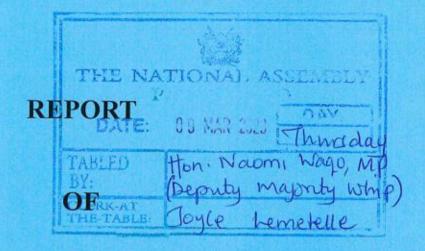




Enhancing Accountability



THE AUDITOR-GENERAL

ON

INFRASTRUCTURE FINANCE AND PUBLIC PRIVATE PARTNERSHIPS PROJECT - IDA CREDIT NO.5157-KE

FOR THE YEAR ENDED 30 JUNE, 2022

THE NATIONAL TREASURY





PROJECT NAME: INFRASTRUCTURE FINANCE PUBLIC PRIVATE PARTNERSHIPS (IFPPP)

IMPLEMENTING ENTITY: THE NATIONAL TREASURY AND PLANNING

PROJECT GRANT/CREDIT NUMBER: 5157- KE

ANNUAL REPORT AND FINANCIAL STATEMENTS

FOR THE FINANCIAL YEAR ENDED

30th JUNE, 2022

Annual Report and Financial Statements for the financial year ended 30th June 2022

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1. Project Information and Overall Performance

1.1 Name and registered office

The official name of the project is Infrastructure Finance and Public Private Partnerships

Objective- To improve the enabling environment to generate a Pipeline of bankable Public Private Partnerships (PPP) projects

Address

The project headquarters offices are at:

Reinsurance Plaza,6th Floor,

Taifa Road

Nairobi

KENYA.

The address of its registered office is:

P.O.BOX 30007-00100

NAIROBI

Tel: 020 -2732080

Email: info@pppunit.go.ke.

Contacts: The following are the project contacts:

Telephone: (254) 020-2732080

E-mail: info@pppunit.go.ke

Website: www.pppu.go.ke

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Project information and overall performance (continued)

1.2 Project Information

Project Start Date: The project start date is 11th February, 2013			
Project End Date: The Project end date is 30th June, 2023			
Project Coordinator: The Project Coordinator is Director General/PPP			
Project Sponsor: The project sponsor is the International Development Association (IDA)			

1.3 Project Overview

Line Ministry/State Department of the project	The project is under the supervision of the National Treasury and Planning			
Project number	5157 -KE			
Strategic goals of the project	Overall Objective- to increase private investment in the Kenyan infrastructure market across sectors and to sustain this participation over an extended period of time. This involves two key areas of development: (i) improving the enabling environment; and (ii) generating a bankable pipeline of potential transactions. Specific Objective- to improve the enabling environment to generate a pipeline of bankable PPP projects.			
Achievement of strategic goals	The project is in Year 8 and the following achievements are in reference to the end of project targets as documented in the project results framework (in the Project Appraisal Document) and as amended during the mid-term review of the project. Project development objectives			
	(i) Indicator 1- Expression of Interests (EOIs) ¹ issued to prospective sponsors for three targeted PPP transactions.			
	End Target- 6 EOIs by end of Project.			
	Achievement— 9 EOIs were issued by end of 2016. The EOIs were for the following projects: Phase 1-Roads 10,000 Annuity programme, Mombasa Port Development Project (MPDP)-2nd Container Terminal, 800 MW LNG Power Plant Dongo Kundu,			

¹ The base year/baseline year for IFPPP-AF was December 2016, the GOK and the World Bank agreed that for indicators that are in both the IFPPP and IFPPP-AF, project achievements from January 2017 be reported in IFPPP-AF reports. Thus, the number of EOIs reported here are those that had been issued as at December 2016. The EOIs issued between January-June 2018 and subsequent ones are reported in the IFPPP-AF reports.

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	105 MW Menengai Phase 1(3 EOIs), Kenyatta University Student Hostels, Civil Servants Housing project, Multi-level Car Park in Nairobi CBD.
	(ii) Indicator 2- PPP Regulations associated with the new Law agreed to with the National Treasury.
	End Target- Yes
	Achievement- Yes
	The National PPP Regulations- these were gazetted in December 2014 and submitted to the Parliamentary Committee.
	(iii) Indicator 3- PPP Fiscal Commitment and Contingent Liability Framework operationalized as measured by: upstream Debt Management Department (DMD) due diligence on prospective (feasibility stage) transactions completed in line with Law.
	End Target- Yes
	Achievement- Yes
	The FCCL framework was approved by the PPP Committee on 6th June 2018. FCCL assessments had been done for 14 projects (includes 5 mover projects) by end 2016.
	(iv) Indicator 4 Regular issuance of Government benchmark bonds in medium and long-term maturities up to 7/10-year tenures.
	End Target- At least one issue by maturity bucket per year and minimum size of benchmark issue.
	Achievement- The Government issued the following bonds during the period 2014-2017; Two 1yr bonds, Six 2yr bonds, Three 5yr, One 7yr, Two 9yr, Six 10yr, Three 12yr, Two 15yr.
Intermediate Result	S COMPONENT 12
Indicators	COMPONENT 2
	(i) Indicator 1- Five Feasibility Studies ³ completed and submission by contracting authorities to the PPPC (PPP Committee) acceptable to the Association, including Safeguards.
	End Target- 5

² The Intermediate Results (IR) indicators under component 1 were dropped at the project restructuring done in 2018. The indicators are: (i) Capital Markets Authority Bill 2011 approved by Cabinet for submission to Parliament (ii) Securities and Investments Bill 2011 approved by Cabinet for submission to Parliament.

³ The base year/baseline year for IFPPP-AF was December 2016, the GOK and the World Bank agreed that project achievements starting January 2017 be documented under IFPPP-AF. Thus, the Feasibility Study (FS) reports reported here are those approved as at December 2016. The FS reports approved starting January 2017 onwards are documented/reported under IFPPP-AF.

Annual Report and Financial Statements for the financial year ended 30th June 2022

Achievement- 11

The PPP Committee had approved a total of 11 Feasibility Studies as at end of FY 2016. The approved feasibility studies were for the following projects: Kenyatta University Student Hostels, Road Annuity (phase 1), Nairobi-Nakuru Mau Summit Highway, O&M of Nairobi Southern By Pass, O&M of Nairobi-Thika Road, Dualling of Nairobi-Mombasa Highway, 460MW Menengai Phase I, Mombasa Port Development Project (MPDP) - 2nd Container Terminal Phase II & III, 800MW Liquified Natural Gas (LNG) Power Plant at Dongo Kundu, Civil Servants Housing Project, Multi-Storey Car Park and Commercial Facility in Nairobi CBD.

(ii) Indicator 2- Line Ministries and Agencies "Nodes" for First Mover Transactions established and operational.

End Target- 2

Achievement-Yes

A total of 70 PPP Nodes have been established and operational in various government Ministries and Agencies.

COMPONENT 3

(i) Indicator 1- PPP Fiscal Commitment and Contingent Liability Framework, including Disclosure Procedures approved by the Cabinet Secretary, National Treasury.

End Target- Yes

Achievement- The PPP Committee approved the FCCL framework in June 2018. The Disclosure Framework was approved by the PPPC on 17th May, 2018. The FCCLs are disclosed by the annual debt report prepared by the PDMO. This report is also part of the annual budget policy statement.

Other important background information of the Project

By helping to strengthen the PPP framework, the IFPPP APL will assist GoK to develop a solid foundation to systematically prepare PPPs and realize the benefits of PPPs more effectively. This will foster increased private investments in infrastructure, increased employment opportunities, improved service delivery to enterprises and the population in general, improved fiscal impact on Government from better project preparation, more balanced risk allocation, increased transparency, wider quality control, greater efficiency, and enhanced financial sector support. This framework will enable an increase in the availability and quality of infrastructure in different sectors to boost enterprise growth and productivity and improve the well-being of Kenyans. The current IFPPP APL1 project period was extended to October 2022 and again to June 2023. The GOK requested for an additional USD 50 million World Bank funding for IFPPP-Additional Financing (IFPPP-AF) project. The funding is for the period 2017-2022. The funding for IFPPP-AF was signed on 7th August, 2017 and the project became effective from 21st December, 2017.

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Current situation that the project was formed to intervene

COMPONENT 1: INSTITUTIONAL SUPPORT AND REGULATORY REFORM a) Subcomponent 1A – Support to PPP Institutions

The objectives of this sub-component are to support the establishment and functioning of the PPP Unit at the National Treasury and PPP Nodes in selected line Ministries and to build the capacity of GoK stakeholders to implement the PPP program through training, experience exchange, technical assistance, awareness and communication programs.

Progress:

The funds allocated for activities under this component were exhausted and therefore no activities were undertaken under this component during the period under review.

b) Subcomponent 1B - Legal and Regulatory Reform

The objective of this sub-component is to support PPP policy dialogue and implementation of the PPP Act, including preparation and adoption of the Regulations and effective implementation.

Progress:

The funds allocated for activities under this component were exhausted and therefore no activities were undertaken under this component during the period under review. Subcomponent 1C – Institutional Development for Financial Products and PPP Approaches

The objective of this sub-component is to support institutional arrangements for a range of financing instruments such as viability gap funding, guarantees, infrastructure funds, financial intermediary lending facilities and development of local capital markets.

Progress:

The activities under this sub-component were moved and are being implemented under the Financial Sector Support Project (FSSP) which commenced in April 2015 under the National Treasury.

COMPONENT 2: PPP PIPELINE PREPARATION

The objective of this component is to assist contracting authorities with ensuring that the first projects to come before the PPP Committee are well prepared, bankable and take into account lessons learned from previous PPP projects, the privatization program in Kenya and regional and international experience.

Progress:

Transaction Advisory:

Nairobi Nakuru Mau Summit Project

The project achieved Commercial Close in October 2020. Since then, both the Private Party and Contracting Authority have been working towards fulfilment of the

Annual Report and Financial Statements for the financial year ended 30th June 2022

Conditions Precedent (CPs) to Financial Close. Alongside this, a review of the project costs has been ongoing, with an aim of making it more affordable.

140 MW Olkaria Geothermal

The Contracting Authority continued consultations with the Ministry of Energy on the implementation of the recommendations of the Presidential Taskforce on Power Purchase Agreements (PPAs) for directions as some of the recommendations have implications on 140 MW project.

National Road Tolling Operator

During the reporting period, the Feasibility Study (FS) was finalised and is awaiting approval by the PPP Committee. In addition, a variation of the TA contract was approved for the TA to undertake an updated traffic study for Nairobi Nakuru Mau Summit and also update its Environmental and Social Impact Assessment (ESIA).

COMPONENT 3: IMPROVEMENTS TO FISCAL COMMITMENT AND CONTINGENT LIABILITY (FCCL) RISK MANAGEMENT FRAMEWORK

The objective of this component is to provide support and guidance to the National Treasury and other relevant agencies on the fiscal commitment and risk framework associated with infrastructure, with emphasis on contingent liabilities from PPPs.

Progress:

The funds allocated for activities under this component were exhausted and therefore no activities were undertaken under this component during the period under review.

COMPONENT 4: SUPPORT FOR PROGRAM MANAGEMENT

A Project Implementation Unit (PIU) was established within the National Treasury from inception of the Project to provide the fiduciary safeguards, monitoring and evaluation (M&E) expertise required for the implementation of the IFPPP project in accordance with Bank policies and requirements.

Progress:

- In July 2020, the PIU functions were transitioned to the Project Facilitation Fund (PFF) Secretariat, under the PPP Directorate. The PFF is staffed with: Assistant Accountant General, 3 Accountants and 2 Procurement Officers, all seconded from the National Treasury. In addition, it has 3 staff contracted under IFPPP i.e., Monitoring and Evaluation Expert, Office Manager and Procurement Specialist. Recruitment is underway for an Environmental Safeguards Expert and a Social Safeguards Expert. The PPP Directorate has a total of 4 staff contracted under the IFPPP.
- IFPPP quarterly progress reports and other Project statutory reports are consistently submitted within the required timelines,

Annual Report and Financial Statements for the financial year ended 30th June 2022

	 Semi-annual program review workshops are organized as required and implementation of action points monitored.
Project duration	The project commenced on 11th February 2013 and is expected to run until 30th June, 2023.

Annual Report and Financial Statements for the financial year ended 30th June 2022

Project Information and Overall Performance (Continued)

1.4 Bankers

a) Special Deposit Account

Kenya Commercial Bank Ltd University Way Branch University Way NAIROBI. IDA Credit No. 5157-KE – Account No. 1136321365

15A Great No. 3137-NE - Account No. 113032130

b) Local Project Account

Kenya Commercial Bank Ltd University Way Branch University Way NAIROBI.

IFPPP - Account No. 1138915874

1.5 Auditors

The project is audited by the:
Office of the Auditor General
Anniversary Towers
University Way/ Monrovia Street
NAIROBL

1.6 Roles and Responsibilities

Project Governance

The Project's governance framework requires the stakeholders to uphold the highest professional, ethical, moral and legal standards. This is achieved through effective segregation of duties with clear checks and balances as articulated in the Project Loan/Credit Agreement, the PFM Project Design Implementation Manual and the Finance and Procurement Manuals.

The Public Private Partnerships Committee (PPPC)

This Committee is responsible for overseeing the implementation of the Project in line with its mandate in the PPP Act 2021 and PFF Regulations 2017 which includes, approving the annual work plan and budget, and ensuring that the activities are in compliance with the donor and government policies.

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International Development Association (IDA)

IDA under the World Bank is the project sponsor. They are responsible for reviewing and approving the project's withdrawal applications, expenditure justifications, no objection requests, reviewing and approving the annual work plan and budget, expenditure category reallocation request, and participating in implementation support missions.

The National Treasury and Planning

The National Treasury and Planning is the parent ministry ensures that the Project's budget is captured in its development projects and disbursement of exchequer transfers. The ministry reviews and tracks the Project's annual work plan and budget against the set targets and makes the approvals. The parent ministry also oversees the execution of the project coordinating team.

The Auditor

The Supreme Audit Institution in Kenya, that is, the Office of the Auditor General, is mandated by the Constitution of Kenya Chapter 12, Part 6, Article 229 which establishes the Office of the Auditor General. Chapter 15, Article 248, Section 3 and Article 249, Section 2 (a) and (b) and section 10 of the Public Audit Act, 2015 provide for the independence of the Office of the Auditor General.

The Auditor General is mandated to audit all national government entities, which include government development projects and present these statutory financial statements to the Parliament. This facilitates the submission of the audited report to the project's sponsors by 31 December each year.

Project Coordinating Team (PCT)

This team is based in Nairobi and is responsible for the project management and coordination functions. The PCT comprises of the Project Coordinator and a team of Technical Officers. The PCT is also supported by other administrative staff.

These key staff, who form the project coordinating team that is involved in the day-to-day management of the project and its implementation are:

Names	Title designation	Key qualification	Responsibilities
Christopher Kirigua, MBS	Director General, PPP		Provides Project Coordination support at the National Treasury
CPA FA Paul Kimani FCCA (Joined on 19 th July,2021)	Assistant Accountant General	Bachelor of Commerce (Accounting & Auditing) Chartered Certified Accountant (ACCA) Certified Public Accountant of (K) Certified Investment & Financial Analyst (ICIFA)	Provides Project Financial and Risk Management
Mr. Wycliffe Paul Ondieki	Monitoring and Evaluation Expert	Master of Education (Educational Psychology)	Establish & oversee implementation of the Monitoring & Evaluation Function & System for the Project

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		Bachelor of Education (Mathematics & B. Studies)	
CPA Gaudencia N. Mukisu (Left on 30 th September, 2021)	Financial Management Specialist	Bachelor of Commerce (Finance Option) Certified Public Accountant of (K)	Provides Project Financial and Risk Management
Ms. Danae Nandwa Ottaro	Procurement Specialist	Bachelor of Commerce (Business Administration) Graduate Diploma in Purchasing & Supply (CIPS, UK)	Procurement Management
Ms. Norah Munyiva	Office Manager	Master of Science (Procurement and Contract Management) Bachelor of Commerce (Marketing Option)	Office Administration
Cecilia Njigi		Bachelor of Commerce, Accounting	Project Management
Edward Gaitho	Project Officer	Bachelor of Information Technology	Project Management
Joseph Ndungú	Project Officer	Bachelor f Arts, Economics Master of Art in Economics	Project Management
Moses Cherono	Project Officer	Bachelor of Arts, Economics Master of Art in Economics	Project Management
Kevin Waweru	Project Officer	Bachelor of Commerce- Accounting Master of Business Administration- Strategic Management	Project Management
Edgar Kamara	Financial Modeller	Bachelor of Economics Masters in Finance and Investment	Project Structuring

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Karei Mwenda	Personal Assistant to Director General, PPP	Bachelor of Laws Master of Laws	Legal Expert
Gideon Magara	Legal Officer	Bachelor of Laws	Legal Expert
Joan Chesoni	Legal Officer	Master of Laws	Legal Expert
Neala Wanjala	Legal Officer	Bachelor of Laws	Legal Expert
Emma Gikebe	Accountant	Bachelor of Business Management- Accounting Option CPA (K)	Financial fiduciary management
Violet T. Wanyama	Principal Accountant	Bachelor of Business Administration Masters in Corporate Management CPA (K), SLDP	Financial fiduciary management
Susan Shaly Njule	Accountant	Bachelor of Commerce- Finance CPA (1)	Financial fiduciary management

1.7 Funding summary

The Project commenced in December 2012 and is expected to end in June 2023 with an approved budget of US\$ 40 million equivalent to Kshs 4.0 billion

INFRASTRUCTURE FINANCE AND PUBLIC PRIVATE PARTNERSHIPS PROJECT Annual Report and Financial Statements for the financial year ended 30th June 2022

Project information and overall performance (continued)

Below is the funding summary:

The project commenced in December 2012 and is expected to end in June 2023 with an approved budget of US\$40 Million equivalent to Ksh 4.0 Billion

A. Source of Funds

Source of funds	Donor Commitment-		Amount received to date – (30 June 2022)		Undrawn balance to date	
	Donor currency	Kshs	Donor currency USD	Kshs	Donor currency USD	Kshs
	(A)	(A')	(B)	(B')	(A)-(B)	(A)-(B)
(i) Loan						
International Development	40.000	4.000	35.916	3.482	4.084	0.518
Association - IDA	Million	Billion	Million	Billion	Million	Billion
Tatal	40.000	4.000	35.916	3.482	4.084	0.518
Total	Million	Billion	Million	Billion	Million	Billion

Project information and overall performance (continued)

B. Application of Funds

Application of funds	Amount received to date – (30th June 2022)		Cumulative amount paid to date – (30 th June 2022)	Unutilised balance to date (30th June 2022)	
	Donor currency	Kshs	Kshs	Donor currency	Kshs
	(A)	(A')	(B')	(A)-(B)	(A')-(B')
International Development Association - IDA	35.916 Million	3,595,480,170	3,316,322,710	4.084 Million	279,157,460
Total	35.916	3,595,480,170	3,316,322,710	4.084	279,157,460

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Project information and overall performance (continued)

1.8 Summary of Overall Project Performance:

During the year under review, the project received KSh. 126,024,624.05 and incurred a cumulative expenditure of KSh. 65,162,272 being utilization of 51.71 %. of the total receipt for the year under review

Receipts Utilization

The Project received KSh. 126,024,642.05 against a final budget of Kshs. 495,638,120. This represented utilization of 25.43%

Payments Utilization

The Project paid Kshs. 65,162,272 against a final budget of Kshs. 495,638,120. This represented utilization 13.15%.

Challenges Encountered

During the Financial Year under review, The Nairobi Nakuru Mau summit road was expected to achieve a mile stone of Financial close following which payment would have been made against the achievement of the aforementioned milestone. However, the project didn't achieve this mile stone, the government made a decision to restructure the project to make it more affordable and hence the financial close milestone was not achieved

1.9 Summary of Project Compliance:

There are no indications of non-compliance of the IFPPP Project on the overall project performance.

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2. Statement of Performance against Project's Predetermined Objectives

Introduction

Section 81 (2) (f) of the Public Finance Management Act, 2012 requires that, at the end of each financial year, the Accounting Officer when preparing financial statements of each National Government entity in accordance with the standards and formats prescribed by the Public Sector Accounting Standards Board includes a statement of the national government entity's performance against predetermined objectives.

Key Development Objective

Overall Objective- to increase private investment in the Kenyan infrastructure market across sectors and to sustain this participation over an extended period of time. This involves two key areas of development: (i) improving the enabling environment; and (ii) generating a bankable pipeline of potential transactions.

Specific Objectivo- to improve the enabling environment to generate a pipeline of bankable PPP projects.

Progress on attainment of strategic development objectives

For purposes of implementing and cascading the above development objectives to specific sectors, all the development objectives were made specific, measurable, achievable, realistic and time-bund (SMART) and converted into development outcomes. Attendant indicators were identified for reasons of tracking progress and performance measurement.

INFRASTRUCTURE FINANCE AND PUBLIC PRIVATE PARTNERSHIPS PROJECT Annual Report and Financial Statements for the financial year ended 30th June 2022

Below we provide the progress on attaining the stated objectives:

The IFPPP project achieved the objective level performance targets by end 2016. Thus, the performance reported in the table below is as was in 2016. The tracking of the outcome indicators stopped in 2016 and focus shifted to tracking the outcomes of the IFPPP-Additional Financing

Project	Objective	Outcome	Indicator	Performance
Infrastructure Finance Public Private Partnerships (IFPPP) Project	To improve the enabling environment to generate a pipeline of bankable PPP projects.	Improved enabling environment to generate PPPs	Indicator 1- Expression of Interests (EOIs) issued to prospective sponsors for three targeted PPP transactions.	9 EOIs were issued by end of 2016 ⁴ .
	100 30505		Indicator 2- PPP Regulations associated with the new Law agreed to with the National Treasury.	The National PPP Regulations- these were gazetted in December 2014 and submitted to the Parliamentary Committee.
			Indicator 3- PPP Fiscal Commitment and Contingent Liability Framework operationalized as measured by: upstream Debt Management Department (DMD) due diligence on prospective (feasibility stage) transactions completed in line with Law.	The FCCL framework was approved by the PPP Committee on 6th June 2018. FCCL assessments had been done for 14 projects (includes 5 mover projects) by end 2016.
			Indicator 4 Regular issuance of Government benchmark bonds in medium and long-term maturities up to 7/10-year tenures.	The Government issued the following bonds during the period 2014-2017; Two 1yr bonds, Six 2yr bonds, Three 5yr, One 7yr, Two 9yr, Six 10yr, Three 12yr, Two 15yr.

⁴ The EOIs were for the following projects: Phase 1-Roads 10,000 Annuity programme, Mombasa Port Development Project (MPDP)-2nd Container Terminal, 800 MW LNG Power Plant Dongo Kundu, 105 MW Menengai Phase 1(3 EOIs), Kenyatta University Student Hostels, Civil Servants Housing project, Multi-level Car Park in Nairobi CBD.

INFRASTRUCTURE FINANCE AND PUBLIC PRIVATE PARTNERSHIPS PROJECT Annual Report and Financial Statements for the financial year ended 30th June 2022

3. Environmental and Sustainability reporting

Below is a brief highlight of our activities that drive towards sustainability.

1. Sustainability strategy and profile

The IFPPP benefits from the sound legal and regulatory reform and well-established institutional capacity, helping foster private sector investment in a more efficient and sustainable manner and thus bridging the country's infrastructure gap.

Currently, a big proportion of PPP program work is supported with funding of an IDA credit under the IFPPP and IFPPP-AF. This is not sustainable. The PPP Directorate is currently pursuing a number of sustainability initiatives for the PPP program and these include;

- Fully operationalizing the Project Facilitation Fund (PFF) in order to receive funding from various sources listed in the PPP regulations 2017. The operationalization of the PFF will allow PPP Directorate to crowd in additional resources from the budget of National Treasury, other Development Partners, success fees from successful bidders, tariffs, levies etc. This will put the PPP Directorate on a path of sustainability that will last long past the expiration of the World Bank Credit.
- The PPP Act 2021 provides for charging project proponents some fees such as fee for processing Privately Initiated Proposals and success fees. These fees are channelled to the PFF.
- The Directorate has initiated engagements with a number of strategic partners to explore opportunities
 for strategic and technical assistance for the program and also complementary synergies in PPP
 program work. These engagements are yielded positive results, highlights which are listed below;

Strategic Partner	PPP Program Activities Supported
Public – Private Infrastructure Advisory Facility (PPIAF	Development of PPP Regulations Development of PPP Directorate Staffing and Remuneration Structure Development of PPPD Communications and Stakeholder Engagement Strategy and PPP Marketing Communications Strategy
Climate Resilience & Environmental Sustainability Technical (CREST) advisory	 Development of Framework for Facilitating Low Carbon and Climate Resilient Infrastructure PPPs in Kenya
Private Infrastructure Development Group (PIDG)	 Transaction Advisory for Smart Street Lighting Project Transaction Advisory University Of Nairobi Purpose Built Student Accommodation Project
United States International Development Agency (USAID)	 Transaction Advisory for Meru and Greater KORA Conservation Project
5. Africa Legal Support Facility (ALSF)	 Supplementary Technical Advisory for 2nd Nyali Project Capacity building on development of Special Economic Zone (SEZ) projects
National Treasury, Public Finance Management Reforms (PFMR) program	Sensitization on PPP Legal and Institutional Framework Development of PPP Guidelines and practise notes

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2. Environmental performance

All PPP projects are subjected to environmental and social assessments, prior to implementation. This ensures that appropriate environmental impact mitigation measures are integrated during the implementation phase of the project. Further, the Directorate is currently developing a Framework for facilitating Low Carbon and Climate Resilient Infrastructure PPPs in Kenya.

Employee welfare

The Staff establishment and recruitment is as per the Project Appraisal Document and the Project Implementation Manual. (Ref: component 3: Support for Program Management in non-financials section).

4. Market place practices-

a) Responsible Supply chain and supplier relations-

PPP Directorate-IFPPP, sources goods and services from across the country and around the world to meet the requirements of the Directorate. As such, we aim in our procurement to be transparent, accountable and fair, and to provide value for money in meeting the Directorate needs.

Suppliers are welcome to bid for any contracts that they believe are suitable; the contact person is advertised in each case.

PPP Directorate-IFPPP, is an equal opportunity organization and promotes equal opportunity throughout the unit. All tenders are open to suitably qualified parties.

All procurement entities as well as bidders and service providers, i.e., suppliers, contractors, and consultants have to observe the highest standard of ethics during the procurement and execution of contracts financed under the project in accordance with paragraphs 1.16 and 1.17 of the Procurement Guidelines and paragraph 1.23 and 1.24 of the Consultants Guidelines, in addition to the relevant Articles of the Kenya Public Procurement Laws which refer to corrupt practices.

b) Responsible ethical practices

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All complaints and reports on corruption or alleged corrupt dealings must be reported to the Ethics and Anti-Corruption Commission (EACC) in accordance with the Anti-Corruption and Economics Crimes Act, 2003 and the Ethics and Anti-Corruption Commission Act, 2011.

Information can be provided to EACC in writing, by telephone or by presenting it personally to the Commission's Report Centre at Integrity Centre. Alternatively, information can also be relayed to the World Bank Integrity Vice Presidency office (INT) which is responsible for the investigation of internal and external allegations of misconduct and fraud. The department is also expected to design preventive measures that can protect Bank Group resources - which are, for the most part, public funds – from corruption and abuse. Procurement complaints are handled in accordance with the procedures prescribed in the World Bank Procurement and Consulting Services Guidelines (2011 or as amended). For complaints arising from contracts procured using the Public Procurement and Assets Disposal Act (PPDA), 2015, they would be handled in accordance with the provisions stipulated in the PPDA. Public procurement in Kenya is governed by an Act of parliament and public procurement regulations that lay down rules and regulations to be followed by all those involved in it.

The Law and the Regulations are:-

- The Public Procurement and Assets Disposal Act (PPDA), 2015.
- The Public Procurement and Assets Disposal Regulations, 2020. The Regulations are meant to assist in the application and implementation of the PPDA.

c) Regulatory impact assessment

In order to get the broadest possible interest from eligible bidders and consultants, a General Procurement Notice (GPN) are prepared by the project and published in United Nations Development Business online (UNDB online), on the Bank's external website and in at least 1 national newspaper, and a technical or financial magazine of wide international circulation(as the case may be if bidding is required from International parties), as well as a widely used electronic portal with free national and international access; after the project is approved by the Bank Board, and/or before Project effectiveness. The borrower and PPP Directorate-IFPPP keep a list of received answers from potential bidders interested in the contracts.

Annual Report and Financial Statements for the financial year ended 30th June 2022

Specific Procurement Notices for all goods and works to be procured under International Competitive Bidding (ICB) and Expressions of Interest for all consulting services to cost the equivalent of US\$200,000 and above are also published in the United Nations Development Business online (UNDB online), on the Bank's external website, as well as a widely used electronic portal with free national and international access; and a technical or financial magazine of wide international circulation in addition to the widely circulated national newspapers. For works /goods using National Competitive Bidding (NCB), the Specific Procurement Notice (SPN) is published in widely circulated national newspapers in the country.

The National Competitive Bidding (NCB) and other post review contracts are published in a widely used website or electronic portal with free national and international access within two weeks of the award decision and in the same format as in the preceding paragraph.

Annual Report and Financial Statements for the financial year ended 30th June 2022

Statement of Project Management responsibilities

The Principal Secretary for the National Treasury and the Project Coordinator for Infrastructure Finance and Public Private Partnerships (IFPPP) Project are responsible for the preparation and presentation of the Project's financial statements, which give a true and fair view of the state of affairs of the Project for and as at the year ended June 30, 2022. This responsibility includes: (i) maintaining adequate financial management arrangement 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 Project; (iii) designing, implementing and maintaining internal controls relevant to the preparation and fair presentation of the financial statement, and ensuring that they are free from material misstatements, whether due to error or fraud; (iv) safeguarding the assets of the Project; (v) selecting and applying appropriate accounting policies; and (vi) making accounting estimates that are reasonable in the circumstances.

The Principal Secretary for the National Treasury and the Project Coordinator for Infrastructure Finance and Public Private Partnerships (IFPPP) Project accepts responsibility for the Project's financial statements, which have been prepared on the Cash Basis Method of Financial Reporting, using appropriate accounting policies in accordance with International Public Sector Accounting Standards.

The Principal Secretary for the National Treasury and the Project Coordinator for Infrastructure Finance and Public Private Partnerships (IFPPP) Project are of the opinion that the Project's financial statements give a true and fair view of the state of Project's transactions during the year ended June 30, 2022, and of the Project's financial position as at that date. The Principal Secretary for the National Treasury and the Project Coordinator for Infrastructure Finance and Public Private Partnerships (IFPPP) Project further confirm the completeness of the accounting records maintained for the Project, which have been relied upon in the preparation of the Project financial statements as well as the adequacy of the systems of internal financial control.

The Principal Secretary for the National Treasury and the Project Coordinator for Infrastructure Finance and Public Private Partnerships (IFPPP) Project confirm that the Project has complied fully with applicable

Annual Report and Financial Statements for the financial year ended 30th June 2022

Government Regulations and the terms of external financing covenants, and that Project funds received during the financial year under audit were used for the eligible purposes for which they were intended and were properly accounted for.

Approval of the Project Financial Statements

The Project financial statements were approved by the *Principal Secretary* for the National Treasury and the *Project Coordinator* for Infrastructure Finance and Public Private Partnerships Project (IFPPP) on 20TH SEPCENDBEK 2022

Julius Muia, PhD, CBS Principal Secretary/NT Christopher Kirigua, MBS Project Coordinator



REPUBLIC OF KENYA

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REPORT OF THE AUDITOR-GENERAL ON INFRASTRUCTURE FINANCE AND PUBLIC PRIVATE PARTNERSHIPS PROJECT - IDA CREDIT NO.5157-KE FOR THE YEAR ENDED 30 JUNE, 2022 – THE NATIONAL TREASURY

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 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

Opinion

I have audited the accompanying financial statements of Infrastructure Finance and Public Private Partnerships Project set out on pages 1 to 16, which comprise of the statement of financial assets as at 30 June, 2022 and the statement of receipts and

payments, statement of cash flows, 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, 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, the financial statements present fairly, in all material respects, the financial position of the Infrastructure Finance and Public Private Partnerships Project 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 (Cash Basis) and comply with the Financing Agreement No.5157-KE dated 5 December, 2012 between the International Development Association (IDA) and the Republic of Kenya and the Public Finance Management Act, 2012.

In addition, the special account statement presents fairly, transactions for the year, and the closing balance has been reconciled with the books of account.

Basis for Opinion

The audit was conducted in accordance with International Standards of Supreme Audit Institutions (ISSAIs). I am independent of the Infrastructure Finance and Public Private Partnerships Project 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 opinion.

Key Audit Matters

Key audit matters are those matters that, in my professional judgement, 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

Budgetary Control and Performance

The statement of comparison of budget and actual amounts reflects final receipts budget and actual on comparable basis of Kshs.495,638,120 and Kshs.126,024,642 respectively resulting to an under-funding of Kshs.369,613,478 or 75% of the budget. Similarly, the statement reflects final expenditure budget and actual on comparable basis of Kshs.495,638,120 and Kshs.65,165,272 respectively resulting to an under-expenditure of Kshs.430,472,848 or 87% of the budget.

The under-funding and under-expenditure affected the planned activities and may have impacted negatively on service delivery to the public.

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, I confirm that, except for the matter discussed in Basis for Conclusion on

Lawfulness and Effectiveness in Use of Public Resources section of my report, 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

Advance to Infrastructure Finance and Public Private Partnerships Project-Additional Financing Cr.6121-KE

The statement of receipts and payments reflects advance to Infrastructure Finance and Public Private Partnerships Project-Additional Financing Cr.6121-KE of Kshs.20,682,665. Although Management has explained in Note 9 to the financial statements that the amount relates to salary payments for November, 2021, May, 2022 and June, 2022 and was reimbursed from Cr.6121-KE in July, 2022, it was not in the annual program of activities furnished to the Association and proposed for implementation as required under Section E I of schedule 2 of the project financing agreement between the Republic of Kenya and the International Development Association dated 5 December, 2012.

Management was in breach of the law.

The audit was conducted in accordance with ISSAI 4000. The standard requires that I 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, except for the matter described in the Basis for Conclusion on Effectiveness of Internal Controls, Risk Management and Governance section of my report, nothing else has come to my attention to cause me to believe that internal controls, risk management and overall governance were not effective.

Basis for Conclusion

Lack of Internal Audit Services

During the year under review, there was no evidence of the Project having been reviewed by The National Treasury's internal audit function contrary to Section 73(1) of the Public Finance Management Act, 2012 requires all government entities to make appropriate arrangements for internal audit function. Further, paragraph 3.2.8 of Infrastructure Finance and Public Private Partnerships Project Implementation Manual provides for Internal Audit and the Audit Committee of The National Treasury to provide internal audit services and oversee the adequacy of internal control mechanisms over the Project.

In the circumstances, it has not been possible to confirm whether the Project has an effective and efficient internal control mechanism to safeguard against loss of public resources.

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.

REPORT ON OTHER LEGAL AND REGULATORY REQUIREMENTS.

As required by International Development Association (IDA), I report based on my audit that:

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

Responsibilities of Management and those Charged with Governance

Management is responsible for the preparation and fair presentation of these financial statements in accordance with International Public Sector Accounting Standards (Cash Basis) and for maintaining effective internal controls 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 Project's ability to continue to sustain its 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 Project or 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.

Those charged with governance are responsible for overseeing the Project's 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 overall 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 overall 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 controls may not prevent or detect misstatements and instances of non-compliance. 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 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 the 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 Project'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 Project to cease to
 continue 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 Project 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 Gathungth CBS AUDITOR-GENERAL

Nairobi

10 November, 2022

INFRASTRUCTURE FINANCE AND PUBLIC PRIVATE PARTNERSHIPS PROJECT Annual Report and Financial Statements for the financial year ended 30th June 2022

5. Statement of Receipts and Payments for the year ended 30th June 2022.

STATEMENT OF RECEIPTS AND PAYMENTS FOR THE YEAR ENDED 30TH JUNE 2022.

	Notes	Receipts and payments controlled by the project	Payments made by third parties	Total	Receipts and payments controlled by the project	Payments made by third parties	Total	Cummulative to-date (from inception)
		2021/2022				2020/2021		1
		KSh.	KSh.	KSh.	KSh.	KSh.	KSh.	Kshs
RECEIPTS								11100000000000
Loan from external development partners Miscellaneous receipts	1 2	126,024,642	-	126,024,642	54,155,000	2	54,155,000	3,595,480,170
wiscellaneous receipts	2		-	-	86,825	-	86,825	17,998,548
TOTAL RECEIPTS		400.004.040		400.004.040	-		54 044 005	2 642 470 740
PAYMENTS		126,024,642		126,024,642	54,241,825		54,241,825	3,613,478,718
Compensation of employees	3	11,523,871		11,523,871	28,918,038	_	28,918,038	438,100,391
Purchase of goods and Services	4	32,900,656		32,900,656	11,762,507	-	11,762,507	597,409,284
Social Security Benefits	5	55,080		55,080				55,080
Acquisition of non- financial assets Advance to IFPPP-AF	6			•	33,424,803		33,424,803	2,280,757,955
Advance to il FFF-AF	9	20,682,665		20,682,665			-	20,682,665
TOTAL PAYMENTS		65,162,272		65,162,272	74,105,348		74,105,348	3,337,005,375
Surplus/(Deficit) for the Year	_	60,862,370		60,862,370	(19,863,523)		(19,863,523)	276,473,343

The accounting policies and explanatory notes to these financial statements are an integral part of the financial statements. The financial statements were approved on 30 (H SEPTEMBER 2022 and signed by:

Julius Muia, PhD, CBS

Principal Secretary/NT

Christopher Kirigua, MBS Director General, PPP Directorate

Director General, PPP Directorate

Notes: (IPAS2.1.77 There were no third party payment made during the year

CPA Violet T. Wanyama Principal Accountant ICPAK Number: 11917

Annual Report and Financial Statements for the financial year ended 30th June 2022

	Notes	2021/22	2020/21
		KSh.	KSh.
FINANCIAL ASSETS			
Cash Equivalents			
Bank Balances	7	276,473,343	215,610,974
Total cash and Cash Equivalents		276,473,343	215,610,974
TOTAL FINANCIAL ASSETS		276,473,343	215,610,974
REPRESENTED BY:			
Fund balance b/fwd Surplus/(Deficit) for the year	10	215,610,974 60,862,370	235,474,496
suprasition for the year		55,652,575	(19,863,522)
NET FINANCIAL POSITION		276,473,343	215,610,974

The accounting policies and explanatory notes to these financial statements are an integral part of the financial statements. The financial statements were approved on 30 to 30 to

Julius Muia, PhD, CBS Principal Secretary/NT Christopher Kirigua, MBS Project Coordinator

Annual Report and Financial Statements for the financial year ended 30th June 2022

7. Statement of Cash Flows for the year ended 30th June 2022

Description	Note	2021/22	2020/21
Cash flows from Operating activities		KSh.	KSh.
Receipts for operating activities			
Miscellaneous receipts	2		86,825
Total Receipts			86,825
Payments for operating activities			
Compensation of employees	3	(11,523,871)	(28,653,288)
Purchase of goods and services	4	(32,900,656)	(12,027,257)
Social Security Benefits	5	(55,080)	25 (5 48
Advance to IFPPP - AF	9	(20,682,665)	
Total Payments		(65,162,272)	(40,680,545)
Net cash flow from operating activities		(65,162,272)	(40,593,720)
Cash flow from investing activities		(
Acquisition of non-financial Assets	6		(33,424,803)
Net cash flows from Investing Activities			(33,424,803)
Cash flow from financing activities			
Proceeds from Foreign Borrowings		126,024,642	54,155,000
Net cash flow from financing activities NET INCREASE IN CASH AND CASH		126,024,642	54,155,000
EQUIVALENT		60,862,370	(19,863,522)
Cash and Cash Equivalent at the BEGINNING of the year		215,610,974	235,474,496
Cash and Cash Equivalent at the END of the year		276,473,343	215,610,974

The accounting policies and explanatory notes to these financial statements are an integral part of the financial statements. The financial statements were approved on 307th 307 cm 802022 and signed by:

Julius Muia, PhD, CBS Principal Secretary/NT Christopher Kirigua, MBS Project Coordinator

INFRASTRUCTURE FINANCE AND PUBLIC PRIVATE PARTNERSHIPS PROJECT Annual Report and Financial Statements for the financial year ended 30th June 2022

8. Statement of Comparison of Budget and Actual amounts for the year ended 30th June 2022

2021/22

2020/21

Receipts/Payments Item	Original Budget	Adjustments	Final Budget	Actual on Comparable Basis	Budget Utilization Difference	% of Utilization
	а	b	c=a+b	d	e=c-d	f=d/c%
	KSh.	KSh.	KSh.	KSh.	KSh.	%
RECEIPTS						
IDA Loan						64%
£ 1000 0 0	345,638,120	(150,000,000)	195,638,120	126,024,642	69,613,478	
Government Capital						0%
Transfer TOTAL RECEIPTS		300,000,000	300,000,000	-	300,000,000	25%
TO THE REGERETO	345,638,120	(150,000,000)	495,638,120	126,024,642	369,613,478	2070
PAYMENTS			10 0 10 0 10 0			
Compensation of		19				82%
employees	14,012,720		14,012,720	11,523,871	2,488,849	1220
Purchase of goods & services	331,570,320	(150,000,000)	181,570,320	32,900,656	148,669,664	18%
Social Security Benefits	331,370,320	(150,000,000)	101,370,320	32,900,000	140,009,004	100%
158	55,080		55,080	55,080	-	
Advance to IFPPP- AF				101110000000	100000000000	
				20,682,665	(20,682,665)	
Government Capital Transfer			300,000,000		300,000,000	
TOTAL PAYMENTS	045 000 400	(450,000,000)	405 000 400	05 400 070	400 475 040	
	345,638,120	(150,000,000)	495,638,120	65,162,272	430,475,848	
SURPLUS/(DEFICIT) FOR THE YEAR				60,862,370	(60,862,370)	V)

Note: The significant budget utilization/performance differences in the last column are explained in Annex 1 to these financial statements.

Julius Muia, PhD, CBS Principal Secretary/NT Christopher Kirigua, MBS Project Coordinator

9. Significant Accounting Policies

The principal accounting policies adopted in the preparation of these financial statements are set out below:

9.1 Statement of compliance and basis of preparation

The financial statements have been prepared in accordance with Cash-basis IPSAS financial reporting under the cash basis of accounting, as prescribed by the PSASB and set out in the accounting policy note below. This cash basis of accounting has been supplemented with accounting for; a) receivables that include imprests and salary advances and b) payables that include deposits and retentions. The financial statements comply with and conform to the form of presentation prescribed by the PSASB.

The accounting policies adopted have been consistently applied to all the years presented.

9.2 Reporting entity

The financial statements are for Infrastructure Finance and Public Private Partnerships (IFPPP) Project –under The National Treasury. The financial statements are for the IFPPP as required by Section 81 of the PFM Act, 2012.

9.3 Reporting currency

The financial statements are presented in Kenya Shillings (Kshs), which is the functional and reporting currency of the Project and all values are rounded to the nearest Kenya Shilling.

9.4 Recognition of receipts

The Project recognises all receipts from the various sources when the event occurs, and the related cash has actually been received.

Transfers from the Exchequer

Transfer from Exchequer is recognized in the books of accounts when cash is received. Cash is considered as received when payment instruction is issued to the bank and notified to the receiving entity.

ii) External Assistance

External assistance is monies received through grants and loans from multilateral and bilateral development partners.

Significant Accounting Policies (Continued)

iii) Other receipts

These include Appropriation-in-Aid and relates to receipts such as proceeds from disposal of assets and sale of tender documents. These are recognized in the financial statements at the time associated cash is received.

iv) Donations and grants

Grants and donations shall be recognized in the books of accounts when cash is received. Cash is considered as received when a payment advice is received by the recipient entity or by the beneficiary. In case of grant/donation in kind, such grants are recorded upon receipt of the grant item and upon determination of the value. The date of the transaction is the value date indicated on the payment advice.

v) Proceeds from borrowing

Borrowing includes external loans acquired by the Project or any other debt the Project may take and will be treated on cash basis and recognized as a receipt during the year they were received.

vi) Undrawn external assistance

These are loans and grants at reporting date as specified in a binding agreement and relate to funding for the Project currently under development where conditions have been satisfied or their ongoing satisfaction is highly likely and the project is anticipated to continue to completion. An analysis of the Project's undrawn external assistance is shown in the funding summary.

9.5 Recognition of payments

The Project recognises all payments when the event occurs, and the related cash has actually been paid out by the Project.

Compensation to employees

Salaries and Wages, Allowances, Statutory Contribution for employees are recognized in the period when the compensation is paid.

Significant Accounting Policies (Continued)

ii) Use of goods and services

Goods and services are recognized as payments in the period when the goods/services are consumed and paid for. If not paid for during the period where goods/services are consumed, they shall be disclosed as pending bills.

iii) Interest on borrowing

Borrowing costs that include interest are recognized as payment in the period in which they incur and paid for.

iv) Repayment of borrowing (principal amount)

The repayment of principal amount of borrowing is recognized as payment in the period in which the repayment is made. The stock of debt is disclosed as an annexure to the consolidated financial statements.

v) Acquisition of fixed assets

The payment on acquisition of property plant and equipment items is not capitalized. The cost of acquisition and proceeds from disposal of these items are treated as payments and receipts items respectively. Where an asset is acquired in a non-exchange transaction for nil or nominal consideration and the fair value of the asset can be reliably established, a contra transaction is recorded as receipt and as a payment.

A fixed asset register is maintained by each public entity and a summary provided for purposes of consolidation. This summary is disclosed as an annexure to the consolidated financial statements.

9.6 In-kind donations

In-kind contributions are donations that are made to the Project in the form of actual goods and/or services rather than in money or cash terms. These donations may include vehicles, equipment or personnel services. Where the financial value received for in-kind contributions can be reliably determined, the Project includes such value in the statement of receipts and payments both as receipts and as payments in equal and opposite amounts; otherwise, the contribution is not recorded.

Significant Accounting Policies (Continued)

9.7 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.

9.8 Restriction on cash

Restricted cash represents amounts that are limited/restricted from being used to settle a liability for at least twelve months after the reporting period. This cash is limited for direct use as required by stipulation. Amounts maintained in deposit bank accounts are restricted for use in refunding third part deposits.

9.9 Imprests and Advances

For the purposes of these financial statements, imprests and advances to authorised public officers and/or institutions which were not surrendered or accounted for at the end of the financial year is treated as receivables. This is in recognition of the government practice where the imprest payments are recognized as payments when fully accounted for by the imprest or AIE holders. This is an enhancement to the cash accounting policy. Other accounts receivables are disclosed in the financial statements.

9.10 Contingent Liabilities

A contingent liability is:

- A possible obligation that arises from past events and whose existence will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events not wholly within the control of the entity; or
- b) A present obligation that arises from past events but is not recognised because:

Significant Accounting Policies (Continued

- i) It is not probable that an outflow of resources embodying economic benefits or service potential will be required to settle the obligation; or
- ii) The amount of the obligation cannot be measured with sufficient reliability.

Some of contingent liabilities may arise from: litigation in progress, guarantees, indemnities. Letters of comfort/ support, insurance, Public Private Partnerships,

The Entity 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.

Annex 5 of this financial statement is a register of the contingent liabilities in the year.

9.11 Contingent Assets

(The Entity) 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 Entity) 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.

9.12 Pending bills

Pending bills consist of unpaid liabilities at the end of the financial year arising from contracted goods or services during the year or in past years. As pending bills do not involve the payment of cash in the reporting period, they recorded as 'memorandum' or 'off-balance' When the pending bills are finally settled, such payments are included in the statement of receipts and payments in the year in which the payments are made.

Significant Accounting Policies (Continued

9.13 Budget

The budget is developed on a comparable accounting basis (cash basis), the same accounts classification basis (except for accounts receivable - outstanding imprest and clearance accounts and accounts payable - deposits, which are accounted for on an accrual basis), and for the same period as the financial statements. The Project's budget was approved as required by Law and National Treasury Regulations, as well as by the participating development partners, as detailed in the Government of Kenya Budget Printed Estimates for the year. The Development Projects are budgeted for under the MDAs but receive budgeted funds as transfers and account for them separately. These transfers are recognized as inter-entity transfers and are eliminated upon consolidation. A high-level assessment of the Project's actual performance against the comparable budget for the financial year/period under review has been included in an annex to these financial statements.

9.14 Third party payments

Included in the receipts and payments, are payments made on its behalf by to third parties in form of loans and grants. These payments do not constitute cash receipts and payments.

and are disclosed in the payment to third parties' column in the statement of receipts and payments.

During the year, Kshs 0 being loan disbursements were received in form of direct payments from third parties.

9.15 Exchange rate differences

The accounting records are maintained in the functional currency of the primary economic environment in which the Project operates, Kenya Shillings. Transactions in foreign currencies during the year/period are converted into the functional currency using the exchange rates prevailing at the dates of the transactions. Any foreign exchange gains and losses resulting from the settlement of such transactions and from the translation at year-end exchange rates of monetary assets and liabilities denominated in foreign currencies are recognised in the statements of receipts and payments.

Significant Accounting Policies (Continued

9.16 Comparative figures

Where necessary comparative figures for the previous financial year/period have been amended or reconfigured to conform to the required changes in financial statement presentation.

9.17 Subsequent events

There have been no events subsequent to the financial year/period end with a significant impact on the financial statements for the year ended June 30, 2022.

10. Notes to the Financial Statements

Notes to the Financial Statements (Continued)

During the financial period to 30 June 2022, we received funding from development partners in form of loans negotiated by the National Treasury as detailed in the table below:

1.Loan from External Development Partners

Name of Donor	Date received	Amount in loan currency	Loans received in cash	Loans received as direct payment	Total am	ount in KSh.
					2021/22	2020/21
		USD	KSh.		KSh.	KSh.
Loans Receive Organizations)		teral Donors	(International			
International Development Association (IDA)	21.06.2022	1,078,978	126,024,642		126,024,642	54,155,000
		1,078,978	126,024,642		126,024,642	54,155,000

2. Miscellaneous Receipts

Name	Receipts controlled by the project in cash	2021/22 Receipts controlled by third parties	Total Receipts	2020/21 Total Receipts
	KSh.	KSh.	KSh.	KSh.
Sale of goods and services Other receipts not	,			
classified elsewhere		8.	5.	86,825
Total	-	*		86,825

3.Compensation of Employees

		2021/22		2020/21
Name	Payments made by the project in cash KShs.	Payments made by third parties KShs.	Total Payments KShs.	Total Payments KShs.
Basic Salary of Contracted Staff	11,096,700	-	11,096,700	28,918,038
Pension and other social security contributions	211,092	-	211,092	-
Compulsory national social security schemes	55,080		55,080	5.0
Compulsory national health insurance schemes	78,300	-	78,300	
Casual	82,699		82,699	(#)
Total	11,523,871		11,523,871	28,918,038

4. Purchase of Goods and Services

	2	021/22		2020/21
	Payments made by the project in cash KShs.	Payments made by third parties KShs.	Total Payments KShs.	Total Payments KShs.
Utilities, supplies and services	206,332	-	206,332	3,224,873
Communication, supplies and services	1,536,464	-	1,536,464	_
Domestic travel and subsistence	665,390	-	665,390	_
Foreign travel and subsistence	773,995	-	773,995	
Training payments	622,990	-	622,990	4,838,916
Other Operating payments	28,671,841	-	28,671,841	
Consulting services	-	-	-	3,698,718
Printing & Stationery	262,505		262,505	
Fuel and Oils	106,139		106,139	
Routine Maintenance - Motor Vehicles	55,000		55,000	
Total	32,900,656		32,900,656	11,762,507

5.Social Security Benefits

	2021/22			2020/21
	Payments made by the project in cash KShs.	Payments made by third parties KShs.	Total Payments KShs.	Total Payments KShs.
Employer social benefits in cash and in kind	55,080	-	55,080	•
Total	55,080		55,080	

6.Acquisition of Non-Financial Assets

The second secon	2	2021/22			
	Payments made by the project in cash KSh.	Payments made by third parties KSh.	Total Payments KSh.	KShs.	
Purchase of Office furniture & General Equipment	195	•	-	1,680,517	
Research , Studies , project preparation, design & supervision	5 - 6		1	31,744,286	
Civil Works on Office Building			-	-	
Total	8•0		-	33,424,803	

7A.Cash and Cash equivalents

·	2021/22 KSh.	2020/21 KSh.
KCB Bank Account No. 1138915874	276,473,343	215,610,974
Total	276,473,343	215,610,974

7B. Bank Accounts

Project Bank Accounts

Details	2021-2022	2020-2021
	Ksh.	Ksh.
Foreign Currency Accounts		
Local Currency Accounts		
KCB Bank Account No. 1138915874	276,473,343.37	215,610,974
Total local currency balances	276,473,343.37	215,610,974
Total bank account balances	276,473,343.37	215,610,974

Special Deposit Accounts

The balances in the Project's Special Deposit Account(s) as at 30th June 2022 are not included in the Statement of Financial Assets drawn into the Exchequer Account as a voted provision.

Below is the Special Deposit Account (SDA) movement schedule which shows the flow of funds that were voted in the year. These funds have been reported as loans/grants received in the year under the statement of Receipts and Payments

Special Deposit Accounts Movement Schedule

Description	2021-2022	2020-2021
(i) Foreign Currency Account A/C Name [KCB IFPPP- Account Number 1136321365]		
Opening Balance	984,546	723,808
Total Amount deposited in the account	94,432	760,738
Total Amount withdrawn (as per Statement of Receipts & Payments)	1,078,978	500,000
Closing balance as per SDA bank account reconcilliation attached	0	984,546

8. Fund balance brought forward

Bank Accounts	215,610,974	235,474,496
Total	215,610,974	235,474,496

9.Advance to IFPPP-AF

	2021/22	2020/21
Description	KSh.	KSh.
Reimbursement due in November, 2021	6,410,265	
Reimbursement due in May, 2022	7,136,200	
Reimbursement due in June, 2022	7,136,200	
Total Refundable from CBK Account Number 1000409018	20,682,665	

An amount of Ksh.20,682,665 was for IFPPP -AF salary payments for November 2021,May 2022 and June 2022.The amount was reimbursed in July ,2022

10. Prior Year Auditor- General's Recommendations

Reference No. on the external audit report	Issue/Observation s from Auditor	Management Comments	Status:(Resolved/Not Resolved)	Timeframe(Put a date when you expect the issue to be resolved)
	Lack of internal audit services	Internal audit report released in December 2021	Resolved	_

12. Annexes

Annex 1- Variance Explanations Comparative Budget and Actual amounts for FY 2021-2022

	Final Budget	Actual on Comparable Basis	Budget Utilization Difference	% of Utilizatio n	Comments on Variance (below 90% and over 100%
	а	b	c=a-b	d=b/a %	
Receipts					
Proceeds from borrowings	195,638,120	126,024,642	69,613,478	64%	36%
Government Capital Transfer	300,000,000	-	300,000,000	0%	100%
Miscellaneous receipts	-	-	(#)	-	0%
Total Receipts	495,638,120	126,024,642	369,613,478	25%	75%
Payments					
Compensation of employees	14,012,720	11,523,871	2,488,849	82%	18%
Purchase of goods and services	181,570,320	32,900,656	148,669,664	18%	82%
Social security benefits	55,080	55,080	_	100%	0%
Advance to IFPPP -AF		20,682,665	(20,682,665)		
PPP Project Facilitation Fund	300,000,000	-	300,000,000		
Total payments	495,638,120	60,862,370	(60,862,370)		

^{1.} There was an under funding of 36% from the final budget and the actual amount that was received

^{2.}Government Capital Transfer relates to Project Facilitation Fund (PFF) that is not operational hence non utilisation of 100%

^{3.}In the F/Y under review a member of staff left the entity before the closure resulting in the 18% variance

^{4.}Purchase of goods and services relates largely on procuring Transaction Advisor this delayed in the the F/Y under review hence 18% absorption and a variance of 82%

Annex 4 – Summary of Fixed Assets Register

Asset class	Opening Cost (KShs) 2021/22	Donations in form of assets (KShs) 2021/22	*Purchases / Additions in the Year (KShs) 2021/22	**Disposal s in the Year (KShs) 2021/22	Transfers in/(out) Kshs 2021/22	Closing Cost (KShs) 2021/22
	(a)	(b)	(c))	(d)	(d)	(e)= (a)+ (b)+c)-(d)+(-
Office equipment, furniture and fittings	1,680,517	0	0	0	0	1,680,517
Total	1,680,517	nger				1,680,517

REPUBLIC OF KENYA
BANK RECONCILLATION
Station: IFPPP Anniversary Towers

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06.05.2022 Paymaster General Director of 23.06.2022 pensions Commissioner of 20.06.2022 VAT 23.06.2022 Director IFPPP	III	28.04.2022	Paymaster General	663,494.00				
23.06.2022 pensions Commissioner of 20.06.2022 VAT 23.06.2022 Director IFPPP	TEL	06.05.2022	Paymaster General	861,189.00				
Commissioner of VAT Director IFPPP	004329		-	33,866.00			<u></u>	
Director IFPPP		20.06.2022	Commissioner of VAT	1,606.00				
		23.06.2022	Director IFPPP	671,955.00				
			TOTAL	000000000000000000000000000000000000000			-	

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Annex 4 - Board of Survey Report

F.O. 51
REPUBLIC OF KENYA
Dure 5/7/2022
Report of the Board of Survey on the Cash and Bank Balances of T.F. P.P.
REINCURANCE PLAZA as as the close of
business on 30 -06-3032
The Board, consisting of (Names and official titles)
CHAIRMAN - DAVID MAKONZA IBRAIOSO "
MEMBER - TERESA SIMBA B
MEMBER - Egas Resources Buil
assembled at the office of IFPPP - REINSURANCE PLADA
11. 11. W AM (time) on the 5/7/2022
And the following cash was produced:-
Notes
Silver Sh. N. L.
Cheques (as ner details on reverse) Sh
Cheques (as per details on reverse) Sh
It was observed that cheques amounting to Sh. N/A cts. N/A N/A
had been on hand for more than 14 days prior to the date of the survey.
The cash consists of East African currency and does not centain any demonetized coin or notes.
The Cash Book reflected the following balances as at the close of business on the
Cash on hand Sh N
Bank Balance sh A+A 2.76, 473, 343,37
7617 37
The Bank Certificate of Balance showed a sum of Sh 2-18, 70 /, Q 3 · 3 T
Standing to the credit of the account on 30-06-2032
The difference between this figure and the Bank Balance as shown by the Cash Book is accounted for in
the Bank Reconciliation Statement (F.O.30) attached.
Chairman
4-1-1
Member of the Board
Date 5 17 120 22
Secretary of the Board

Annex 5 - Special Designated Account Reconciliation

INFRASTRUCTURE FINANCE AND PUBLIC PRIVATE PARTNERSHIP PROJECT STATEMENT OF SPECIAL (DESIGNATED) ACCOUNT RECONCILIATION FOR THE YEAR ENDED 30 JUNE 2022

Credit No.: IDA LOAN CREDIT NO.5157-KE

		NOTES	AMOUNT USD	AMOUNT USD
1	Amount advanced by IDA			33,278,784.31
2	Less: Total amount documented			29,828,784.26
3	Outstanding amount to be documented	-		3,450,000.05
4	Represented by: Ending Special account Balance as as 30 June 2022			
5	Amounts claimed but not credited as at 30 June 2022			-
6	Amounts withdrawn and not claimed			3,450,000,05
7	Service Charges (if not included in lines 5 and 6 above)			
8	Interest carned (if included in Special Account)			
9	Total advance to Special Account Year ended 30 June 20	122		3,450,000.05

Discrepancy between total appearing on line 3 and 9

Notes:

- 1 Explain the discrepancy between totals appearing on lines 3 and 9 above (e.g. amount due to be refunded to cover inelligible expenditures paid from the Special/Designated Account)
- 2 Indicate if amount appearing on line 6 is eligible for financiang by IDA and provide reasons for not claiming the appropriate of the provider of the prov

The amount appearing on line 6 is eligible for financing by World Bank and shall be documented in subsequent IFRs

AUTHORISED REPRESENTATIVE RESOURCE MOBILISATION DEPARTMENT THE NATIONAL TREASURY

DATE: 01/08/2022

90

SPEC	HAL ACCOUNT STATES	IENT	
	For period ending Account No. Depository Bank Address Related Loan Credit Agreement Currency	30TH JUNE, 2 1136321365 KENYA COMM MOI AVENUE KCB-PPF INFI Q821-KE USD	MERCIAL BANK
Account Activity			
Beginning balance of 15' as per C.B.K. Ledger Acc			984,545.51
Add:			
Total Amount deposited t	by World Bank		94,432.59
Total Interest earnings if o	deposited in account		
Total amount refunded to expenditure	cover ineligible		
Deduct:		2	
Total amount withdrawn	¥		1,078,978.10
Total service charges if no amount withdrawn	t included above in	*	
Ending balance on 30th Ju	ine,2022		***************************************
AUTHORISED REPRESE	Contract to the contract to th	SIGNATURE:	Fil.
AUTHORISED REPRESE		DATE	14-07-2022
EXTERNAL RESOURCES DEPARTMENT-TREASUR		SIGNATURE:	Andres
	,	DATE	01/08/2022

NOTE: The ending balance as per Central Bank of Kenya Ladger Account and the off-shore Special Account as at 30th June, 2022 have been reconciled and a copy of the supporting Reconciliation Statement is attached.

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