July, 2022
2.	Mary Mutunga	Director Mary Mutunga (Independent Director) was appointed as director of Tanathi Water Works Development Agency on for 3 years on from October, 2021

3. MANAGEMENT TEAM

Ref	Management	Details
1.	 <p>Fredrick Tito Mwamati (P. Eng. Tech.) <u>Professional/ Academic Qualification.</u> <ul style="list-style-type: none"> • MSc. (Water Resources Management) • MBA (Strategic Management) • HND (Building & Civil Engineering) • Diploma in Water Technology • He is a registered Engineer with KETRB. </p>	Chief Executive Officer
2.	 <p>Francis Kyalo Siva <u>Professional/ Academic Qualification</u> <ul style="list-style-type: none"> • BSc. (Water & Environmental Engineering) • He is a registered Professional Engineer with KETRB </p>	General Manager-Infrastructure Development
3.	 <p>CPA. Dennis Kiilu Mulu <u>Professional/ Academic Qualification.</u> <ul style="list-style-type: none"> • MBA (Finance), • BA(Economics), • He is a registered member of ICPAK-CPA(K) </p>	General Manager, Corporate Services

4.	 <p>Ronald Nyakweba Oyagi <u>Professional/ Academic Qualification.</u></p> <ul style="list-style-type: none"> • Master of Laws (LLM) • Bachelor of Laws (LLB) • Post Graduate Diploma in Laws from Kenya School of Law • He is registered advocate with Law Society of Kenya (LSK) & East Africa Law Society 	Manager, Legal Services & Ag. Corporation Secretary
5.	 <p>Lamet Kimirei Maika <u>Professional/ Academic Qualification.</u></p> <ul style="list-style-type: none"> • MBA (Strategic Management) • BBA • CIPS Level 6 • Graduate Diploma in Purchasing and Supply Chain Management • He is registered member of Kenya Institute of Supply Chain Management (KISM) and Chattered Institute of Purchasing & Supplies (CIPS) 	Manager, Supply Chain Management
6.	 <p>Alexander King'awi Nyamai <u>Professional/ Academic Qualification.</u></p> <ul style="list-style-type: none"> • B.Com. (Finance Option) • CPA Part III Section 5 • He is a registered member of Institute of Internal Auditors of Kenya 	Manager, Internal Auditor

4. CHAIRMAN'S STATEMENT

Tanathi Water Works Development Agency is one of the premier statutory institutions established to develop water infrastructure in the 4 counties of Machakos, Makueni, Kajiado and Kitui. The legal rationale for the establishment of the 9 Water Works Development Agencies across the country was to assist government to achieve the right to access to clean and safe water in sufficient quantities for all citizens of our country in terms of article 43(1) (d) the Constitution of Kenya of 2010. Article 43(1) (d) the Constitution states that, *“Every person (read citizen) has the right to clean and safe water in adequate quantities.”*

Pursuant to this Constitutional duty and mandate, the Agency with the support of our development partners including but not limited to the Government of the Republic of Kenya, the African Development Bank (ADB), the Italian Government, the International Bank on Reconstruction & Development, (the World Bank) and the Belgium Government have supported the Agency in the implementation of various projects in line with the Constitution as aforementioned and in line with the Government of Kenya blueprint of Vision 2030 which aims to transform the economic outlook of our country by the year 2030. In Vision 2030, water connectivity has been identified as one of the enabler resources in the actualization of Vision 2030.

Among the projects implemented include Thwake Multipurpose Dam, Kiambere-Mwingi Water Supply Project, Last Mile Connectivity for Matuu, Kitui and Wote towns, Machakos Sewerage Project, Mwala Cluster, Water Supply Project, Machakos Water Supply Project, Masinga-Ekaatine-Ekalakala Water Supply Project and Mavoko Drinking Water Projects among other projects implemented under various programs.

Going forward, the Agency is committed to coming up with proposals for new projects and continuously seeking for funding of new projects in deserving areas to ensure spatial equity in the access to water programme for both small towns and rural communities. The Agency also comes up with short term interventions for drought mitigation whenever circumstances or the exigencies of any specific time period may demand.

The Agency thanks all stakeholders and more specifically the **Government of the Republic of Kenya, the African Development Bank (ADB), the Italian Government, the International Bank on Reconstruction & Development, (the World Bank) and the Belgium Government** for their keen support in this cause and the Agency will ensure proactive stakeholder engagement to ensure prompt service delivery and seamless project implementation in realization of the Government policy attitude of universal access to water for all.

SIGNED BY;



HON. REGINA NTHAMBI MUIA NDAMBUKI

BOARD CHAIRMAN

DATE: 5th April 2023

5. REPORT OF THE CHIEF EXECUTIVE OFFICER

It is with great gratitude I recognize different stakeholders including Agency Directors, Members of staff, The Ministry of Water, Sanitation and Irrigation, The National Treasury & planning, County Governments of Kitui, Makueni, Machakos & Kajiado and Development Partners who played a great role in helping Tanathi WWDA achieve a lot in terms of its mandate. The Agency is engaged in a function which is enshrined in the Constitution of Kenya 2010. The agency's specific mandate of developing sustainable water and sewerage infrastructure in the four counties of Kitui, Machakos, Makueni and Kajiado is drawn from the Water Act 2016. The agency therefore plays a key role in the achievement of Kenya's Vision 2030 in provision of water which is an enabler to the big four agenda projects within its area of operation.

Projects Implementation Report

During the year under review, the agency continued with the implementation of the previous year's projects funded by both GoK and development partners i.e., African Development Bank (AfDB) and Kenya Italy Debt for Development Programme (KIDDP) with new projects also being started as follows: -

i) Mavoko Drinking Water Supply Project

The project is funded by Belgium Government at a cost of Kshs 2.8 billion. The project scope includes; independent line from Nairobi Water Company, rehabilitation of Nol- Turesh pipeline and Lukenya tank, construction of new treatment plant and reticulation system within Mavoko municipality, rehabilitation of the existing system, de-silting and augmentation of KMC and Portland dams. The project is expected to serve over 300,000 people with clean water upon completion. By the close of the year the project was at 100% completion.

ii) Masinga-Ikaatine-Ekalakala Water Supply Project.

The project which is fully funded by GOK at a cost of Kshs 270 million. The 1st and 2nd phase of the project are complete. Phase 1 involved laying of 21 km gravity distribution main, construction of 200m³ ground masonry tank, Construction of 4 No water kiosks, construction of 50m³ water sump and booster station for the Masinga-Ekalakala line while phase 2 (Kaewa – Kangonde) involved construction of 2No water kiosks, 100m³ tank, Booster station and 50m³ tank, 50m³ elevated steel tank at Kanyonyo . The project will serve 36,000 residents of Masinga Sub- County with clean drinking water. Phase 3 of the project (Matuu Water Supply component) is ongoing.

iii) Thwake Multi-Purpose Dam

The Agency carried out initial project design, ESIA and RAP. These activities were completed in the year 2016 and the Ministry took over the procurement of Supervising Consultant, Contractor and the subsequent implementation. The project is at an advanced stage of implementation.

iv) Kenya Towns Sustainable Water Supply and Sanitation Programme (KTWSSP)

a. Machakos Water Supply Project

This is a project financed by AfDB in Machakos town to serve 260,000 people. The Project entails; Construction of Miwongoni 15m high Earth fill Weir of storage capacity 2.0Mm³ and 600m DN 600mm raw water gravity main, Construction of Miwongoni water treatment works of capacity 10,000m³/d, 18km long rising main steel pipelines, 2 No storage tanks of capacity 5,000m³ at Katelembu and 1,000m³ at Kiima Kimwe, 40km Gravity water transmission and distribution pipelines diameters 63-315mm within Machakos town, 10No. Boreholes (drilling and equipping) and rehabilitation of 5No. existing boreholes, rehabilitation of existing water treatment plant at Maruba and water supply networks, construction of 3,000 domestic water connections.

The project commenced on 2nd July 2019 and the Contractor was fully mobilised but the works was stopped by a court injunction due to an application made by residents at the Miwongoni Dam site. The court injunction which previously interdicted project works has been lifted and the works are already ongoing.

b. Machakos Sewerage Project

This is a project financed by AfDB in Machakos town to serve 50,000 people. The Project entails; construction of 1 No. wastewater treatment plant capacity 12,500m³/day along River Ikiwe (trickling filter treatment system), Laying of 60km trunk and lateral Sewer lines within Machakos Town and Environs, Rehabilitation of the existing sewer networks within Machakos Town, Construction of 4 No. Sanitation blocks, carry out 2,000 individual sewer connections. The project commenced on 15th July 2020 and is to take a period of 18 months. The works are ongoing.

c. Mwala Cluster Water Supply Project

This project is funded by Government of Kenya and AfDB at a cost of Kshs 583 million. The project scope involves; New intake weir on river Ndarugu with a 4.8km raw water main to a new Water Treatment Works at Kyeleni in Yatta /Matungulu area with a capacity of producing 6,600 m³/day of water. Pumping units and pipeline works of over 60km, and 4 No. water storage tanks of various capacities, Expansion of Mwala water supply to cover Mwala, Mbiuni, Masii and Kabaa markets.

The project commenced on 1st April 2019 and is expected to take a period of 18 months. The works are ongoing.

d. Last Mile Connectivity for Matuu, Kitui and Wote Towns

The Agency through a funding from African Development Bank is undertaking last mile connectivity for Matuu, Kitui and Wote towns which comprises:

Matuu - (New water treatment plant of capacity 4,000m³/day with solar power, New raw water main (3.5km), Rising main (1.1km), Gravity main (27km) and distributions mains (10km); 1 No. Elevated steel tank (108m³) and 1 No. Ground masonry tank (225m³); 1,500 No. consumer water connections;

Kitui - Rehabilitation works on existing water treatment plant and transmission pipelines; New water distribution pipelines (40km); 5 No. water kiosks with 5000 litres overhead plastic tanks; 5 No. boreholes and with 5 No. elevated steel tank at each borehole (48m³); 4,000 No. household consumer connections; New collector sewers (40km) and sewer rehabilitation works;

Wote - New water treatment plant of capacity 2,000m³/day with solar power; Raw water main (1.5km), rising main (6.5km) and distribution pipelines (30km); New water storage tank (150m³); 1,000 No. consumer water connections, 5 No. boreholes with 5 No. elevated steel tanks at each borehole (48m³);

The project commenced on 11th March 2020 and the Contract period is 18 months. The works are ongoing.

v) Yatta Dam

The project was initiated to provide sustainable water for irrigation along the Yatta canal throughout the year even during the dry periods. Most of the land has been acquired and compensation done. The Agency is also waiting for funding from the Ministry to implement the project.

vi) Kiambere- Mwingi Water and Sanitation project

The project is funded by Italian Cooperation and the Works will involve; Floating intake works, 800m raw water raising main, 4,200m³/d treatment works, 18km rising main, 800m³ storage tank, 12 No. storage tanks of various capacity, 95km distribution lines to kimangau, Kyuso, Gai, Kaste up to Tseikuru town and Sewerage works in Mwingi town. The project will benefit over 160,000 people with clean water and 25,000 people with sewer system in Mwingi town and sanitation blocks in North sub-counties.

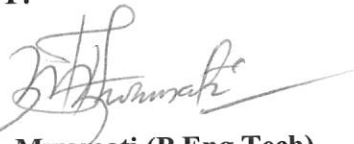
Process for disengagement of the initial Contractor is still ongoing. A Water Expert recruited by the Agency to repackage the works and prepare Bid documents for recruitment of a new Contractor

has finalised his work and the project will be re-advertised once the Agency gets a NO Objection to do so from the financier-Italian Corporation.

vii) Migwani Water Supply Project

The project is funded by KIDDP to serve 15,000 people and involves Drilling of 1 No. Boreholes and Equipping of 1 No. Borehole Construction and laying of a 22 Km pipeline and 3 water tanks. The project cost is KSHs 100 million. The project is complete and operational. During the financial year 2021/2022, the Agency finalized the solarization of the project to make the project more efficient and cut on electricity cost.

SIGNED BY:



Fredrick T. Mwamati (P.Eng.Tech)

CHIEF EXECUTIVE OFFICER

Date...5/4/2023.....

6. STATEMENT OF TANATHI WATER WORKS DEVELOPMENT AGENCY PERFORMANCE AGAINST PRE-DETERMINED OBJECTIVES FOR FY 2021-2022

Section 81 Subsection 2 (f) of the Public Finance Management Act, 2012 requires the accounting officer to include in the financial statement, a statement of the national government Agency's performance against predetermined objectives.

TAWWDA has six strategic pillars (Key Result Areas) and objectives within its Strategic Plan for the FY 2018/2019- 2022/2023. These strategic pillars are as follows:

Pillar 1: Water Coverage;

Pillar 2: Sanitation Coverage;

Pillar 3: Resource Mobilization;

Pillar 4: Human Capital Capacity;

Pillar 5: Information Communication Technology Capacity;

Pillar 6: Governance, Legal and Institutional Framework.

TAWWDA develops its annual work plans based on the above six pillars. Assessment of the Board's performance against its annual work plan is done on a quarterly basis. The TAWWDA achieved its performance targets set for the FY 2021-2022 period for its six strategic pillars, as indicated in the diagram below:

Strategic Pillar (KRA)	Strategic Objective	Key Performance Indicators	Activities	Achievements
Water Coverage	1. Increase 36.4% in the year 2018 to 57.8% by June 2023. water coverage from	No. boreholes drilled and equipped	18No. Drilled and equipped boreholes	Increased access to water from 47.5% to 51.5%.
		No. of water works	Treatment works 12,000m ³ /day, 23 KM water pipeline, 2No. storage tanks. Project is at 99% complete. (Mavoko Water Supply Project)	
		No. of Km. of pipeline extension works; No. of water kiosks and storage tanks constructed.	Extension of a 20KM water pipeline, construction of 5 No kiosks and storage tanks. The	

			project is at 98% complete (Kiambere-Mwingi water supply last mile connectivity)	
		No. of rehabilitated water supply works.	Rehabilitation of Nzai tank and fittings is at 100% complete (Rehabilitation of Nol-Turesh water supply)	
		No. of Km. of water pipeline works; no. of water kiosks constructed.	Construction of 21km pipeline; construction of a 50m3 storage tank; Construction of 2No kiosks (Kaewa – Kangonde) Project is at 100%	
		No. of water dams rehabilitated.	Rehabilitation of 4 No small dams with 20,000m3 capacities each (Kitambasya, Ngengeka Rehabilitation, Muambani, Mailwa, Projects are 100% complete.	
Sanitation Coverage	Increase sewerage coverage from 11% in the year 2017 to 26.9% by June 2023	Last-Mile Connectivity of Kitui town sewerage	Construction of laterals Rehabilitation of Trunk sewers.	Increased sewerage coverage from 17% to 18.5%
	Increase sanitation	No. of sanitation facilities	Construction of sanitation	Increased sanitation

	year 2018 to 72.9% by June 2023.			
Resource Mobilization	Increase funding base from Kshs4 Billion to Kshs 20.129 Billion to spur implementation of this Strategic Plan by June 2023.	No. of MTEF reports and an annual budget	Participating in MTEF and annual budgeting process (costing of programmes and projects); submission of budget estimates to National Treasury.	The Agency mobilized Kshs. 714,486,283 from the National Treasury The Agency mobilised Kshs. 885 Million from donors for development projects
Human Capital Capacity	Improve Human Capital Management to enhance Performance	Reviewed performance management systems	Reviewing performance management systems	The system has been installed, training of end users ongoing
		Number of Youth engagements	Enhancing Youth Employment	54No. Youth engaged as attachees and interns
		No. of Human Capital management policies developed/reviewed.	Developing and or reviewing Human Capital management policies	Human Resources Instrument approved in November, 2021
		Number of staff trained	Strengthening Human Capital development	5No. Staff under various categories were trained for various courses
		No. of reports	Enhancing Knowledge management	Report on data and Knowledge management developed and cascaded to all cadres
		Conducive environment	Improving work environment	Improved on more working space that had been earlier on occupied by the officers under the Kitui County Government;

				Engaged a contractor for provision of sanitary services
Information Communication Technology Capacity	To increase use of Technology by continuous investment in Information Management System (IMS) and ICT infrastructure to have Agency's operations fully automated by June 2023.	No. of Enterprise Resource Planning (ERP) progress reports.	Installation of integrated system to automate all the Agency's operations	Installation of ERP modules (Finance & Accounts, HR & Payroll, Project Management and Supply Chain) at 75%.
		No. of ICT equipment purchased and installed.	Enhancing ICT infrastructure	Continuous repairs and maintenance of ICT hardware.
		No. of repairs and maintenance contracts		
			Enhancing ICT security	Renewed anti-virus; License available; Continuous data backups.
Governance, legal and institutional framework	Strengthen leadership and governance for efficient and effective delivery of services.	No. of appointment letters; No. of Progress reports;	Appointment of project/contract implementation units/teams.	4no. CITs appointed 4no. Quarterly reports
		No. of Appointment letters; No. of Progress reports	Appointment of M&E teams	Quarterly M&E and annual progress reports done.
		No. of training reports	Enhanced institutional integrity and measures	Trainings done by EACC on integrity and anticorruption
		Compliance reports	Ensure statutory and regulatory compliance	All statutory deductions were done and remitted to various institutions

7. CORPORATE GOVERNANCE STATEMENT

BOARD COMMITTEES

Tanathi Water Works Development Agency is a State Corporation established by Legal Notice No. 27 dated 26th April, 2019 and under Section 68 of the Water Act, 2016 replacing Tanathi Water Services Board which had been established under the Water Act, 2002, as part of the Water Sector reforms that aimed at improving Water Services delivery through decentralization of water infrastructure development and water services delivery towards achieving efficiency and economy in water services delivery.

The Agency is created as a juristic entity with all the attributes of a legal personality and started off in the financial year 2018/2019 with 8 directors. The current Board of Directors were appointed on 6th October 2021 (two Directors) and on 5th July 2022 (three Directors) and on both appointments assumed office immediately. The Directors included 5 gazetted directors and two directors who are appointed vide a letter as representatives from the Ministries of Water Sanitation and Irrigation, The National Treasury & Planning, and a Representative from the Inspectorate General of State Corporation (in attendance).

The Board of Directors is constituted of the full Board and its committees of Technical Committee, Finance, Human Resource & General-Purpose Committee, Corporate Planning & Strategic Management Committee and the Audit, Risk and Governance Committee. The purpose of these committees is to ensure that issues presented before the board are interrogated by the relevant committee which makes appropriate recommendations for board consideration before any informed decision making at the board level.

During the year under review all Board meetings were held in line with the approved almanac including quarterly committees and board meetings upto 3rd quarter when the Board exited in February, 2022. All meetings attended were on due notices and agenda having been previously issued within the statutory timelines and there was quorum in all meetings. The number of meetings held was within the permissible statutory number as embodied in the law.

In line with the Mwongozo guidelines on enhancing Corporate Governance, during the financial year 2021-2022, the Board was trained on Corporate Governance and Risk Management by the Kenya School of Government and attended by all board of directors and the Agency's senior management.

The Agency kept a register on conflict of interest, the purpose of the register on conflict of interest is to manage any such conflict of interest as and when it arises, to clarify, which areas such a

conflict of interest will be unacceptable and which areas such a conflict is managed. Most importantly, the register is to record conflict of interest declarations.

Board remuneration was done in accordance with the relevant treasury circulars on Board remuneration and allowances. Board remuneration amounted to Kshs. 14.93 million during the financial year and all remunerations and allowances were paid in accordance with the law and in line with SCAC guidelines issued from time to time. The Board conducted its business with integrity levels that have been beyond reproach under the leadership of the previous Board Chairman, Mr. Hamisi Kakuta Ole Maimai and so far at the Board level, there has been informed decision based on board papers presented before the Board for any decisions and recommendations of the Board.

Functions of Board's Committee include: -

i) Technical Committee

The Technical Committee has the oversight responsibility of ensuring Management of Tanathi Water Works Development Agency implements National Public Water Works in line with the laid down procedures and ensure value for money. Tanathi Water Works Development Agency being an asset owner, the Committee ensures that there is adequate asset development maintenance and infrastructure improvement to ensure sustainability of all water infrastructures.

ii) Finance & General-Purpose Committee

The Finance & General-Purpose Committee is the overseer of the financial reporting process and the Board's Internal Control. The Committee is also responsible for efficient allocation and utilization of resources, proposing investment and funding for the Board. The Committee is also responsible for general and human resources issues of the Agency. To this extent, the committee ensures that the Board hires the right staff, at the right place and guarantees staff welfare. Other terms of reference include; Procurement, Finance and Information Communication and Technology Policy Manuals.

iii) Corporate Planning & Strategic Management Committee

The Corporate Planning & Strategic Management committee has the oversight responsibility of directing the Agency strategically and planning the future direction of the Agency. The Committee ensures the operations of Board are in line with the strategic plan, Performance Contract for the year under review and the Government blue print of Vision 2030.

iv) **Audit, Risk & Governance Committee**

In order to promote good corporate governance and in terms of the requirement of the Public Finance Management Act 2012 and Public Audit Act, 2015, Tanathi Water Works Development Agency constituted an Audit, Risk & Governance Committee. The committee is charged with the role of monitoring on behalf of the board, the effectiveness of the processes in force with particular focus on: -

- Safe guarding the assets
- Scope and effectiveness of the internal controls
- Preparation and audit of the annual financial statements
- Compliance with all applicable regulatory requirements and Accounting Standards.

8. MANAGEMENT DISCUSSION AND ANALYSIS

Tanathi Water Works Development Agency has continued to adhere to PFM Act, 2012, Public Procurement and disposal act, 2015, The National Treasury & Planning circulars issued from time to time, Water Act 2016, Salaries and Remuneration Commission (SRC) circular and guidelines issued from time to time, the Constitution of Kenya 2010 and all government directives and guidelines issued from time to time. The Agency's operations are guided by relevant laws and policies. The Agency has in place Strategic Plan, Service Charter and other departmental policies which have enhanced management performance.

The Agency's Board of Directors through the management is responsible to ensure preparation and fair presentation of the financial statements in accordance with International Public Sector Accounting Standards (IPSAS). The Management maintains proper books of accounts which give true and fair view of state of affairs of the Agency.

The Agency ensured prudent management of financial resources in line with the PFM, Act 2012 by ensuring that the funds are applied to programmes and projects they are voted for. The Agency ensured prudent spending and compliance with the PFM Act, 2012. The Agency complied with all statutory requirements and obligations with KRA, NHIF, NSSF and HELB. All statutory deductions were duly remitted hence the Agency did not have any material arrears. The Agency will continue to honour all statutory obligations on and when they fall due.

During the year, the Agency continued with implementation of the Human Resources Policies and Procedures, Career Guidelines, Staff Establishment and Training Needs Assessment approved by State Corporations Advisory Committee in August 2017. During 2021-2022FY, staff establishment stood at 46No. Spread in two departments and three standalone sections. The departments include; Corporate Services & Infrastructure Development. Three standalone sections include: Supply Chain Management, Internal Audit and Legal & Corporate Affairs.

The Agency continued to face operational challenges due to the underfunding of its Recurrent Budget which will require Government intervention. During the year, the Agency did not collect any lease fee arrears from Water Service Providers.

Development projects were also not implemented as scheduled due to delayed disbursement of Development funds. There has also been challenges in land compensation and delayed tax exemptions.

Pictorial Presentation of ongoing projects being implemented by Tanathi Water Works Development Agency



Mavoko Drinking Water Project Water Treatment Plant



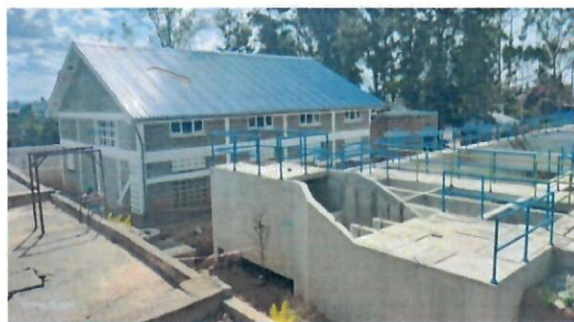
Mavoko Drinking Water Project Water Treatment Plant- Pre-settlement Tank



Mavoko Drinking Water Project- Syokimau_300m³ Elevated tank



Mavoko Drinking Water Project- Syokimau_ Reservoir



Mavoko Drinking Water Project- WTP_Chemical Building and Mixing Chamber



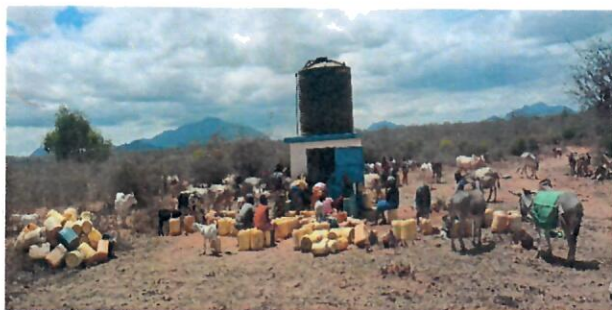
Mavoko Drinking Water Project- EAPCC _



Masinga-Ikaatine-Ekalakala Water Project -
Elevated tank at Kanyonyo market centre



Nuu Special School Water Kiosk Constructed
drought mitigation programme



Wananchi taking water from Kaluasi Borehole
Water Project constructed under the Drilling &
Equipping 40No. Boreholes funded by GoK



Wananchi taking water from Kavisuni Borehole
Water Project constructed under the Drilling &
Equipping 40No. Boreholes funded by GoK



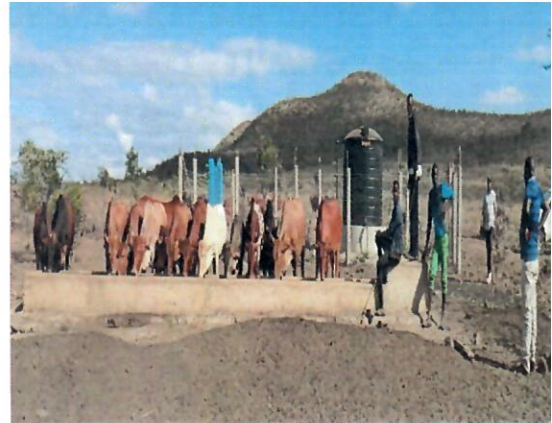
Borehole equipping using solar technology to cut
on electricity cost



One of Water Kiosks for Emali Water Supply
Project



Wananchi taking water from Ndili (Kamutei) Borehole Water Project funded by GoK under the Programme for Water Projects in Arid/Semi-Arid Areas



Sanare Borehole Cattle Trough in Kajiado funded by GoK under the Cross County Projects Programme



A cattle Trough at Oldonyo Sampu Borehole Project

9. ENVIRONMENTAL MANAGEMENT

Tanathi Water Works Development Agency exists to transform lives. This is the driving force behind everything we do and it's what guides us to deliver our strategy, which is founded on economic, social and political pillars of the Kenya's vision 2030: putting the customer/Citizen first, delivering relevant services, and improving operational excellence. Below is a brief highlight of our achievements in each pillar

i. Sustainability strategy and profile -

The Agency has geared its efforts towards universal access of water and sanitation services to all citizens within its area jurisdiction in line with the Kenya's vision 2030 strategic goal and the United Nations (UN) Sustainable Development No. 6 on clean water and sanitation.

ii. Environmental performance

To ensure environmental protection, the Agency incorporates in all its projects a component of tree planting. Further, the Agency ensures compliance with all National Environmental Management Authority (NEMA) regulations and guidelines on environmental protection.

iii. Employee welfare

TAWWDA has various approved HR instruments that guides the hiring process, amongst them are the HR policy and procedures manual, career guidelines, staff establishment and staffing & organizational structure. The policies were developed and approved in November, 2021. The Agency has taken into account the gender rule i.e that its workforce should not exceed two thirds of either.

The agency has also put into place mechanism for stakeholder engagement during policy development. TAWWDA has a standard for recruitment, training and advancement within the career structure through acquisition of professional qualifications and requisite competencies. We ensure appropriate career planning and succession management.

The Agency offers training opportunities to all its employees in order to improve the work performance and personal development, ensuring continuous upgrading of competencies, knowledge, skills and attitude. We establish distinct levels of responsibilities in our grading structure and set standards for advancement to higher grades.

on the basis of professional competence, specialization, knowledge, experience, proven ability, diligence and drive as reflected in work performance and results.

The Agency takes into account individual performance and rewards employees for their contribution in a fair and equitable manner. We link individual performance with Agency's performance and sets individual work plan at the beginning of the financial year.

The Agency recognize and commit itself to the achievement of the highest standards of health and safety in the workplace and the elimination or minimization of health and safety hazards and risks that may affect its employees. We implement policies and programs in compliance with the provisions of occupational Safety and Health Act, 2007 and other Labour Laws by maintaining healthy and safety working conditions to ensure there is no personal injury caused by accidents, providing fire protection facilities, having Group Personal Accident Insurance for all the employees.

10. REPORT OF THE DIRECTORS

The Directors submit their report together with the audited financial statements for the year ended June 30, 2022, which show the state of the Agency's affairs.

i) Principal activities

The principal activity of Tanathi Water Works Development Agency is development, maintenance and management of the national public water works within its area of jurisdiction covering Kitui, Machakos, Makueni and Kajiado.

The Agency's principal activities are to;

- i. Undertake the development, maintenance and management of the national public water works within its area of jurisdiction;
- ii. Operate the water works and provide water services as a water service provider, until such a time as responsibility for the operation and management of the waterworks are handed over to a county government, joint committee, authority of county governments or water services provider within whose area of jurisdiction or supply the waterworks is located;
- iii. Provide reserve capacity for purposes of providing water services where pursuant to section 103 of the Water Act, 2016, the Regulatory Board orders the transfer of water services functions from a defaulting water services provider to another licensee;
- iv. Provide technical services and capacity building to such county governments and water services providers within Kajiado, Makueni, Kitui and Machakos counties;
- v. Provide to the Cabinet Secretary technical support in the discharge of his or her functions under the Kenyan Constitution 2010 and the Water Act, 2016.

ii) Results

The results of the Agency for the year ended June 30, 2022, are set out on page 1

iii) Directors

The members of the Board of Directors who served during the year are shown on page vi-xi.

In accordance with Regulation 219 (2) of the Public Financial Management (National Government) Regulations, regulatory entities shall remit into Consolidated Fund, ninety per centum of its surplus funds reported in the audited financial statements after the end of each financial year. The Agency did not make any surplus during the FY 2021-2022 (Ksh Nil) and hence no remittance to the Consolidated Fund.

v) Auditors

The Auditor General is responsible for the statutory audit of the Agency in accordance with Article 229 of the Constitution of Kenya and the Public Audit Act 2015.

By Order of the Board

Name..... Ronald N Oyagi

Signature..... [Signature]

Date..... 5th April 2023

Corporate Secretary/Secretary to the Board

11. STATEMENT OF DIRECTORS 'RESPONSIBILITIES

Section 81 of the Public Finance Management Act, 2012 and section 14 of the State Corporations Act, and the Water Act, 2016 require the Directors to prepare financial statements in respect of that Agency, which give a true and fair view of the state of affairs of the Agency at the end of the financial year/period and the operating results of the Agency for that year/period. The Directors are also required to ensure that the Agency keeps proper accounting records which disclose with reasonable accuracy the financial position of the Agency. The Directors are also responsible for safeguarding the assets of the Agency.

The Directors are responsible for the preparation and presentation of the Agency's financial statements, which give a true and fair view of the state of affairs of the Agency for and as at the end of the financial year ended on June 30, 2022. This responsibility includes:

- (i) Maintaining adequate financial management arrangements and ensuring that these continue to be effective throughout the reporting period;
- (ii) Maintaining proper accounting records, which disclose with reasonable accuracy at any time the financial position of the Agency;
- (iii) Designing, implementing and maintaining internal controls relevant to the preparation and fair presentation of the financial statements, and ensuring that they are free from material misstatements, whether due to error or fraud;
- (iv) Safeguarding the assets of the Agency;
- (v) Selecting and applying appropriate accounting policies; and
- (vi) Making accounting estimates that are reasonable in the circumstances.

The Directors accept responsibility for the Agency's financial statements, which have been prepared using appropriate accounting policies supported by reasonable and prudent judgments and estimates, in conformity with International Public Sector Accounting Standards (IPSAS), and in the manner required by the PFM Act, 2012, the State Corporations Act and the Water, 2012. The Directors are of the opinion that the Agency's financial statements give a true and fair view of the state of Agency's transactions during the financial year ended June 30, 2022, and of the Agency's financial position as at that date.

The Directors further confirms the completeness of the accounting records maintained for the Agency, which have been relied upon in the preparation of the Agency's financial statements as well as the adequacy of the systems of internal financial control.


Nothing has come to the attention of the Directors to indicate that the Agency will not remain a going concern for at least the next twelve months from the date of this statement.

Approval of the financial statements

The Agency's financial statements were approved by the Board on 16th September, 2022 and signed on its behalf by:


.....

Hon. Regina Nthambi Muia Ndambuki
Chairperson of the Board


.....

Fredrick Tito Mwamati (P. Eng. Tech.)
Chief Executive Officer

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REPORT OF THE AUDITOR-GENERAL ON TANATHI WATER WORKS DEVELOPMENT AGENCY FOR THE YEAR ENDED 30 JUNE, 2022

PREAMBLE

I draw your attention to the contents of my report which is in three parts:

- A. Report on the Financial Statements that considers whether the financial statements are fairly presented in accordance with the applicable financial reporting framework, accounting standards and the relevant laws and regulations that have a direct effect on the financial statements.
- B. Report on Lawfulness and Effectiveness in Use of Public Resources which considers compliance with applicable laws, regulations, policies, gazette notices, circulars, guidelines and manuals and whether public resources are applied in a prudent, efficient, economic, transparent and accountable manner to ensure Government achieves value for money and that such funds are applied for the intended purpose.
- C. Report on Effectiveness of Internal Controls, Risk Management and Governance which considers how the entity has instituted checks and balances to guide internal operations. This responds to the effectiveness of the governance structure, the risk management environment and the internal controls, developed and implemented by those charged with governance for orderly, efficient and effective operations of the entity.

An unmodified opinion does not necessarily mean that an entity has complied with all relevant laws and regulations, and that its internal controls, risk management and governance systems are properly designed and were working effectively in the financial year under review.

The three parts of the report are aimed at addressing the statutory roles and responsibilities of the Auditor-General as provided by Article 229 of the Constitution, the Public Finance Management Act, 2012 and the Public Audit Act, 2015. The three parts of the report, when read together constitute the report of the Auditor-General.

REPORT ON THE FINANCIAL STATEMENTS

Qualified Opinion

I have audited the accompanying financial statements of Tanathi Water Works Development Agency set out on pages 1 to 61, which comprise of the statement of

financial position as at 30 June, 2022, and the statement of financial performance, statement of changes in net assets, statement of cash flows and statement of comparison of budget and actual amounts 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 effect of the matters described in the Basis for Qualified Opinion section of my report, the financial statements present fairly, in all material respects, the financial position of Tanathi Water Works Development Agency as at 30 June, 2022, and of its financial performance and its cash flows for the year then ended, in accordance with International Public Sector Accounting Standards (Accrual Basis) and comply with the Public Finance Management Act, 2012 and Water Act, 2016.

Basis for Qualified Opinion

1. Current Portion of Receivables from Exchange Transactions Balance

The statement of financial position and Note 17 to the financial statements reflects current portion of receivables from exchange transactions balance of Kshs.1,790,501 being net of gross debtors of Kshs.253,182,445 and provision for bad and doubtful debts of Kshs.251,391,944. The high provision for bad and doubtful debts has not been explained. Further, included in the gross receivables from exchange transactions of Kshs.253,182,445 is an advance payment of Kshs.22,544,451 which was not supported with a detailed schedule.

In the circumstances, the accuracy and fair statement of the current receivables from exchange transaction balance of Kshs.1,790,501 could not be confirmed.

2. Trade and Other Payables Balance

The statement of financial position reflects trade and other payables balance of Kshs.190,167,247 as disclosed in Note 20 to the financial statements. The balance includes, trade payables amount of Kshs.175,211,496 which differs with creditors' ageing analysis balance of Kshs.171,354,252 by unreconciled variance of Kshs.3,857,244. Further, the trade and other payables balance includes creditors balance of Kshs.160,994,892 which has been outstanding for more than ninety (90) days. In addition, the aging analysis includes two debit balances of Kshs.1,408,001 and Kshs.3,736,522 which have been offset from the credit balance contrary to Section 48 of International Public Sector Accounting Standards 1 which states that assets and liabilities, and revenue and expenses, shall not be offset unless required or permitted by an IPSAS.

In the circumstances, the completeness, accuracy and fair statement of trade and other payables balance of Kshs.190,167,247 could not be confirmed.

3. Valuation of Property, Plant and Equipment

The statement of financial position reflects property, plant and equipment balance of Kshs.11,248,260,779 as disclosed in Note 19(a) to the financial statements. The balance includes motor vehicles balance of Kshs.16,827,068. However, the value of motor vehicles exclude the vehicles acquired through projects and registered under Tanath Water Services Board. Further, the vehicles have not been included in the assets register

In the circumstances, the accuracy and fair statement of property, plant and equipment balance of Kshs.11,248,260,779 could not be confirmed.

4. Inaccuracy of Deferred Income Balance

The statement of financial performance reflects transfers from other Government entities balance of Kshs.375,534,431 as disclosed in Note 6 to the financial statements. The balance is net of deferred income amount of Kshs.13,336,119 disclosed in Note 6(b) to the financial statements. However, comparison of the revenue recognized against equivalent operating costs expensed revealed variances as indicated below:

Description	Revenue Recognized (Kshs.)	Equivalent Operating Cost Expensed (Kshs.)	Variance (Kshs)
Water for Schools Programme	5,660,635	20,808,932	15,148,297
Drought Mitigation Grant	30,576,155	30,858,229	282,074
Cross County Water Projects Grant	52,861,140	36,985,693	15,875,447
National Water Harvesting Programme	7,000,000	23,109,806	16,109,806
Post Covid-19 - Economic Stimulus Programme	18,400,455	19,713,890	1,313,435
Other GoK funded projects (Special Projects)	119,000,000	95,798,471	23,201,529
Grant for ASAL Area Projects	4,772,320	0	4,772,320

In the circumstances, the completeness and accuracy of the deferred income balance of Kshs.13,336,119 could not be confirmed.

The audit was conducted in accordance with International Standards of Supreme Audit Institutions (ISSAIs). I am independent of the Tanathi Water Works Development Agency Management in accordance with ISSAI 130 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.

Emphasis of Matter

Undisclosed Material Uncertainty Relating to Going Concern

The statement of financial performance reflects a deficit of Kshs.572,339,687 (2020/2021 - Kshs.229,546,588), which increased the Agency's accumulated deficit to Kshs.2,872,590,447 from Kshs.2,300,250,760 in 2020/2021. Although the Agency's working capital is positive, its capacity to sustain operations and fulfil its strategic

objectives and statutory mandate is uncertain. Further, Management has not disclosed the material uncertainty and the strategies to reverse the unfavourable performance.

My opinion is not modified in respect of the above matter.

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. There were no key audit matters to report in the year under review.

Other Matter

Unresolved Prior Year Matters

The audit report for the previous year highlighted several issues under the Report on Financial Statements, Report on Lawfulness and Effectiveness in Use of Public Resources and Report on Effectiveness of Internal Control, Risk Management and Governance. The matters had not been resolved as at 30 June, 2022.

REPORT ON LAWFULNESS AND EFFECTIVENESS IN USE OF PUBLIC RESOURCES

Conclusion

As required by Article 229(6) of the Constitution, based on the audit procedures performed, except for the matters described in the Basis for Conclusion on Lawfulness and Effectiveness in Use of Public Resources section of my report, I confirm that, nothing else has come to my attention to cause me to believe that public resources have not been applied lawfully and in an effective way.

Basis for Conclusion

1. Non-Repayment of African Development Bank Loan

As previously reported, the statement of financial position reflects loan balance of Kshs.5,687,693,837 being amount due to the African Development Bank. The financing and subsidiary loan agreements between the Government of Kenya and Tanathi Water Works Development Agency, the successor of Tanathi Water Service Board dated 10 September, 2010, indicate that the Government advanced the Agency a total of USD 53,913,490 (Kshs.5,149,753,042).

Article IV (Section 4.1) of the subsidiary loan agreement, requires the Agency to pay The National Treasury the principal amount in fifty-two consecutive semi-annual instalments commencing from 30 April, 2016. Further, Article III (Section 3.1) requires the Agency to pay interest on the principal amount at the rate of 3% per annum for a period of 30 years. The interest is to accrue on any unpaid principal or interest amounts.

Review of loan records during the year revealed that, the Agency had defaulted in payment of principal and interest which had increased from Kshs.5,422,113,060 in 2021 to Kshs.5,687,693,837 in 2022 by Kshs.265,580,777.

In addition, the loan balance was translated using the exchange rate prevailing when the loan was acquired contrary to International Public Sector Accounting Standard (IPSAS 4) which requires that foreign currency monetary be translated using the closing rate and the Agency's accounting policy which requires that translation of foreign denominated transactions and balances be made at the reporting date. The correspondences relating to the loan were also not provided for audit.

In the circumstances, the Agency is exposed to interest and penalties due to non-repayment of the loan and Management is in breach of the law.

2. Failure to Conduct Public Participation

The statement of financial performance reflects operating costs of Kshs.267,996,153 as disclosed in Note 14 to the financial statements. The balance includes Water for Schools Project, drilling and equipping of 40 No. of boreholes and Post Covid-19 Project expenditures of Kshs.20,808,932, Kshs.44,774,753 and Kshs.19,713,890 respectively. Sampled payment vouchers totalling Kshs.72,295,259 revealed that the projects were initiated without involving the public in their identification and implementation as reports on the same were not provided for audit.

In the circumstances, failure to involve the public in project selection may lead to unfavourable projects Implementation.

3. Non-Compliance with the Staff Establishment

Review of the human resource records revealed that the Agency had an approved staff establishment of ninety-one (91) staff at various cadres. However, it was noted that only forty-four (44) employees were in position resulting to a shortage of forty-seven (47) employees. The understaffing hampered the Agency in effectively discharging its mandate.

In the circumstances, the Management was in breach of the law.

4. Non-Compliance with the National Cohesion and Integration Act

Review of human resource records revealed that the Agency had forty-four (44) employees out of which thirty-one (31) representing 70% of the workforce were from the dominant ethnic community in the region. This is, contrary to Section 7(1) and (2) of the National Cohesion and Integration Act, 2008 which requires all public entities to represent the diversity of the people of Kenya in the employment of staff and not to have more than one third of the staff from one ethnic community.

In the circumstances, the Management was in breach of the law.

5. Non-Compliance with One Third Basic Pay Rule

Review of the payroll revealed that fifteen (15) officers received net salaries less than one third of their basic salary. This is contrary to Section C.1(3) of the Human Resource Policies and Procedures Manual for the public service dated May, 2016, which states that public officers shall not over-commit their salaries beyond two thirds (2/3) of their basic salaries and Head of Human Resource Units should ensure compliance.

In the circumstances, the Management was in breach of the law.

6. Unauthorized Expenditure

Review of the statement of comparison of budget and actual amounts revealed that the Agency incurred expenditure totalling to Kshs.25,920,732 above the approved budget in relation to use of goods and services, employee costs and repair and maintenance costs during the year under. Approval for the over expenditure was not provided for audit.

In the circumstances, the validity of expenditure totalling Kshs.25,920,732 could not be confirmed.

The audit was conducted in accordance with ISSAI 4000. The standard requires that the auditor comply with ethical requirements and plan and perform the audit to obtain assurance about whether the activities, financial transactions and information reflected in the financial statements are in compliance, in all material respects, with the authorities that govern them. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my conclusion.

REPORT ON EFFECTIVENESS OF INTERNAL CONTROLS, RISK MANAGEMENT AND GOVERNANCE

Conclusion

As required by Section 7(1)(a) of the Public Audit Act, 2015, based on the audit procedures performed, I confirm that, nothing has come to my attention to cause me to believe that internal controls, risk management and overall governance were not effective.

Basis for Conclusion

The audit was conducted in accordance with ISSAI 2315 and ISSAI 2330. The standards require that I plan and perform the audit to obtain assurance about whether effective processes and systems of internal control, risk management and overall governance were operating effectively, in all material respects. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my conclusion.

Responsibilities of Management and Board of Directors

Management is responsible for the preparation and fair presentation of these financial statements in accordance with International Public Sector Accounting Standards (Accrual Basis) and for maintaining effective 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 and for its assessment of the effectiveness of internal control, risk management and overall governance.

In preparing the financial statements, Management is responsible for assessing the Agency's ability to sustain services, disclosing as applicable, matters related to sustainability of services and using the applicable basis of accounting unless Management is aware of the intention to terminate the Agency or to cease operations.

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.

In addition to the responsibility for the preparation and presentation of the financial statements described above, Management is also responsible for ensuring that the activities, financial transactions and information reflected in the financial statements are in compliance with the authorities which govern them and that public resources are applied in an effective way.

The Board of Directors is responsible for overseeing the Agency financial reporting process, reviewing the effectiveness of how Management monitors compliance with relevant legislative and regulatory requirements, ensuring that effective processes and systems are in place to address key roles and responsibilities in relation to governance and risk management and ensuring the adequacy and effectiveness of the control environment.

Auditor-General's Responsibilities for the Audit

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.

In addition to the audit of the financial statements, a compliance audit is planned and performed to express a conclusion about whether, in all material respects, the activities, financial transactions and information reflected in the financial statements are in compliance with the authorities that govern them and that public resources are applied in an effective way, in accordance with the provisions of Article 229(6) of the Constitution and submit the audit report in compliance with Article 229(7) of the Constitution.

Further, in planning and performing the audit of the financial statements and audit of compliance, I consider internal control in order to give an assurance on the effectiveness of internal controls, risk management and governance processes and systems in

accordance with the provisions of Section 7(1)(a) of the Public Audit Act, 2015 and submit the audit report in compliance with Article 229(7) of the Constitution. My consideration of the internal control would not necessarily disclose all matters in the internal control that might be material weaknesses under the ISSAIs. A material weakness is a condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements caused by error or fraud in amounts that would be material in relation to the financial statements being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions.

Because of its inherent limitations, internal control may not prevent or detect misstatements and instances of noncompliance. Also, projections of any evaluation of effectiveness to future periods are subject to the risk that controls may become inadequate because of changes in conditions, or that the degree of compliance with the Agency's policies and procedures may deteriorate.

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.
- 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 applicable 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 Agency's ability to continue 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 Agency to cease 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 Agency 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.


CPA Nancy Gathungu, CBS
AUDITOR-GENERAL

Nairobi

04 May, 2023


**13. STATEMENT OF FINANCIAL PERFORMANCE FOR THE YEAR ENDED 30 JUNE
2022**

	Notes	2021-2022	2020-2021
		Kshs	Kshs
Revenue from non-exchange transactions			
Transfers from other governments entities	6	375,534,431	338,252,2
Revenue from exchange transactions			
Sale of goods	7	15,000	35,6
Other income	8	<u>16,827,067</u>	<u>16,827,0</u>
Total revenue		<u>392,376,498</u>	<u>355,114,9</u>
Expenses			
Use of goods and services	9	36,958,837	33,621,0
Employee costs	10	93,949,885	85,535,6
Board Expenses	11	14,930,914	13,448,5
Depreciation and amortization expense	12	278,828,552	174,594,7
Repairs and maintenance	13	6,471,067	14,360,1
Operating Costs	14	267,996,153	220,073,7
Finance costs	15	<u>265,580,777</u>	43,027,2
Total expenses		<u>964,716,185</u>	<u>584,661,4</u>
Deficit for the period/year		<u>(572,339,687)</u>	<u>(229,546,5</u>

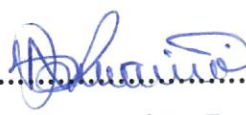
The notes set out on pages 9 to 36 form an integral part of these Financial Statements. The Financial Statements set out on pages 1 to 8 were signed on behalf of the Board of Directors by:


.....
Chief Executive Officer
Fredrick T. Mwamati

Date: 5/4/2023


.....
GM-Corporate Services
CPA. Dennis K. Mulu

ICPAK M. No. 7380
Date: 5/4/2023


.....
Chairman of the Board
Hon. Regina Muia Ndambuki

Date: 5th April 2023

14. STATEMENT OF FINANCIAL POSITION AS AT 30 JUNE 2022

	Notes	2021-2022	2020-2021
		Kshs	Kshs
Assets			
Current Assets			
Cash and cash equivalents	16	425,742,422	37,993,05
Current portion of receivables from exchange transactions	17	1,790,501	64,624,40
Receivables from non-exchange transactions	18	<u>69,107,382</u>	<u>259,071,19</u>
Total Current Assets		<u>496,640,305</u>	<u>361,688,65</u>
Non-Current Assets			
Property, plant and equipment	19(a)	<u>11,248,260,779</u>	<u>11,166,867,63</u>
Total Non- Current Assets		<u>11,248,260,779</u>	<u>11,166,867,63</u>
Total Assets		<u>11,744,901,084</u>	<u>11,528,556,29</u>
Liabilities			
Current Liabilities			
Trade and other payables	20	190,167,247	308,931,64
Deferred income	21	<u>13,336,119</u>	<u>101,694,55</u>
Total Current Liabilities		<u>203,503,366</u>	<u>410,626,19</u>
Non-Current Liabilities			
Borrowings	22	<u>5,687,693,837</u>	<u>5,422,113,06</u>
Total Non- Current Liabilities		<u>5,687,693,837</u>	<u>5,422,113,06</u>
Total Liabilities		<u>5,891,197,203</u>	<u>5,832,739,25</u>
Net assets			
Reserves	23	16,827,067	33,654,13
Accumulated surplus	24	(2,872,590,447)	(2,300,250,76

	Notes	2021-2022	2020-2021
		Kshs	Kshs
Capital Fund	25	<u>8,709,467,261</u>	<u>7,962,413,67</u>
Total Net Assets		<u>5,853,703,881</u>	<u>5,695,817,04</u>
Total Net Assets and Liabilities		<u>11,744,901,084</u>	<u>11,528,556,29</u>

The Financial Statements set out on pages 1 to 8 were signed on behalf of the Board of Directors by:



Chief Executive Officer

Fredrick T. Mwamati

Date: 5/4/2023



GM-Corporate Services

CPA. Dennis K. Mulu

ICPAK M. No. 7380

Date: 5/4/2023



Chairman of the Board

Hon. Regina Muia Ndambuki

Date: 5th April 2023

**15. STATEMENT OF CHANGES IN NET ASSETS FOR THE YEAR ENDED 30
JUNE 2022**

	Revaluation Reserve	Capital Reserve	Retained earnings	
Balance at as 30th June 2019	<u>23,908,600</u>	<u>6,466,832,427</u>	<u>(1,634,401,448)</u>	<u>4,856,</u>
For the year ended 30 th June 2020	<u>26,572,602</u>	<u>823,227,097</u>	<u>(436,302,724)</u>	<u>413,</u>
Balance at as 30th June 2020	<u>50,481,202</u>	<u>7,290,059,524</u>	<u>(2,070,704,172)</u>	<u>5,269,</u>
For the year ended 30th June 2021	<u>(16,827,067)</u>	<u>672,354,147</u>	<u>(229,546,588)</u>	<u>425,</u>
Balance at as 30th June 2021	<u>33,654,135</u>	<u>7,962,413,671</u>	<u>(2,300,250,760)</u>	<u>5,695,</u>
For the year ended 30th June 2022	<u>(16,827,067)</u>	<u>747,053,590</u>	<u>(572,339,687)</u>	<u>157,</u>
Balance at as 30th June 2022	<u>16,827,068</u>	<u>8,709,467,261</u>	<u>(2,872,590,447)</u>	<u>5,853,</u>

16. STATEMENT OF CASH FLOWS FOR THE YEAR ENDED 30 JUNE 2022

		2021-2022	2020-2021
	Notes	Kshs	Kshs
Cash flows from operating activities			
Deficit for the period		(572,339,687)	(229,546,400)
Adjustment for non-cash items:			
Depreciation/Amortization charge	12	<u>278,828,552</u>	<u>174,594,000</u>
Operating surplus before working capital changes		<u>(293,511,135)</u>	<u>(54,951,400)</u>
Cash Flow from Operating Activities			
Decrease in Debtors, Prepayments & Receivables	17&18	252,797,716	17,200,000
Decrease in Creditors, Accruals and Payables	20&21	<u>(207,122,824)</u>	<u>(102,549,000)</u>
Total Cash Flow from Operating Activities		<u>45,674,892</u>	<u>(85,348,000)</u>
Net Cash flow from operating activities		<u>(247,836,243)</u>	<u>(140,300,000)</u>
Cash Flow from Investing Activities			
Purchase of Property, Plant & Equipment	19	(360,221,692)	(684,594,000)
Total Cash Flow from Investing Activities		<u>(360,221,692)</u>	<u>(684,594,000)</u>
Net Cash flow from investing activities		<u>(608,057,935)</u>	<u>(824,895,000)</u>
Cash Flow from Financing Activities			
Increase in Capital Fund	25	747,053,590	672,354,000
Increase in Loans/Borrowings	22	265,580,777	43,027,000
Increase/Decrease in Revaluation Reserve	23	<u>(16,827,067)</u>	<u>(16,827,000)</u>
Total Cash Flow from Financing Activities		<u>995,807,300</u>	<u>698,554,000</u>
Net Cash Flow from Financing Activities		<u>387,749,365</u>	<u>(126,340,000)</u>
Cash & cash equivalents as at beginning of the period	16	37,993,058	164,333,000
Cash and cash equivalents at the end of the period	16	<u>425,742,422</u>	<u>37,993,000</u>

The Financial Statements set out on pages 1 to 8 were signed on behalf of the Board of Directors
by:



Chief Executive Officer
Fredrick T. Mwamati

Date. 5/4/2023



GM-Corporate Services
CPA. Dennis K. Mulu

ICPAK M. No. 7380
Date. 5/4/2023



Chairman of the Board
Hon. Regina Muia Ndambul

Date. 5th April 2023

STATEMENT OF COMPARISON OF BUDGET AND ACTUAL AMOUNTS FOR THE YEAR ENDED 30 JUNE 2022

	Original budget	Adjustments	Final budget	Actual on comparable basis	Performance difference	% of utilization
	Kshs	Kshs	Kshs	Kshs	Kshs	
	A	b	C=(a+b)	d	e=(c-d)	F=d/c
Income from other governments entities	388,870,550	-	388,870,550	375,534,431	(13,336,119)	(3.43)%
Goods	15,000	-	15,000	15,000	-	-
Income	16,827,067	-	16,827,067	16,827,067	-	-
Income	405,712,617	-	405,712,617	392,376,498	(13,336,119)	
Expenditure						
Goods and services	16,013,663	10,582,737	26,596,400	36,958,837	(10,362,437)	(54.02)%
Operating costs	85,184,819	(1,993,727)	83,191,092	93,949,885	(10,758,793)	(12.93)%
Salaries and wages of directors	10,612,000	4,372,306	14,984,306	14,930,914	53,392	0.36%
Depreciation and amortization expense	200,000,000	-	200,000,000	278,828,552	(78,828,552)	(39.41)%
Repairs and maintenance	4,189,518	(2,517,953)	1,671,565	6,471,067	(4,799,502)	(51.49)%
Operating Costs	272,570,550	-	272,570,550	267,996,153	4,574,397	98.32%
Other costs	265,580,777	-	265,580,777	265,580,777	-	-
Expenditure	854,151,327	10,443,363	864,594,690	964,716,185	(100,121,495)	-
Surplus for the period	(448,438,710)	(10,443,363)	(458,882,073)	(572,339,687)	86,785,376	

ret notes

. Transfers from other governments entities

Some of the programmes that were being implemented in the FY 2021-2022 had not been completed at the end of FY 2022 and the respective revenue deferred to FY 2022-2023 where these programmes are expected to be completed.

. Finance Costs:

Finance costs can be associated to general loss of Kenya Shillings against the foreign currency especially the US Dollar.

18. NOTES TO THE FINANCIAL STATEMENTS

1. General Information

Tanathi Water Works Development Agency (TAWWDA) is established and derives its authority and accountability from Water Act, 2016. The Agency was established as per Legal Notice No. 27 dated 26th April, 2019. The Agency is wholly owned by the Government of Kenya and is domiciled in Kenya. The Agency's principal activity is development, maintenance and management of the national public water works within its area of jurisdiction (Kitui, Machakos, Makueni & Kajiado Counties).

2. Statement of Compliance and Basis of Preparation

The financial statements have been prepared on a historical cost basis except for the measurement at re-valued amounts of certain items of property, plant and equipment, marketable securities and financial instruments at fair value, impaired assets at their estimated recoverable amounts and actuarially determined liabilities at their present value. The preparation of financial statements in conformity with International Public Sector Accounting Standards (IPSAS) allows the use of estimates and assumptions. It also requires management to exercise judgement in the process of applying the Agency's accounting policies. The areas involving a higher degree of judgement or complexity, or where assumptions and estimates are significant to the financial statements, are disclosed in Note 5 of these financial statements.

The financial statements have been prepared and presented in Kenya Shillings, which is the functional and reporting currency of the Agency.

The financial statements have been prepared in accordance with the PFM Act, the State Corporations Act (include any other applicable legislation), and International Public Sector Accounting Standards (IPSAS). The accounting policies adopted have been consistently applied to all the years presented.

- i. *New and amended standards and interpretations in issue effective in the year ended 30 June 2022.*

IPSASB deferred the application date of standards from 1st January 2022 owing to Covid 19. This was done to provide entities with time to effectively apply the standards. The deferral was set for 1st January 2023.

- ii. *New and amended standards and interpretations in issue but not yet effective in the year ended 30 June 2022.*

Standard	Effective date and impact:
IPSAS 41: Financial Instruments	Applicable: 1st January 2023: <p>The objective of IPSAS 41 is to establish principles for the financial reporting of financial assets and liabilities that will present relevant and useful information to users of financial statements for their assessment of the amounts, timing and uncertainty of an Entity's future cash flows. IPSAS 41 provides users of financial statements with more useful information than IPSAS 29, by:</p> <ul style="list-style-type: none"> • Applying a single classification and measurement model for financial assets that considers the characteristics of the asset's cash flows and the objective for which the asset is held; • Applying a single forward-looking expected credit loss model that is applicable to all financial instruments subject to impairment testing; and • Applying an improved hedge accounting model that broadens the hedging arrangements in scope of the guidance. The model develops a strong link between an Entity's risk management strategies and the accounting treatment for instruments held as part of the risk management strategy. <p><i>This standard does not apply to Tanathi Water Works Development Agency Operations</i></p>
IPSAS 42: Social	Applicable: 1st January 2023 <p>The objective of this Standard is to improve the relevance, faithful</p>

Standard	Effective date and impact:
	<p>Entity provides in its financial statements about social benefits. The information provided should help users of the financial statements and general-purpose financial reports assess:</p> <ul style="list-style-type: none"> (a) The nature of such social benefits provided by the Entity. (b) The key features of the operation of those social benefit schemes; and (c) The impact of such social benefits provided on the Entity's financial performance, financial position and cash flows. <p><i>The Agency will adopt this standard as it would be applicable</i></p>
<p>Amendments to Other IPSAS resulting from IPSAS 41, Financial Instruments</p>	<p>Applicable: 1st January 2023:</p> <ul style="list-style-type: none"> a) Amendments to IPSAS 5, to update the guidance related to the components of borrowing costs which were inadvertently omitted when IPSAS 41 was issued. b) Amendments to IPSAS 30, regarding illustrative examples on hedging and credit risk which were inadvertently omitted when IPSAS 41 was issued. c) Amendments to IPSAS 30, to update the guidance for accounting for financial guarantee contracts which were inadvertently omitted when IPSAS 41 was issued. <p>Amendments to IPSAS 33, to update the guidance on classifying financial instruments on initial adoption of accrual basis IPSAS which were inadvertently omitted when IPSAS 41 was issued.</p> <p><i>The Agency will adopt this standard as it would be applicable</i></p>
<p>Other improvements to IPSAS</p>	<p>Applicable 1st January 2023</p> <ul style="list-style-type: none"> • <i>IPSAS 22 Disclosure of Financial Information about the General Government Sector.</i> <p>Amendments to refer to the latest System of National Accounts (SNA, 2008).</p> <ul style="list-style-type: none"> • <i>IPSAS 39: Employee Benefits</i> <p>Now deletes the term composite social security benefits as it is no longer defined in IPSAS.</p> <ul style="list-style-type: none"> • IPSAS 29: Financial instruments: Recognition and Measurement <p>Standard no longer included in the 2021 IPSAS handbook as it is now</p>

For the year ended June 30, 2022.

Standard	Effective date and impact:
	<i>The Agency will adopt this standard as it would be applicable</i>
IPSAS 43	<p><i>Applicable 1st January 2025</i></p> <p>The standard sets out the principles for the recognition, measurement, presentation, and disclosure of leases. The objective is to ensure that lessees and lessors provide relevant information in a manner that faithfully represents those transactions. This information gives a basis for users of financial statements to assess the effect that leases have on the financial position, financial performance and cashflows of an Entity.</p> <p>The new standard requires entities to recognise, measure and present information on right of use assets and lease liabilities.</p> <p><i>The Agency will adopt this standard as it would be applicable</i></p>
IPSAS 44: Non- Current Assets Held for Sale and Discontinued Operations	<p><i>Applicable 1st January 2025</i></p> <p>The Standard requires,</p> <p>Assets that meet the criteria to be classified as held for sale to be measured at the lower of carrying amount and fair value less costs to sell and the depreciation of such assets to cease and:</p> <p>Assets that meet the criteria to be classified as held for sale to be presented separately in the statement of financial position and the results of discontinued operations to be presented separately in the statement of financial performance.</p> <p><i>The Agency will adopt this standard as it would be applicable</i></p>

iii. **Early adoption of standards**

The Entity did not early – adopt any new or amended standards in year 2021/2022.

4. Summary of Significant Accounting Policies

(a) Revenue recognition

Transfers from other government entities

Revenues from non-exchange transactions with other government entities are measured at fair value and recognized on obtaining control of the asset (cash, goods, services and property) if the transfer is free from conditions and it is probable that the economic benefits or service potential related to the asset will flow to the entity and can be measured reliably. Recurrent grants are

in the statement of financial position and realized in the statement of comprehensive income over the useful life of the assets that has been acquired using such funds

b) Budget information – IPSAS 24

The Agency's budget is prepared on the same basis as the actual income and expenditure disclosed in the financial statements. Both the budget and the financial statements are prepared on accrual basis using a classification based on the nature of expenses in the statement of financial performance, whereas the budget is prepared on a cash basis. The amounts in the financial statements were recast from the accrual basis to the cash basis and reclassified by presentation to be on the same basis as the approved budget. A comparison of budget and actual amounts, prepared on a comparable basis to the approved budget, is then presented in the statement of comparison of budget and actual amounts.

In addition to the Basis difference, adjustments to amounts in the financial statements are also made for differences in the formats and classification schemes adopted for the presentation of the financial statements and the approved budget.

A statement to reconcile the actual amounts on a comparable basis included in the statement of comparison of budget and actual amounts and the actual as per the statement of financial performance has been presented under section 17 of these financial statements.

c) Taxes

Tanathi Water Works Development Agency is exempt from income tax under the First Schedule, paragraph 10 of the Income Tax Act. As a result, no provision for taxation has been made in these financial statements.

d) Property, plant and equipment

All property, plant and equipment are stated at cost less accumulated depreciation. Cost includes expenditure that is directly attributable to the acquisition of the items. When significant parts of property, plant and equipment are required to be replaced at intervals, the entity recognizes such parts as individual assets with specific useful lives and depreciates them accordingly. Likewise, when a major inspection is performed, its cost is recognized in the carrying amount of the plant and equipment as a replacement if the recognition criteria are satisfied. All other repair and maintenance costs are recognized in surplus or deficit as incurred. Where an asset is acquired in a non-exchange transaction for nil or nominal consideration the asset is initially measured at its fair value. The depreciation is calculated on straight line basis and the applicable depreciation rates

• Computers and Accessories	33.33%
• Furniture and fittings	12.5%
• Motor Vehicles	25%
• Plant and Machinery	20%
• Buildings	2.5%
• Water Supply Infrastructure	2.5%

e) Intangible assets – IPSAS 31

Intangible assets acquired separately are initially recognized at cost. The cost of intangible assets acquired in a non-exchange transaction is their fair value at the date of the exchange. Following initial recognition, intangible assets are carried at cost less any accumulated amortization and accumulated impairment losses. Internally generated intangible assets, excluding capitalized development costs, are not capitalized and expenditure is reflected in surplus or deficit in the period in which the expenditure is incurred.

The useful life of the intangible assets is assessed as either finite or indefinite. The intangible assets are amortized over a period of 3 years at the rate of 33.33% per annum on a straight-line basis.

f) Inventories – IPSAS 12

Inventory is measured at cost upon initial recognition. To the extent that inventory was received through non-exchange transactions (for no cost or for a nominal cost), the cost of the inventory is its fair value at the date of acquisition.

N/B Inventory is made up of consumables whose value was insignificant. These consumables were expensed at the time of purchase.

g) Provisions – IPSAS 19

Provisions are recognized when the Agency has a present obligation (legal or constructive) as a result of a past event, it is probable that an outflow of resources embodying economic benefits or service potential will be required to settle the obligation and a reliable estimate can be made of the amount of the obligation.

where the Agency expects some or all of a provision to be reimbursed, for example, under an insurance contract, the reimbursement is recognized as a separate asset only when the reimbursement is virtually certain.

The expense relating to any provision is presented in the statement of financial performance net of any reimbursement.

h) Contingent liabilities

The Agency does not recognize a contingent liability, but discloses details of any contingencies in the notes to the financial statements, unless the possibility of an outflow of resources embodying economic benefits or service potential is remote.

KPMG was contracted to review TAWSB's list of pending bills that fall on before the year ending 31st March 2011 and come up with the following report.

Category	Amount
Sinohydro Corporation Ltd	159,633,224.29
Forensic audit	
Payable subject to claim	27,133,900.50
Legal	55,786,927.67
Pending	32,366,434.00
Total	274,920,486.46

The Sinohydro corporation ltd claim relates to construction of Masinga-Kitui Water and sanitation project. This arose due to community interference with lot A works for a period of 214 days hence the contractor raised a claim as per the provisions of the contract.

These are awaiting opinion of the Attorney General for full adoption.

i) Contingent assets

The Agency does not recognize a contingent asset, but discloses details of a possible asset whose existence is contingent on the occurrence or non-occurrence of one or more uncertain future events not wholly within the control of the Agency in the notes to the financial statements. Contingent assets are assessed continually to ensure that developments are appropriately reflected in the financial statements. If it has become virtually certain that an inflow of economic benefits or service potential will arise and the asset's value can be measured reliably, the asset and the related revenue are recognized in the financial statements of the period in which the change occurs.

j) Nature and purpose of reserves

The Agency creates and maintains reserves in terms of specific requirements. These capital

or donated assets. They are recognized as deferred income and transferred to the surplus or deficit over the expected useful lives of the respective assets.

k) Changes in accounting policies and estimates – IPSAS 3

The Agency recognizes the effects of changes in accounting policy retrospectively. The effects of changes in accounting policy are applied prospectively if retrospective application is impractical.

l) Foreign currency transactions – IPSAS 4

Transactions in foreign currencies are initially accounted for at the ruling rate of exchange on the date of the transaction. Trade creditors or debtors denominated in foreign currency are reported at the statement of financial position reporting date by applying the exchange rate on that date. Exchange differences arising from the settlement of creditors, or from the reporting of creditors at rates different from those at which they were initially recorded during the period, are recognized as income or expenses in the period in which they arise.

m) Borrowing costs – IPSAS 5

Borrowing costs are capitalized against qualifying assets as part of property, plant and equipment. Such borrowing costs are capitalized over the period during which the asset is being acquired or constructed and borrowings have been incurred. Capitalization ceases when construction of the asset is complete. Further borrowing costs are charged to the statement of financial performance.

n) Cash and cash equivalents

Cash and cash equivalents comprise cash on hand and cash at bank, short-term deposits on call and highly liquid investments with an original maturity of three months or less, which are readily convertible to known amounts of cash and are subject to insignificant risk of changes in value. Bank account balances include amounts held at the Central Bank of Kenya and at various commercial banks at the end of the financial year. For the purposes of these financial statements, cash and cash equivalents also include short term cash imprests and advances to authorised public officers and/or institutions which were not surrendered or accounted for at the end of the financial year.

o) Comparative figures

Where necessary comparative figures for the previous financial year have been presented.

p) Significant judgments and sources of estimation uncertainty – IPSAS 1

In the process of applying the Agency accounting policies, management is required to make judgments, estimates and assumptions about the carrying amounts of assets and liabilities within the next financial year. The estimates and associated assumptions are based on historical experience and other factors that are considered to be relevant. Actual results may differ from these estimates including expectations of future events that are believed to be reasonable under the circumstances. The estimates and underlying assumptions are reviewed on an ongoing basis. Revisions to accounting estimates are recognized in the period in which the estimate is revised if the revision only affects that period or in the period of the revision and future periods if the revision affects both current and future periods.

q) Key sources of estimation uncertainty

The following are the key assumptions concerning the future, and other key sources of estimation uncertainty at the statement of financial position date that has a significant risk of causing material adjustment to the carrying amounts of assets and liabilities within the next financial year:

Equipment

Critical estimates are made by the Directors in determining depreciation rates of equipment.

Impairment

At each statement of financial position date, the organization reviews the carrying amounts of its tangible assets to determine whether there is any indication that those assets have suffered an impairment loss. If any such indication exists, the recoverable amount of the asset is estimated in order to determine the extent of the impairment loss. Where it is not possible to estimate the recoverable amount of an individual asset, the organization estimates the recoverable amount of the cash generating unit to which the asset belongs.

Provisions and contingent liabilities

The organization reviews its obligations at each balance sheet date to determine whether provisions need to be made and if there are any contingent liabilities.

r) Going Concern

Nothing has come to the attention of the Agency that it would cease to exist at least for the next 12 months hence going concern concept do apply. These financial statements are thus prepared on

s) Accounting policy on work in Progress

It's the Agency policy to recognize the ongoing projects at the end of the financial year at cost as work in progress. No provision for depreciation is made on these assets until they are completed and transferred from the work in progress account to respective asset class account.

t) Bad Debts Provision Policy

The Finance and Administration Manager shall review all outstanding debts which are under dispute, on a monthly basis, before any bad debt provisions are made.

Provisions shall be made for bad and doubtful debts at the following rates:

Period Outstanding	Percentage provision
241-360 days (8-12 months)	25%
Over 1 year	50%
Over 2 years	100%

For individual arrears in excess of Kshs 50,000, the bad debts should only be written off on the authority of the Board of Directors. Other bad debts below this amount will only be written off on the authority of the CEO. Any write off bad debts shall be made only after all reasonable steps have been taken to recover the debt and the Board is satisfied that:

- All legal and other measures have been exhausted, but there is still a balance of the debt remaining; and
- Recovery of the debt would be uneconomical.

5. Significant Judgments and Sources of Estimation Uncertainty

The preparation of the Agency's financial statements in conformity with IPSAS requires management to make judgments, estimates and assumptions that affect the reported amounts of revenues, expenses, assets and liabilities, and the disclosure of contingent liabilities, at the end of the reporting period. However, uncertainty about these assumptions and estimates could result in outcomes that require a material adjustment to the carrying amount of the asset or liability affected in future periods. State all judgements, estimates and assumptions made: e.g

Estimates and assumptions

The key assumptions concerning the future and other key sources of estimation uncertainty at the

of assets and liabilities within the next financial year, are described below. The Agency based its assumptions and estimates on parameters available when the consolidated financial statements were prepared. However, existing circumstances and assumptions about future developments may change due to market changes or circumstances arising beyond the control of the Agency. Such changes are reflected in the assumptions when they occur. IPSAS 1.140

Useful lives and residual values

The useful lives and residual values of assets are assessed using the following indicators to inform potential future use and value from disposal:

- a) The condition of the asset based on the assessment of experts employed by the Agency.
- b) The nature of the asset, its susceptibility and adaptability to changes in technology and processes.
- c) The nature of the processes in which the asset is deployed.
- d) Availability of funding to replace the asset.
- e) Changes in the market in relation to the asset

Provisions

Provisions were raised and management determined an estimate based on the information available. Additional disclosure of these estimates of provisions is included in **Note 40**.

Provisions are measured at the management's best estimate of the expenditure required to settle the obligation at the reporting date, and are discounted to present value where the effect is material.

6. a) Transfers from Other Government Entities

Description	2021-2022 KShs	2020-2021 KShs
Unconditional grants		
Gok Recurrent (Operational) Grant	116,000,000	117,999,996
Other Grants (Deferred Income)	=	<u>7,627,096</u>
Total Unconditional Grants	<u>116,000,000</u>	<u>125,627,092</u>
Conditional grants		
Water for Schools Programme	5,660,635	45,470,872
Drought Mitigation Grant	30,576,155	3,384,495
Cross County Water Projects Grant	52,861,140	35,698,745
National Water Harvesting Programme	7,000,000	81,243,817
Post-Covid 19- Economic Stimulus Programme	18,400,455	11,599,545
Gok Grant-Universal Health Coverage	21,263,726	-
Other Gok funded projects (Special Projects)	119,000,000	-
Grant for ASAL Area Projects	<u>4,772,320</u>	<u>35,227,680</u>
Total government grants and subsidies	<u>375,534,431</u>	<u>338,252,246</u>

b) Transfers from Ministries, Departments and Agencies (MDAs)

Detail	Deferred From 2020- 2021 FY	Amount Received during the year (2021- 2022FY)	Total	Revenue unutilized as at 30.06.2022 and Deferred as Per Note 21 To the Financial Statements	Revenue Recognized During the Year
Gok Recurrent Grant	-	116,000,000	116,000,000		116,000,000
Water for Schools Programme	5,660,635	-	5,660,635	-	5,660,635
Drought Mitigation Grant	-	40,000,000	40,000,000	9,423,845	30,576,155
Cross County Water Projects Grant	52,861,140	-	52,861,140	-	52,861,140
National Water Harvesting Programme	-	7,000,000	7,000,000	-	7,000,000
Post-Covid 19 ESP Programme	18,400,455	-	18,400,455	-	18,400,455

Other Gok funded projects (Special Projects)	20,000,000	99,000,000	119,000,000	-	119,000,000
Gok Grant-Universal Health Coverage	-	25,176,000	25,176,000	3,912,274	21,263,726
Grant for ASAL Area Projects	<u>4,772,320</u>	=	<u>4,772,320</u>	=	<u>4,772,320</u>
Total	<u>101,694,550</u>	<u>287,176,000</u>	<u>388,870,550</u>	<u>13,336,119</u>	<u>375,534,431</u>

7. Sale of Goods

Description	2020-2021 KShs	2020-2021 KShs
Sale of Boarded Stores Items	<u>15,000</u>	<u>35,650</u>
Total revenue from the sale of goods	<u>15,000</u>	<u>35,650</u>

(This amount was generated from disposal of used tanks)

8. Other Income

Description	2021-2022 KShs	2020-2021 KShs
Revaluation Reserve Recognized	<u>16,827,067</u>	<u>16,827,067</u>
Total other income	<u>16,827,067</u>	<u>16,827,067</u>

9. Use of Goods and Services

Description	2021-2022 KShs	2020-2021 KShs
Utility Costs-Electricity & Water ✓	409,499	521,793
Outsourced Services - Security ✓	1,107,248	1,035,879
Outsourced Services - Cleaning ✓	1,009,920	-
Membership Subscriptions	116,200	93,960
Advertising, Promotions & Publicity Expenses	133,168	187,999
Audit fees	928,000	928,000
Seminars, Conferences & Workshops	2,635,806	3,262,422
Refined Fuel, Oil & Lubricants	159,500	612,000
Motor Vehicle Insurance ✓	855,707	1,120,457
Bank Charges	161,279	100,724
Legal expenses	2,500,000	

Description	2021-2022	2020-2021
	KShs	KShs
Telephone, Mobile & Internet Expenses	781,381	875,651
Office Stationery, Printing & Photocopy	1,419,583	1,861,635
Hire of Transport & Machinery	307,000	179,824
Staff Education & Training	4,678,680	1,355,478
Travel, accommodation & subsistence allow.	17,455,129	17,284,025
General office Expenses	<u>2,300,737</u>	<u>4,201,191</u>
Total Use of Goods and Services	<u>36,958,837</u>	<u>33,621,038</u>

10. Employee Costs

	2021-2022	2020-2021
	KShs	KShs
Basic Salary	41,447,558	37,698,201
House Allowance	12,053,936	9,923,300
Commuter/Transport Allowance	1,722,175	1,567,000
Hardship Allowance	14,457,960	13,581,900
Acting Allowance	-	190,400
Special Duty Allowance	192,600	522,930
Extraneous Allowance	79,452	96,000
Employer Staff Pension Contribution	4,829,253	4,696,212
N.S.S.F Employers Contribution	108,200	105,400
Leave Allowance	3,458,792	3,141,436
National Industrial Training Authority Levy	26,400	26,350
Casual Labour/Wages	-	57,000
Gratuity Contribution	2,871,786	1,980,900
Telephone Allowance	1,346,000	1,137,000
Other Remunerative Allowances	480,000	480,000
Medical, Group Life & Group Personal Accident	<u>10,875,773</u>	<u>10,331,619</u>
Total Employee costs	<u>93,949,885</u>	<u>85,535,648</u>

11. Board of Directors Expenses

Description	2021-2022	2020-2021
-------------	-----------	-----------

Board mileage	1,223,113	1,312,103
Board medical cover	✓ 447,794	500,348
Board Training	7,170,607	2,329,092
Air-time allowance	14,000	24,000
Chairman's Honoraria	<u>560,000</u>	<u>960,000</u>
Total Remuneration of Directors	<u>14,930,914</u>	<u>13,448,957</u>

N/B: Most of the Board Members Term ended on 6th February, 2022

12. Depreciation and Amortization Expense

Description	2021-2022	2020-2021
	KShs	KShs
Property, plant and equipment	278,828,552	174,594,788
Intangible assets	=	=
Total depreciation and amortization	<u>278,828,552</u>	<u>174,594,788</u>

13. Repairs and Maintenance

Description	2021-2022	2020-2021
	KShs	KShs
General Repairs & Maintenance	5,414,977	11,121,012
Motor Vehicles Repairs & Maintenance	<u>1,056,090</u>	<u>3,239,120</u>
Total repairs and maintenance	<u>6,471,067</u>	<u>14,360,132</u>

14. Operating Cost

Description	2021-2022	2020-2021
	KShs	KShs
Consultancy Fees	5,991,400	2,317,000
Drought Mitigation Project Costs	30,858,229	3,161,560
Water for Schools Project Costs	20,808,932	45,470,870
Monitoring & Evaluation	7,675,900	2,721,880
National Water Harvesting Project Costs	23,109,806	26,520,730
Cross-County Project Costs	36,985,693	35,698,740
Arid & Semi-Arid Project Costs	5,790,106	35,227,680
Post Covid-19 Project Costs	19,713,890	11,599,540
Drilling & equipping of 40 No. of Boreholes	44,774,753	57,158,880
Other CoK Funded Projects	51,022,718	

... 2021-2022

Universal Health Coverage Project Costs	<u>21,263,726</u>	<u>196,</u>
Total Operating Cost	<u>267,996,153</u>	<u>220,073,</u>

15. Finance Costs

Description	2021-2022	2020-20
	KShs	KShs
Exchange Loss	<u>265,580,777</u>	<u>43,027,2</u>
Total finance costs	<u>265,580,777</u>	<u>43,027,2</u>

16. (a) Cash and Cash Equivalents

Description	2021-2022	2020-20
	KShs	KShs
Current account	<u>425,742,422</u>	<u>37,993,8</u>
Total cash and cash equivalents	<u>425,742,422</u>	<u>37,993,7</u>

(b) Detailed Analysis of the Cash and Cash Equivalents

Financial institution	Account number	2021-2022	2020-20
		KShs	KShs
a) Current account			
Kenya Commercial bank	1106061896	11,630,258	2,241,3
Kenya Commercial bank	1106061950	360,903,022	1,363,8
Kenya Commercial bank	1114505935	-	1,2
Kenya Commercial bank	1131429117	38,143,521	30,447,0
Kenya Commercial bank	1139126474	264,270	264,2
Kenya Commercial bank	1156581184	237,121	237,1
Kenya Commercial bank	1114362581	1,252,337	1,262,2
Kenya Commercial bank	1204595127	9,423,845	332,6
Co-operative Bank	01120300481400	3,838,048	1,843,2
Petty Cash		<u>50,000</u>	
Grand total		<u>425,742,422</u>	<u>37,993,0</u>

17. Receivables from Exchange Transactions

	2021-2022	2020-20
	KShs	KShs

Kiambere -Mwingi (Sacco dues)	100,360	100,360
Advance payment	22,544,451	85,378,351
Kenya National Highways Authority	646,480	646,480
Gross Receivables from Exchange Transactions	<u>253,182,445</u>	<u>316,016,341</u>
Less: Provision for bad & doubtful debts	(251,391,944)	(251,391,944)
Total Receivables from Exchange Transactions	<u>1,790,501</u>	<u>64,624,401</u>

18. Receivables from Non-Exchange Transactions

Description	2021-2022	2020-2021
	KShs	KSh
Staff Debtors	8,057,845	5,740,360
Ministry of Water and Sanitation	19,896,517	19,896,517
Kenya Commercial Bank Limited	-	10,500
Prepaid Board airtime	-	2,000
Grants Receivable	33,000,000	226,019,970
Prepaid motor vehicle insurance	546,228	504,890
Prepaid staff airtime	116,500	107,500
Prepaid staff insurance cover	5,690,599	5,185,160
District Water officers	1,604,273	1,604,273
British Insurance Company Limited (Insurance Refund)	195,420	
Total Receivables from Non-Exchange Transactions	<u>69,107,382</u>	<u>259,071,190</u>

Property, Plant and Equipment

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	Land	Buildings	Motor vehicles	Furniture and fittings	Computers	Water Supply Infrastructure	Plant and equipment	Capital Work in progress	Total
	Shs		Shs	Shs	Shs	Shs	Shs	Shs	Shs
une 2022	5,675,000	5,273,612	16,827,068	471,992	-	9,260,487,367	73,000	1,959,452,740	11,248,260,779
une 2021	<u>5,675,000</u>	<u>5,438,613</u>	<u>33,654,135</u>	<u>743,448</u>	<u>774,001</u>	<u>5,333,146,770</u>	<u>146,000</u>	<u>5,787,289,672</u>	<u>11,166,867,639</u>

work in progress include water supply infrastructure construction which were still ongoing as at 30th June, 2022.

The following motor vehicles have been acquired through projects:

Motor Vehicle Registration No.	Project Which Acquired the Motor Vehicle	Current Location
KDB 390Q	Mavoko Drinking Water Project	Tanathi WWDA HQs
KCQ 979Z	Mavoko Drinking Water Project	At project site during the defect liability period
KCQ 978Z	Mavoko Drinking Water Project	At project site during the defect liability period
KBS 070K	Matungulu Water Project	Tanathi WWDA HQs
KBT 625N	Mutitu/Thu-Kinakoni Water Project	Nol-Turesh Loitoktok Water Company
KCE 286X	Masinga-Kitui Water & Sanitation Project	Tanathi WWDA HQs
KCE 287X	Masinga-Kitui Water & Sanitation Project	Tanathi WWDA HQs
KBU 190P	Masinga-Kitui Water & Sanitation Project	Tanathi WWDA HQs

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KBU 194P	Masinga-Kitui Water & Sanitation Project	Tanathi WWDA HQs
KBU 163P	Masinga-Kitui Water & Sanitation Project	Tanathi WWDA HQs
KCA 848V	Masinga-Kitui Water & Sanitation Project	Tanathi WWDA HQs
KCA 838V	Masinga-Kitui Water & Sanitation Project	Tanathi WWDA HQs
KCA 839V	Masinga-Kitui Water & Sanitation Project	Tanathi WWDA HQs
KBU 164P	Masinga-Kitui Water & Sanitation Project	Ministry of Water, Sanitation & Irrigation HQs
KCE 302Y	Masinga-Kitui Water & Sanitation Project	Yatta Water Company
KBZ 854D	Kajiado Water Supply Project	Olkejuado Water Company

for the year ended June 30, 2022.

NOTES TO THE FINANCIAL STATEMENTS (Continued)

Valuation

Motor vehicles were valued by the chief Mechanical Engineer- Kitui County in June 2019 and adopted as at 1st July, 2019 as the basis of valuation.

19 (b) Property, Plant and Equipment at Cost

If the freehold land, buildings and other assets were stated on the historical cost basis the amount would be as follows:

	Cost	Accumulated Depreciation	NBV
	Kshs	Kshs	Kshs
Land	5,675,000	-	5,675,000
Buildings	6,600,043	(1,326,431)	5,273,612
Motor vehicles, including motorcycles	95,386,340	(95,386,340)	-
Plant and machinery	10,059,876	(9,986,876)	73,000
Water Supply Infrastructure	10,428,721,073	(1,168,233,706)	9,260,487,367
Capital Work in Progress	1,959,452,740	-	1,959,452,740
Computers and related equipment	28,648,193	(28,648,193)	-
Office equipment, furniture, and fittings	<u>9,818,083</u>	<u>(9,346,091)</u>	<u>471,992</u>
Total	<u>12,544,361,348</u>	<u>(1,312,927,637)</u>	<u>11,231,433,711</u>

© Property plant and Equipment includes the following assets that are fully depreciated:

	Cost or valuation	Normal annual depreciation charge
Computers	26,326,193	8,775,398
Furniture and Fittings	7,646,433	955,804
Plant and machinery	<u>9,694,876</u>	1,938,975
Total	<u>43,667,502</u>	<u>11,670,177</u>

For the year ended June 30, 2022.

NOTES TO THE FINANCIAL STATEMENTS (Continued)

20. Trade and Other Payables

Description	2021-2022	2020-2021
	KShs	KShs
Trade payables	175,211,496	295,261,350
Employee payables	5,500,343	1,847,420
Kenya Revenue Authority	9,455,408	11,822,810
Total trade and other payables	<u>190,167,247</u>	<u>308,931,640</u>

21. Deferred Income-Short Term

Description	2021-2022	2020-2021
	KShs	KShs
National government	<u>13,336,119</u>	<u>101,694,550</u>
Total deferred income	<u>13,336,119</u>	<u>101,694,550</u>

22. Borrowings

Description	2021-2022	2020-2021
	KShs	KShs
Balance at beginning of the year	5,687,693,837	5,422,113,060
External borrowings during the year	-	-
Repayments of during the year	-	-
Balance at end of the year	<u>5,687,693,837</u>	<u>5,422,113,060</u>

The analyses of borrowings are as follows:

	2021-2022	2020-2021
	KShs	KShs
External Borrowings		
Dollar denominated loan from African Development Bank	4,038,659,498	3,765,669,080
Kenya shillings denominated loan from African Development Bank	1,482,314,150	1,482,314,150
Euro denominated loan from African Development Bank	<u>166,720,188</u>	<u>174,129,820</u>
Total balance at end of the year	<u>5,687,693,837</u>	<u>5,422,113,060</u>

23. Revaluation Reserves

Description	2021-2022	2020-2021
	KShs	KShs
Balance at beginning of the year	33,654,135	50,481,200
Revenue Recognized during the year	(16,827,068)	(16,827,068)
Balance at end of the year	<u>16,827,067</u>	<u>33,654,132</u>

24. Accumulated Deficit

Description	2021-2022	2020-2021
	KShs	KShs
Balance at beginning of the year	(2,300,250,760)	(2,070,704,100)
Revenue Recognized during the year	(572,339,687)	(229,546,500)
Balance at end of the year	<u>(2,872,590,447)</u>	<u>(2,300,250,700)</u>

25. Capital Fund

Description	2021-2022	2020-2021
	KShs	KShs
Gok Development Grant	5,224,562,951	4,601,621,600
Mavoko Drinking Water Project Grant	<u>3,484,904,310</u>	<u>3,360,792,000</u>
Balance at end of the year	<u>8,709,467,261</u>	<u>7,962,413,600</u>

26. Cash Generated from Operations

	2021-2022	2020-2021
Notes	Kshs	Kshs
Cash flows from operating activities		
Deficit for the period	(572,339,687)	(229,546,500)
Adjustment for non-cash items:		
Depreciation/Amortization charge	12 <u>278,828,552</u>	<u>174,594,700</u>
Operating surplus before working capital changes	<u>(293,511,135)</u>	<u>(54,951,800)</u>

For the year ended June 30, 2022.

		2021-2022	2020-2021
	Notes	Kshs	Kshs
Cash Flow from Operating Activities			
Decrease in Debtors, Prepayments & Receivables	17&18	252,797,716	17,200,416
Decrease in Creditors, Accruals and Payables	20&21	<u>(207,122,824)</u>	<u>(102,549,312)</u>
Total Cash Flow from Operating Activities		<u>45,674,892</u>	<u>(85,348,896)</u>
Net Cash flow from operating activities		<u>(247,836,243)</u>	<u>(140,300,612)</u>

27. Financial Risk Management

Tanathi Water Works Development Agency principal financial instruments comprise receivables/debtors, cash and cash equivalents, investments, unexpended grants and creditors. These instruments arise directly from its operations.

The Agency's activities expose it to a variety of financial risks: market risk (including interest rate risk, foreign currency risk and equity/price risk), credit risk and liquidity risk. It seeks to minimize the potential adverse effects of these financial risks. Risk management is carried out under policies approved by the Board of Directors.

Market Risk

Market risk is the risk that the value of an investment will decrease due to movement in market factors. The Agency has no exposure to market risk.

Foreign exchange rate risk

Foreign exchange rate risk is a form of risk that arises from the change in price of one currency against another. The Agency's policy with respect to transactions is to record in Kenya shillings at the rate in effect at the date of the transaction whatever the currency of the original transaction.

The Agency's policy with respect to monetary assets and liabilities denominated in other currencies is to translate at the rate of exchange in effect at the reporting date. All gains or losses on changes in currency exchange rates are accounted for in the income statement.

For the year ended June 30, 2022.

Details	AMOUNT	AMOUNT
	KShs	KShs
	2021-2022	2020-2021
Exchange loss	<u>265,580,777</u>	<u>43,027,268</u>

Credit Risk

Credit risk is the loss that would arise due to a debtor's non-payment of a loan or other line of credit. The largest concentrations of credit exposure arise from grants receivable, trade receivables, deposits held with service providers, prepayments, term deposits and cash and cash equivalents held with banks.

Significant amounts of funds are placed with only recognized financial institutions with strong credit ratings. The Agency does not consider the credit risk exposure to be significant.

Liquidity Risk

Liquidity defines the Agency's capacity to meet its current and future obligations without incurring unacceptable losses. Adequate liquidity is dependent upon the institution's ability to efficiently meet both expected and unexpected cash flows and collateral needs without adversely affecting either daily operations or the financial condition of the Agency. Liquidity risk is the risk to an institution's financial condition or safety and soundness arising from its inability (whether real or perceived) to meet its contractual obligations. The primary role of liquidity-risk management is to (1) prospectively assess the need for funds to meet obligations and (2) ensure the availability of cash and collateral to fulfil those needs at the appropriate time by coordinating the various sources of funds available to the institution under normal and stressed conditions.

To manage its liquidity, risk the Tanathi Water Works Development Agency ensured that:

- i) It entered into contracts where cash flow was readily available.
- ii) Maintained a separate account for customer retention money to ensure that the Agency meets them as and when they fall due.

Capital Risk Management

The objective of the entity's capital risk management is to safeguard the Agency's ability to continue as a going concern. The Agency capital structure comprises of the following funds:

For the year ended June 30, 2022.

	2021-2022	2020-2021
	KShs	KShs
Revaluation reserve	16,827,067	33,654,135
Retained earnings	(2,872,590,447)	(2,257,223,492)
Capital reserve	<u>8,709,467,261</u>	<u>7,962,413,671</u>
Total funds	<u>5,853,703,881</u>	<u>5,738,844,314</u>
Total borrowings	<u>5,687,693,837</u>	<u>5,422,113,060</u>
Less: cash and bank balances	<u>425,742,422</u>	<u>(37,993,058)</u>
Net debt/(excess cash and cash equivalents)	<u>5,261,951,415</u>	<u>5,384,120,002</u>
Gearing	111.25%	106.59%

28. Related Party Disclosures

Nature of related party relationships

Entities and other parties related to the Agency include those parties who have ability to exercise control or exercise significant influence over its operating and financial decisions. Related parties include management personnel, their associates and close family members.

The Agency is related to:-

- i) The National Government;
- ii) The Parent Ministry;
- iii) Key management;
- iv) Board of directors;
- v) Other Government Institutions

ii) Related party transactions

	2021-2022	2020-2021
	Kshs	Kshs
Transfers from related parties'(MOWI)	<u>1,034,229,590</u>	<u>828,311,247</u>

iii) Key management remuneration		
	2021-2022	2020-2021
	Kshs	Kshs
Directors'	14,930,914	13,448,957
Key management compensation	<u>24,396,462</u>	<u>20,855,852</u>
Total	<u>39,327,376</u>	<u>34,304,809</u>
iv) Due from related parties		
	2021-2022	2020-2021
	Kshs	Kshs
Due from Parent Ministry	19,896,517	19,896,517
Due from Kiambere-Mwingi Water & Sanitation Co.	<u>100,360</u>	<u>100,360</u>
Total	<u>19,996,877</u>	<u>19,996,877</u>
v) Due to related parties		
Details	2021-2022	2020-2021
	Kshs	Kshs
Loan due to The National Treasury	<u>5,687,693,837</u>	<u>5,422,113,060</u>

29. Contingent Assets and Contingent Liabilities

Contingent Liabilities

	2021-2022	2020-2021
	KShs	KShs
Contingent liabilities		
Sinohydro Corporation	159,633,224.29	159,633,224.29
Forensic audit		
Payable subject to claim	27,133,900.50	27,133,900.50
Legal	55,786,927.67	55,786,927.67
Pending	<u>32,366,434.00</u>	<u>32,366,434.00</u>
Total	<u>274,920,486.46</u>	<u>274,920,486.46</u>

30. Capital Commitments

Capital commitments	2020-2021	2019-2020
	Kshs	Kshs
Authorised for	-	-
Authorised and contracted for	-	-
Total	-	-

(NB: Capital commitments are commitments to be carried out in the next financial year and are disclosed in accordance with IPSAS 17. Capital commitments may be those that have been authorised by the board but at the end of the year had not been contracted or those already contracted for and ongoing)

31. Surplus Remission

In accordance with Section 219 (2) of the Public Financial Management Act regulations, regulatory entities shall remit into Consolidated Fund, ninety per centum of its surplus funds reported in the audited financial statements after the end of each financial year. *The Agency did not make any surplus during the year (FY 2021-2022 Nil) and hence no remittance to the Consolidated Fund.*

The Surplus Remission has been computed as follows:

	2020-2021	2019-2020
	Kshs	Kshs
Surplus for the period	-	-
Less: Allowable deductions by NT	-	-
90% computation (Included in Statement of Financial performance)	-	-

Surplus Remission Payable

	2021-2022	2020-2021
	KShs	KShs
Payable at the beginning of the year	-	-
Paid during the year	-	-
Payable at end of the year	-	-

32. Events after the Reporting Period

There were no material adjusting and non- adjusting events after the reporting period.

33. Ultimate And Holding Agency

for the year ended June 30, 2022.

The Agency is a State Corporation/ or a Semi- Autonomous Government Agency under the Ministry of Water, Sanitation & Irrigation. Its ultimate parent is the Government of Kenya.

34. Currency

The financial statements are presented in Kenya Shillings (Kshs).

1: PROGRESS ON FOLLOW UP OF AUDITOR RECOMMENDATIONS

is the summary of issues raised by the external auditor, and management comments that were provided to the auditor.

Issue / Observations from Auditor	Management comments	Status: (Resolved / Not Resolved)	Timeframe: (Put a date when you expect the issue to be resolved)
<p>Basis of Qualified Opinion</p> <p>Receivables from Exchange Transactions</p> <p>As disclosed in Note 17 to the financial statements, the statement of financial position reflects current portion of receivables from exchange transactions balance of Kshs.64,624,405 as at 30 June, 2021. The Note indicates that, the balance is net of a provision for bad and doubtful debts totalling Kshs.251,391,944 which was equivalent to 80% of gross debtors totalling Kshs.316,016,349. However, Management did not explain the reasons for the high ratio of bad and doubtful debts provision which suggested that the debtors were unable to pay the amounts they owed the Agency. In addition, records on tangible efforts made by Management to recover the long outstanding debts were not presented for audit.</p> <p>In the circumstances, the accuracy and recoverability of the Agency's receivables from exchange transactions balance of Kshs.64,624,405 could not be confirmed.</p>	<p>Management Response</p> <p>The amount of Kshs: 229,891,154 relating to debt by water Service Provides (WSPs) inherited during time of transitioning from Water Service Board to Water Works Development Agency in May, 2019. Since, the WSPs are no longer Agents of Water Works Development Agencies but of</p>	Not Resolved	30/06/2023

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No. idit	Issue / Observations from Auditor	Management comments	Status: (Resolve d / Not Resolved)	Timeframe: (Put a date when you expect the issue to be resolved)
		<p>County Government, the Agency is engaging the Ministry of Water, Sanitation & Irrigation to give policy direction on the same.</p> <p>ii) Kshs: 19,896,517 debt by Ministry of Water, Sanitation & Irrigation</p> <p>iii) Kshs: 1,604,273 by former District Water Officers.</p>		
	<p>Long Outstanding Trade and Other Payables</p> <p>As disclosed in Note 20 to the financial statements, the statement of financial position reflects trade and other payables balance of Kshs.308,931,640. Review of records on the balance indicated that a balance of Kshs.258,830,604 in respect to creditors had been outstanding for more than ninety (90) days which may indicate the Agency's inability to settle its liabilities as they fell due.</p>	<p>Management Response</p> <p>The Ageing Analysis report provided and the financial statements figures are all in agreement.</p>	Resolved	

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Issue / Observations from Auditor	Management comments	Status: (Resolved / Not Resolved)	Timeframe: (Put a date when you expect the issue to be resolved)																				
<p>In addition, the ageing analysis for the balance reflected debtors that had overstayed for "Over 90 days" and it was therefore not possible to confirm the actual duration for which the creditors had been outstanding. Further, comparison between the creditors' ageing analysis, creditors' statements and payables as per Note 20 to the financial statements reflected the variances as detailed below:</p> <table border="1" data-bbox="820 1150 1015 1816"> <thead> <tr> <th>Item</th><th>Ageing Analysis (Kshs.)</th><th>Creditors' Statement (Kshs.)</th><th>Payables as per Note 20 (Kshs.)</th></tr> </thead> <tbody> <tr> <td>Withholding Tax</td><td>6,894,287</td><td>6,894,287</td><td>-</td></tr> <tr> <td>VAT</td><td>4,917,420</td><td>4,926,357</td><td>-</td></tr> <tr> <td>Total KRA Payables</td><td>11,811,707</td><td>11,820,644</td><td>11,822,818</td></tr> <tr> <td>Gratuity Payable</td><td>922,937</td><td>1,783,001</td><td>-</td></tr> </tbody> </table> <p>No reconciliation of the variances was provided for audit review.</p> <p>In the circumstances, the accuracy and completeness of trade and other payables balance of Kshs.308,931,640 could not be confirmed.</p>	Item	Ageing Analysis (Kshs.)	Creditors' Statement (Kshs.)	Payables as per Note 20 (Kshs.)	Withholding Tax	6,894,287	6,894,287	-	VAT	4,917,420	4,926,357	-	Total KRA Payables	11,811,707	11,820,644	11,822,818	Gratuity Payable	922,937	1,783,001	-			
Item	Ageing Analysis (Kshs.)	Creditors' Statement (Kshs.)	Payables as per Note 20 (Kshs.)																				
Withholding Tax	6,894,287	6,894,287	-																				
VAT	4,917,420	4,926,357	-																				
Total KRA Payables	11,811,707	11,820,644	11,822,818																				
Gratuity Payable	922,937	1,783,001	-																				
<p>Understated Expenditure on Water for Schools Project As disclosed in Note 14 to the financial statements, the statement of financial performance reflects operating costs</p>	<p>i) The amount for equipping of Kamutei/ Ndili</p>	<p>Resolved</p>																					

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ur ended June 30, 2022.**

No.	Issue / Observations from Auditor	Management comments	Status: (Resolved / Not Resolved)	Timeframe: (Put a date when you expect the issue to be resolved)
audit	<p>totalling Kshs.220,073,714 which includes an amount of Kshs.45,470,872 incurred on water for schools' projects. However, additional expenditure on the projects totalling Kshs.15,742,665 was not included in the balance. No explanation was provided by Management for the omission.</p> <p>In the circumstance, the accuracy and completeness of the operating expenditure totalling Kshs.220,073,714 incurred on operating costs could not be confirmed.</p>	<p>borehole was already captured in the audit schedule provided and hence no omission</p> <p>ii) The other two boreholes i.e Muniiki and Kathemboni were being implemented under drilling and equipping 40No. boreholes development vote and not under water for schools' programme as indicated</p>		
	<p>Lack of Ownership Documents</p> <p>As disclosed in Note 19(a) to the financial statements, the statement of financial position reflects a property, plant and equipment balance of Kshs.11,166,867,639,. The balance includes land valued at Kshs.5,675,000 comprising of five (5) plots. However, title deeds for two of the plots namely;</p>	<p>Management Response</p> <p>a) Two parcels of land lacking full and final ownership documents.</p>	Not Resolved	30/062023

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o. lit	Issue / Observations from Auditor	Management comments	Status: (Resolve d / Not Resolved)	Timeframe: (Put a date when you expect the issue to be resolved)
	<p>Matinyani/Kalia and Mavoko Municipality were not presented for audit review.</p> <p>Further, the balance did not include the value of six vehicles registered in the name of the Agency, and one vehicle owned by the Agency but registered under 'Kenya-Sweden'.</p> <p>In the circumstances, the accuracy and completeness of the property, plant and equipment balance of Kshs.11,166,867,639 and ownership of the assets could not be confirmed.</p>	<p>i. Mavoko Municipality (1.5 acres)</p> <p>The Agency is pursuing Registration of The Way Leave against the Title deed of the owner.</p> <p>ii. Matinyani /Kalia 609-Kitui County</p> <p>Following death of the owner, the Agency is currently working on Succession at Kitui law courts to enable transfer of land in the name of the Agency.</p>		

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No.	Issue / Observations from Auditor	Management comments	Status: (Resolve d / Not Resolved)	Timeframe: (Put a date when you expect the issue to be resolved)																							
audit		b) The disclosure on motor vehicles bought through projects has been done under note 19 (b)																									
	<p>Inaccuracies in the Statement of Comparison of Budget and Actual Amounts</p> <p>The statement of comparison of budget and actual amounts reflects final budget for employee costs totalling Kshs.85,252,724 whereas the approved budget for the year reflected Kshs.74,752,724 on the same account resulting to an unexplained variance of Kshs.10,500,000.</p> <p>Further, the statement indicates that the Agency incurred expenditure that exceeded budgets on four components by Kshs.54,283,436 as shown in the table below:</p> <table><tr><th>Item</th><th>Budgeted Amount (Kshs.)</th><th>Actual Amount (Kshs.)</th><th>Excess Expenditure (Kshs.)</th></tr><tr><td>Use of Goods and Services</td><td>29,272,000</td><td>33,621,038</td><td>4,349,038</td></tr><tr><td>Employee Costs</td><td>85,252,724</td><td>85,535,648</td><td>282,924</td></tr><tr><td>Repairs and Maintenance</td><td>7,735,932</td><td>14,360,138</td><td>6,624,206</td></tr><tr><td>Finance Costs</td><td>0</td><td>43,027,268</td><td>43,027,268</td></tr><tr><td>Total</td><td>122,260,656</td><td>176,544,092</td><td>54,283,436</td></tr></table>	Item	Budgeted Amount (Kshs.)	Actual Amount (Kshs.)	Excess Expenditure (Kshs.)	Use of Goods and Services	29,272,000	33,621,038	4,349,038	Employee Costs	85,252,724	85,535,648	282,924	Repairs and Maintenance	7,735,932	14,360,138	6,624,206	Finance Costs	0	43,027,268	43,027,268	Total	122,260,656	176,544,092	54,283,436	<p>Management Response:</p> <p>i) The Kshs: 10,500,000 is for Staff medical cover which budgeted under outsourced insurance and reported under Personnel Emoluments in the financial statements</p> <p>ii) The Kshs: 54,283,436 includes Kshs: 43,027,268 being exchange loss of Kenya shilling against foreign currency i.e US dollar and Euro</p>	Resolved
Item	Budgeted Amount (Kshs.)	Actual Amount (Kshs.)	Excess Expenditure (Kshs.)																								
Use of Goods and Services	29,272,000	33,621,038	4,349,038																								
Employee Costs	85,252,724	85,535,648	282,924																								
Repairs and Maintenance	7,735,932	14,360,138	6,624,206																								
Finance Costs	0	43,027,268	43,027,268																								
Total	122,260,656	176,544,092	54,283,436																								

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Issue / Observations from Auditor	Management comments	Status: (Resolved / Not Resolved)	Timeframe: (Put a date when you expect the issue to be resolved)
<p>Management did not provide evidence of the Board's approval for the excess expenditure.</p> <p>In the circumstances, the accuracy and completeness of the statement of comparison of budget and actual amounts could not be confirmed.</p>	<p>iii) The management will ensure spending within the approved budget to avoid over-expenditure in the future</p>		
<p>Material Uncertainty Relating to Going Concern</p> <p>The statement of financial performance reflects a deficit from operations totalling Kshs.229,546,588 (2019/2020-Kshs.436,302,724) for the year under review, which increased the Agency's accumulated deficits to Kshs.2,300,250,760;(2020-Kshs.2,070,704,172) as at 30 June 2021. In addition, the statement of financial position reflects balances of Kshs.410,626,190 and Kshs.361,688,657 in respect to current liabilities and current assets as at 30 June, 2021 respectively implying that the Agency was operating at a negative working capital of Kshs.48,937,533. The deficits and shortage of working capital meant the Agency was faced with financial challenges which, if not corrected, may undermine its capacity to sustain its operations and fulfil its strategic objectives and statutory mandate.</p>	<p>Management Response</p> <p>i) The Water Act, 2016 has no provision for Water Works Development Agencies to generate internally generated revenue from water and sewerage asset development. However, the Ministry of Water,</p>	Resolved	

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No.	Issue / Observations from Auditor	Management comments	Status: (Resolved / Not Resolved)	Timeframe: (Put a date when you expect the issue to be resolved)
Audit	<p>The financial statements for the year under review do not disclose this material uncertainty, or the plans, if any, drawn by the Board to reverse the unfavourable performance.</p> <p>In the circumstances, the Agency is technically insolvent and its ability to sustain its operations is dependent on support from the National Government.</p>	<p>Sanitation and Irrigation is reviewing the Act, to provide for payment of Asset Development Levy to the Water Works Development Agencies by Water Service Providers to cut dependence on the exchequer only.</p> <p>ii) The deficit for the period of Kshs: 229,546,588 is attributable to:</p> <p>a) Depreciation for the period of</p>		

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ended June 30, 2022.

Issue / Observations from Auditor	Management comments	Status: (Resolved / Not Resolved)	Timeframe: (Put a date when you expect the issue to be resolved)
	<p>Kshs: 174,594,788 and, b) Exchange loss of Kshs: 43,027,268.</p> <p>iii) The figure of Kshs. 2,300,250,760 is accumulated figure of the two items stated above overtime hence the going concern of the Agency is not threatened.</p> <p>iv) The current assets figure of Kshs.361,688,657 is net of provision for bad and doubtful debts of Kshs:</p>		

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o. Issue / Observations from Auditor	Management comments	Status: (Resolved / Not Resolved)	Timeframe: (Put a date when you expect the issue to be resolved)
	251,391,944 hence a gross current asset of Kshs: 613,080,601 against a current liability of Kshs: 410,626,190 with working capital of Kshs: 202,454,411 (Current ratio (1.49: 1) hence the going concern of the Agency is not threatened		
Other Matter			
Budgetary Control and Performance	Management Response The under expenditure is due to late exchequer disbursement of	Resolved	
The statement of comparison of budget and actual amounts for the year ended 30 June,			

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o. lit	Issue / Observations from Auditor	Management comments	Status: (Resolve d / Not Resolved)	Timeframe: (Put a date when you expect the issue to be resolved)
	<p>2021 reflects budgeted and actual revenues on comparable basis totalling Kshs.456,808,863 and Kshs.355,114,963 respectively resulting to a revenue shortfall of Kshs.101,693,900, or 22% of the approved budget.</p> <p>Failure to realize the budgeted revenue implied that some of the Agency's projects and programmes planned for implementation in the year under review were not undertaken and as a result, the Agency may not have provided services and benefits to the public.</p>	<p>grants i.e 9th July, 20121 after the close of the year and the amount could not be utilized during the financial year and differed to 2022/2023FY (as per Note 21 to the Financial Statements) when the expenditure is expected to be incurred and revenue recognized in line with the matching principle of accounting</p>		
	<p>Unresolved Prior Year Matters</p> <p>The audit report for the previous year highlighted several issues under the Report on Financial Statements, Report on Lawfulness and Effectiveness in Use of Public Resources and Report on Effectiveness of Internal Control and Risk Management. The matters had not been resolved as at 30 June, 2021.</p>	<p>Management Response</p> <p>All the prior year audit recommendation were implemented as recommended by the Auditor General's report</p>	Resolved	
	Basis for Conclusion			
	<p>Delayed Work-in-Progress</p> <p>As disclosed in Note 19(a) to the financial statements, the statement of financial position reflects property, plant and</p>	Management Response	Not Resolved	30/06/2023

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ur ended June 30, 2022.

No.	Issue / Observations from Auditor	Management comments	Status: (Resolved / Not Resolved)	Timeframe: (Put a date when you expect the issue to be resolved)
audit	<p>equipment balance of Kshs.11,166,867,639 is work-in-progress totalling Kshs.5,787,289,672. The balance in turn includes Kshs.21,328,780, Kshs.976,518,394 and Kshs.762,539,097 for Kiambere-Mwingi Water Supply and Sanitation Project, Thwake Multi-Purpose Dam and Yatta Dam respectively. However, the three balances remained unchanged in the year under review which indicated that the projects may have stalled. Management did not provide detailed information on the projects and it was therefore not possible to confirm their completion status.</p> <p>Further, expenditure records indicated that the Agency engaged a consultant to review the water and sanitation systems of Kiambere-Mwingi project at a contract sum of Kshs.3,107,000. However, records on how the services of the consultant were procured were not provided for audit review. As a result, the regularity and value for money on the expenditure totalling Kshs.3,107,000 could not be confirmed.</p> <p>In the circumstances, the validity and value for money of the work-in-progress balance of Kshs.5,787,289,672 could not be confirmed.</p>	<p>Yatta Dam-The project has a pending court case on the land and property compensation which has delayed the project commencement.</p> <p>Kiambere Mwingi water supply project-The project was awarded to M/S Costruzioni Santangelo Srl to undertake the construction works from 27th January 2017 to September 2018. However, the Contractor was unable to carry out the works within the Contract period and the Contract expired in September 2018. This was caused by slow mobilization of the contractor, delay in tax exemptions by the National Treasury, change of contractor's entity. The Agency got a no objection from the Italian Government to terminate the</p>		

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No. dit	Issue / Observations from Auditor	Management comments	Status: (Resolve d / Not Resolved)	Timeframe: (Put a date when you expect the issue to be resolved)
		<p>contract and an approval from the Donor and the Ministry of Water, Sanitation and Irrigation on 3rd March 2020 to engage a Water Expert to review the scope and re-advertise the construction of the Works. The scope of works have been repackaged and bid documents are ready for re-advertisement. The process for disengagement of the Contractor for Kiambere -Mwingi water supply project is ongoing.</p> <p>The Italian Corporation (Donor) engaged and paid the Individual consultant to review scope of works.</p> <p>Thwake Multi-purpose dam project; the Agency undertook Review of feasibility studies, preparation of detailed designs and Bidding documents. The</p>		

Water Works Development Agency
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 for the period ended June 30, 2022.

No.	Issue / Observations from Auditor	Management comments	Status: (Resolved / Not Resolved)	Timeframe: (Put a date when you expect the issue to be resolved)
Audit		Project was then transferred to the Ministry of Water, Sanitation and Irrigation for implementation. The construction works for the dam are currently on going.		
	<p>Delayed Implementation of a Water Project</p> <p>Examination of expenditure records indicated that Kshs.128,914,037 had been incurred on Matungulu Water Supply Project (Ngalalya Water Project).</p> <p>Records on the project and a field visit carried out on in January, 2022 revealed that the main Contractor did not complete the works to the standards required. The reservations were made by Management in additional correspondence to the Ministry of Water and Irrigation.</p> <p>However, Management did not disclose the measures, if any, taken against the contractor. Further, there were no records or other information on the handover of the project to the respective water service provider and as a result completion of the project could not be confirmed.</p>	<p>Management Response</p> <p>The project is currently complete and already in the process of being handed over to the WSP</p>	Not Resolved	31/12/2022

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r ended June 30, 2022.

io. dit	Issue / Observations from Auditor	Management comments	Status: (Resolve d / Not Resolved)	Timeframe: (Put a date when you expect the issue to be resolved)
	In the circumstances, value for money may not have been realized from the Kshs.128,914,037 incurred in the implementation of the project.			
	<p>Projects Implementation Status</p> <p>As disclosed in Note 14 to the financial statements, the statement of financial performance reflects operating costs amounting to Kshs.220,073,714 which relates to expenditure incurred on various projects during the year under. However, physical verification of projects revealed the following anomalies:</p>			
	<p>3.1 Kathemboni Borehole</p> <p>Procurement records indicated that the contract for equipping of Kathemboni borehole was awarded to a firm at a contract sum of Kshs.5,857,694. Review of the bills of quantities revealed that the scope of the project included fencing works and installation of a gate at a combined cost of Kshs.484,000. However, at the time of field inspection in December, 2021, the fence and the gate had not been erected at the project's site and as a result, installations which included solar panels, were not secured from</p>	<p>Management Response</p> <ul style="list-style-type: none"> • Kathemboni Borehole is located in public Land. • The project has components located in both Kathemboni church and Kathemboni Primary school 	Resolved	

10. Issue / Observations from Auditor	Management comments	Status: (<i>Resolved / Not Resolved</i>)	Timeframe: (<i>Put a date when you expect the issue to be resolved</i>)
<p>lit</p> <p>vandalism. This notwithstanding, the contractor was issued with the certificate of completion of works.</p>	<ul style="list-style-type: none"> • The project components include electromechanical works, pipeline works, kiosk, cattle trough and fence. • The project contract allowed for 200 m fencing for the project components. • During implementation the Water point (Water Kiosk and tank) was fenced. • It was impossible to fence all project components due to inadequacy in the BoQ provision (components are located 300m apart) however the solar mounting structure and solar panels was located inside the school compound which is fenced complete with a gate 		

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No. dit	Issue / Observations from Auditor	Management comments	Status: (Resolve d / Not Resolved)	Timeframe: (Put a date when you expect the issue to be resolved)
		therefore guaranteeing security of the installations.		
	<p>3.2 Kaluasi Borehole</p> <p>The tender for drilling the Kaluasi borehole was awarded to a contractor at a contract sum of Kshs.5,944,048 as indicated in the contract agreement and bills of quantities. However, physical verification carried out in December, 2021 revealed that, a permanent project sign board included in the bills of quantities was not erected, and in addition, two solar panels said to have been installed at the project site were missing.</p> <p>Further, an ownership dispute on the land on which the borehole was constructed had not been resolved.</p>	<p>Management Response</p> <ul style="list-style-type: none"> The borehole was drilled and equipped with electromechanical works, pipework, kiosk, cattle trough and fence. The Borehole was handed over to the community after implementation and has since been operational. The community committee operating the project has been instructed to re-erect the signboard. The total solar panels installed were 42 No. rated 280w each to produce 	Resolved	

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r ended June 30, 2022.

No.	Issue / Observations from Auditor	Management comments	Status: (Resolved / Not Resolved)	Timeframe: (Put a date when you expect the issue to be resolved)
dit		<p>11.76 Kw as required in the Contract. The solar structure was fabricated with extra space .The borehole is fully operational.</p> <ul style="list-style-type: none"> • Kaluasi borehole has been operational since it was handed over to the community and the school. The leaks from the sides might be a maintenance issue during the operations by the community. • The Community Committee operating the project has been requested to repair leaks. • The owner of the land on which the borehole was drilled and equipped had initially given the Agency the permission to 		

Issue / Observations from Auditor	Management comments	Status: (Resolved / Not Resolved)	Timeframe: (Put a date when you expect the issue to be resolved)
	<p>implement the project. There have been some disputes during the operation of the project. Several meetings have been held between the Agency and the community to resolve the disputes. The process is ongoing including engagement of other relevant stakeholders.</p>		
<p>3.3 Equipping of Kavuthu Ngoto Borehole</p> <p>Equipping of Kavuthu Ngoto borehole project was implemented at a cost of Kshs.6,434,358 paid in two instalments at Kshs.5,478,680 and Kshs.955,678. Although the project was completed and was in use at the time of the audit, it had several defects. For instance, one side of the wall had cracks, the soak pit cover provided for in the bills of quantities was not installed, the flooring works inside the kiosk and veranda around the kiosk had potholes and were incomplete. Further, the elevation of the veranda floor was not high enough, which resulted in backflow of water and soil into the water kiosk.</p>	<p>Management Response</p> <ul style="list-style-type: none"> The borehole was drilled and equipped with components such as electromechanical works, pipework, kiosk, cattle trough and fence. The project was handed over to the school and the community after its implementation. The borehole is fully operational and some 	Resolved	

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r ended June 30, 2022.

No.	Issue / Observations from Auditor	Management comments	Status: (Resolved / Not Resolved)	Timeframe: (Put a date when you expect the issue to be resolved)
	<p>3.4 Lack of Public Participation in Projects</p> <p>Review of the respective project files did not indicate participation of members of the public in the selection and prioritization of projects as required by Article 232(1) of the Constitution of Kenya, 2010.</p> <p>In the circumstances, it was not possible to confirm if value for money was realized from the resources applied in these projects.</p>	<p>components of the components such as the kiosk, cattle trough and soak pit have been damaged during its operations.</p> <p>The Community Committee operating the project has been requested to repair the affected components</p>		
	<p>Water Supply Project Not Operationalized</p> <p>Review of the expenditure records indicated that a total of Kshs.3,554,672,392 had been spent on Mavoko Drinking Water Supply Project. The project had five (5) components including the rehabilitation of Nol-Turesh pipeline from the pump station at Emali town to Lukenya tank and rehabilitation of the pump systems and water tanks at a cost of Euros.282,603 or Kshs.35,890,581.</p> <p>Audit verification carried out in December, 2021 observed that although rehabilitation of the tank and pump systems had been done at both Lukenya and Emali, no water had been supplied to the pump station since August, 2021. In</p>	<p>Management Response</p> <p>Mavoko Drinking Water Supply Project is 100% complete and has increased service delivery from 3hours to 24 hours by increasing the treated water supply from 3,000m3/day to 12,000m3/day. The existing connections are 9,500. The project targets 20,000 connections (500,000 people) which is a mix of Domestic,</p>	Not Resolved	31/12/2022

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No.	Issue / Observations from Auditor	Management comments	Status: (Resolved / Not Resolved)	Timeframe: (Put a date when you expect the issue to be resolved)
lit	<p>In addition, there was no electric power or diesel to pump water to the distribution lines and main tank at Lukenya.</p> <p>In the circumstances, the value for money on the Kshs.3,554,672,392 incurred on the water supply project could not be confirmed.</p>	<p>Commercial, Institutional and Industrial.</p> <p>One of the components of the project is rehabilitation of Nolturesh pipeline including rehabilitation of the pump station at Salama and 3000m³ Lukenya Tank. The components have since been tested and handed over to the Agency; however there has been disruption in the water supply to Lukenya Tank due to disconnection of electricity by Kenya Power Company at the pump station over unpaid electricity bills. The Agency has also engaged the County Government of Kajiado and NOLWASCO to ensure continuous flow of water to the</p>		

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No.	Issue / Observations from Auditor	Management comments	Status: (Resolved / Not Resolved)	Timeframe: (Put a date when you expect the issue to be resolved)
ii		pump station to enable pumping to Lukenya Tank.		
	<p>Non- Repayment of African Development Bank Loan</p> <p>As previously reported, the statement of financial position and Note 22 discloses a balance of Kshs.5,422,113,060 ;(2020 - Kshs.5,379,085,792) in respect to borrowings which relates to outstanding loan due to the African Development Bank. According to the financing agreement and a subsidiary loan agreement between the Government of Kenya and the Agency (then known as Tanathi Water Services Board) dated 10 September, 2010, the Government advanced the Agency a loan amounting to USD 53,913,490 or Kshs.5,149,753,042. Article IV (Section 4.1) of the subsidiary loan agreement required the Agency to repay the principal amount to the National Treasury in fifty-two (52) consecutive semi-annual instalments commencing from 30 April, 2016. In addition, Article III (Section 3.1) required the Agency to pay interest on the principal amount at the rate of 3% per annum for a period of 30 years and that interest would accrue on any unpaid principal, or interest amounts.</p>	<p>Management Response</p> <p>The Agency was expected to collect revenue from Water Service Providers (WSPs) under whose operations the developed water & sanitation infrastructure fall. However, after devolution of water service provision services to counties, the WSPs ceased being Agencies of the Water Works Development Agencies after their transfer to the counties and collection of the revenue became unrealizable. Due to this, the Agency has engaged the Ministry of Water, Sanitation and Irrigation to provide a policy direction on how</p>	Not Resolved	30/06/2023

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No.	Issue / Observations from Auditor	Management comments	Status: (Resolved / Not Resolved)	Timeframe: (Put a date when you expect the issue to be resolved)
dit	<p>However, the Agency had not commenced repayment of the loan as at 30 June, 2021, at which date the amount due had increased from Kshs.5,379,085,792 reported in 2020 to Kshs.5,422,113,060 as at 30 June, 2021, or by Kshs.43,027,268, which was attributed to an unfavourable exchange rate between the Kenya shilling and the Euro, which was the borrowing currency.</p> <p>Failure to comply with the terms of the loan agreement reflects negatively on the financial position and credit rating of the Agency. Further, the increasing loan liability may, if not halted, erode the benefits that the loan was expected to provide to the Agency and the country at large</p> <p>Lack of Ethnic Balance</p> <p>Review of human resource documents revealed that the Agency had a total of forty-four (44) employees out of whom thirty-one (31) or 70% were from the one dominant community. The Agency had therefore not adhered to the provisions of Section 7(1) and Section 7(2) of the National Cohesion and Integration Act, 2008 which provides each public entity shall seek to reflect the diversity of the people of Kenya in its staff establishment and no entity shall have more than one-third of its staff from the same ethnic community.</p>	<p>these revenues can be effectively collected and the loan repaid.</p>		
		<p>Management Response</p> <p>The management is in agreement with the audit observation; however, the Management has progressively moved towards ensuring ethnic balancing in all its recruitments and would ensure the same in any future recruitment.</p>	<p>Not Resolved</p>	<p>30/06/2025</p>

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ir ended June 30, 2022.

No. Audit	Issue / Observations from Auditor	Management comments	Status: (Resolved / Not Resolved)	Timeframe: (Put a date when you expect the issue to be resolved)
	In the circumstances, Management was in breach of the law.			
	<p>Irregular Board Meetings Records on Directors remuneration indicated that the Directors were paid Kshs.13,448,957 in in allowances during the year under review. However, review of Board meeting minutes, attendance registers and payment schedules revealed that the Board held a total of nine (9) meetings during the year contrary to the provisions of the Office of the President Circular No. OP/CAB/9/1A which prescribes for a maximum of six meetings per year for Boards of public entities. No documentation was provided for audit review to confirm that the extra meetings were approved by the relevant Cabinet Secretary or the State Corporation Advisory Committee.</p> <p>In the circumstances, Management was in breach of the law.</p>	<p>Management Response The management will ensure strict adherence to the Board almanac in future</p>	Resolved	

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For the year ended June 30, 2022.

APPENDIX II: PROJECTS IMPLEMENTED BY THE AGENCY

Projects implemented by the State Corporation/ SAGA Funded by development partners and/ or the Government.

Project title	Project Number	Donor	Period/ duration	Donor commitment	Separate donor reporting required as per the donor agreement (Yes/No)	Consolidated in these financial statements (Yes/No)
1	Mavoko Water Supply Project	Belgium Government		2.7 Billion	No	Yes
2	Kiamber e-Mwingi water and Sanitation Project	Italian Corporation		1.4 Billion	No	Yes

Status of Projects completion

	Project	Total project Cost	Total expended to date	Completion % to date	Budget	Actual	Sources of funds
1	Kiambere-Mwingi water and Sanitation Project	1.4 Billion	19.5Million	3.6%	182 Million	5.6 Million	Italian Corporation
2	Mavoko Water	2.7 Billion	2.4 Billion	68%	198Million	127 Million	Gok

For the year ended June 30, 2022:

	Supply Project Water Supply Project						
3	Matungulu Water Supply Project	116 Million	114 Million	97%	-	-	KIDDP

For the year ended June 30, 2022.

APPENDIX III: INTER-AGENCY TRANSFERS

AGENCY NAME:		TANATHI WATER WORKS DEVELOPMENT AGENCY		
		Breakdown of Transfers from the Ministry of Water, Sanitation and Irrigation		
FY 2021-2022				
a.	Recurrent Grants			
		<u>Bank Statement Date</u>	<u>Amount (KShs)</u>	<u>Indicate the FY to which the amounts relate</u>
			9,666,667	2021/2022FY
		07/09/2021	9,666,667	2021/2022FY
		29/09/2021	9,666,666	2021/2022FY
		25/11/2021	9,666,667	2021/2022FY
		02/12/2021	9,666,667	2021/2022FY
		12/01/2022	9,666,665	2021/2022FY
		07/02/2022	9,666,667	2021/2022FY
		02/03/2022	9,666,667	2021/2022FY
		04/04/2022	9,666,667	2021/2022FY
		09/05/2022	9,666,667	2021/2022FY
		07/06/2022	9,666,667	2021/2022FY
		30/06/2022	9,666,666	2021/2022FY
		Total	116,000,000	
b.	Development Grants			
		<u>Bank Statement Date</u>	<u>Amount (KShs)</u>	<u>Indicate the FY to which the amounts relate</u>
		26/08/2021	115,500,000	2021/2022FY
		29/10/2021	7,000,000	2021/2022FY
		19/11/2021	40,000,000	2021/2022FY
		25/11/2021	75,000,000	2021/2022FY
		01/11/2021	115,500,000	2021/2022FY
		23/12/2021	144,640,000	2021/2022FY
		16/05/2022	83,000,000	2021/2022FY
		23/06/2022	75,000,000	2021/2022FY
		23/06/2022	75,000,000	2021/2022FY
		23/06/2022	5,536,000	2021/2022FY
		07/07/2022	33,000,000	2021/2022FY

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AGENCY NAME:		TANATHI WATER WORKS DEVELOPMENT AGENCY		
		Total	769,176,000	
c.	Direct Payments			
		<u>Bank Statement Date</u>	<u>Amount (KShs)</u>	<u>Indicate the FY to which the amounts relate</u>
		30/06/2022	124,112,250	2021/2022FY
		Total	124,112,250	
d.	Donor Receipts			
		<u>Bank Statement Date</u>	<u>Amount (KShs)</u>	<u>Indicate the FY to which the amounts relate</u>
		22/11/2021	24,941,340	2021/2022FY
		Total	24,941,340	

The above amounts have been communicated to and reconciled with the parent Ministry

Manager-Finance & Accounts
Tanathi Water Works Development Agency

Head of Accounting Unit
Ministry of water, Sanitation & Irrigation

Sign -----

Sign-----