

REPUBLIC OF KENYA



Enhancing Accountability

THE NATIONAL ASSEMBLY	
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REPORT

OF

THE AUDITOR-GENERAL

ON

AUCTIONEERS LICENSING BOARD

**FOR THE YEAR ENDED
30 JUNE, 2020**





AUCTIONEERS LICENSING BOARD

ANNUAL REPORT AND FINANCIAL STATEMENTS

FOR THE FINANCIAL YEAR ENDING

JUNE 30 2020

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

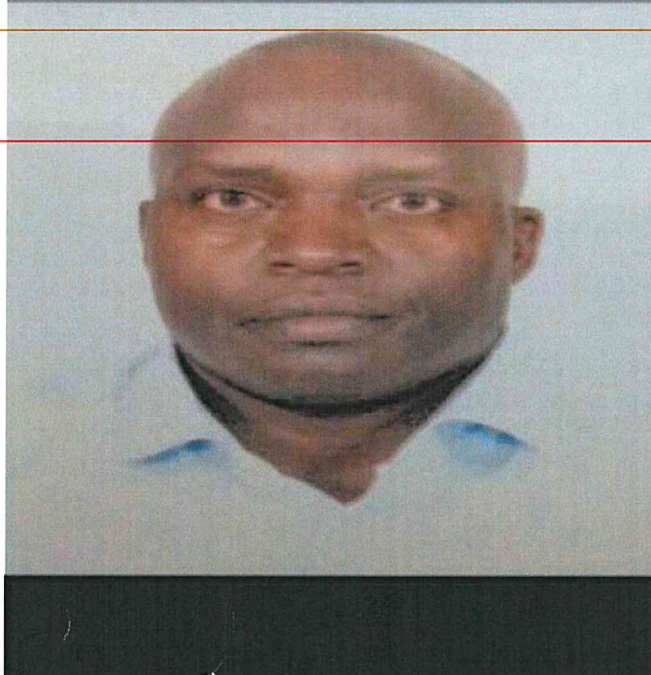

Auctioneers Licensing Board
Annual Report and Financial Statements for The Financial Year Ending June 30, 2020

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Auctioneers Licensing Board
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THE BOARD MEMBERS

 <p style="text-align: center;">Hon. Peter Gesora Chairman Auctioneers Licensing Board</p>	<p>Peter Ngare Gesora is the current Chairman of the Auctioneers Licensing Board. He is also the Chief Magistrate at Kisumu Law Court. He is a holder of a degree in law and a diploma from the Kenya School of Law.</p> <p>Mr. Gesora joined the Judiciary in the year 2001 as a District Magistrate II (Prof). He then rose the rank to his current position.</p> <p>He has served in various stations namely Milimani Commercial Court, Thika, Muranga, Kangema, Tawa Chuka, Machakos and Naivasha. He brings on board vast experience to the Board. He has also served as a special magistrate in children cases, anti-corruption cases and probate and administration cases.</p> <p>He has attended many training seminars which have gone a long way to improve his skills. He has served the Judiciary in various technical committees.</p> <p>IN EXERCISE of the powers conferred by section 3 (1) (a) of the Auctioneers Act the Chief Justice appointed him as Chairperson of the Auctioneers Board with effect from the 8th June 2017 for a term of three (3) years via gazette notice NO. 5740 Dated the 12th of June 2017.</p>
 <p style="text-align: center;">Hon. Kenneth Cheruiyot Secretary</p>	<p>Kenneth Cheruiyot is the secretary at the auctioneers licensing board. He is a principal magistrate at Milimani criminal magistrates' court. He holds a degree in law and a diploma from the Kenya school of law.</p> <p>Mr. Cheruiyot joined the judiciary in the year 2008 as a resident magistrate. He then rose through the ranks to his current position.</p> <p>He served in Nyeri and Kerugoya as a magistrate and as deputy registrar in the high court at Nyeri and Kerugoya and as deputy registrar in the court of appeal at Nyeri.</p> <p>He has also served as a judge advocate in the court martial of the Kenya defence forces and as a special magistrate in children cases, anti-corruption cases and probate and administration cases.</p> <p>In exercise of the powers conferred by section 7 (1) and 3 (1) (g) of the auctioneers act the chief justice appointed him To be a secretary of the auctioneers licensing board for a period of three (3) years effective from 9th October 2017 via gazette notice no. 10382 dated the 16th October 2017</p>

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 <p>Hon. Theresa Muriigi Member</p>	<p>Hon. Theresa Muriigi is the Chief Magistrate Thika Law Courts. She holds a degree in law and a diploma from the Kenya School of Law.</p> <p>M/s Muriigi joined the Judiciary as a District Magistrate II (Prof) and has risen through the ranks to her current position.</p> <p>M/s Muriigi brings on board vast experience to the Board. She has served in various stations. Before her current station, she served as the chief magistrate at Nairobi City Court. She has also served as a Judge Advocate in the Court Martial of the Kenya Defence Forces and as a special magistrate in children cases anti-corruption cases and probate and administration cases.</p> <p>Under section 3 of the Auctioneers Act, the Chief Justice appointed her as members of the Auctioneers Board with effect from 8th June 2017 for a term of three (3) years via Gazette notice no.5739 dated the 12th June 2017.</p>
 <p>Mr. Eric Theuri Member</p>	<p>He joined the Board with effect from 20th March 2019 for 3 years via Gazette Notice no. 3038 of 21st March 2019.</p> <p>He is an advocate of the High court of Kenya with over 10 years' experience. He is the current chair of LSK Nairobi branch. He practices law in the style of Makallah Theuri & co. Advocates.</p>
 <p>Belinda Kamar Member</p>	<p>She is an advocate of the high court of Kenya with over 10 years' experience currently working with the Kounah & company advocates</p> <p>In exercise of the powers conferred by section 3 of the auctioneers act the chief justice appointed her as members of the auctioneers board with effect from 6th December 2017 for a term of three (3) years via gazette notice no.11934 dated the 7th December 2017.</p>

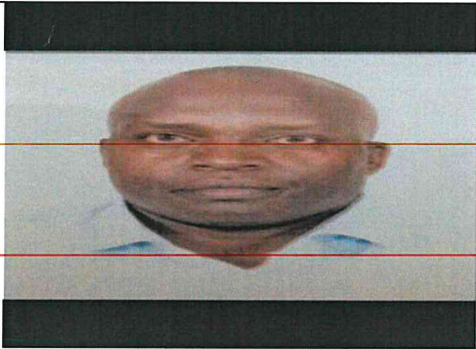

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 <p>Mr. D. M. King'oti Member</p>	<p>Mr. Matei Kingoti was appointed as a Board member since 15th March 2014. He has been the Principal Proprietor of Machete Investment (Auctioneers) since 2003. He is currently the National Chairman for Kenya Society for Profession Auctioneers (KENSAP). He represents auctioneer's associations on the Board. His term ended in June 2020.</p>
 <p>Ms. G. K. Mutisya Member</p>	<p>Ms. Gladys Mutisya was appointed as a member of the Board on 1st March 2016 by the National Association of Kenya Auctioneers. She is the proprietor of Trophy Auctioneers which is based in the coast region. Her term was further renewed with effect from 20th March 2019 for 3 years via Gazette Notice no. 3038 of 21st March 2019. Her term has subsequently been renewed. She represents Auctioneer's associations on the Board.</p>
 <p>Judy Kirichu Member</p>	<p>She holds a Bachelor of Laws (LLB) degree from the University of South Africa (UNISA) and a Diploma from Kenya School of Law. In 2011 she was admitted to the Roll of Advocates of the High Court of Kenya.</p> <p>Since the year 2010 to date, she has been working as a Legal Officer in the Ministry of Interior and Coordination of National Government. She represents the Principal Secretary for the Ministry of Interior and Coordination of National Government in the Board.</p>

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 <p>Herman Kasili</p> <p>Member</p>	<p>Revered Herman Kasili is 46 years old. He holds a degree in theology and a diploma in sales and marketing as well as journalism.</p> <p>Apart from chairing Bungoma Kenya National Chambers of Commerce & Industry (KNCCI) chapter Revered Kasili has served in the national office as director in charge of human resource and administration. He represents the Chamber of Commerce and Industry in the Board.</p> <p>He currently a member of the County Budget and Economic Forum in Bungoma County. Previously he was a member of the Nzoia Water Service Board among other boards and community empowerment projects.</p> <p>Revered Kasili represents KNCCI on the Board.</p> <p>IN EXERCISE of the powers conferred by section 7 (1) and 3 (1) (g) of the Auctioneers Act the Chief Justice appointed him to be a member of the Auctioneers Licensing Board for a period of three (3) years effective from 9th October 2017 via GAZETTE NOTICE NO. 10382 dated the 16th October 2017</p>
 <p>Raimond Saya Molenje</p> <p>Member</p>	<p>He is an advocate of the High court of Kenya with over 10 years' experience currently working with the Kenya Bankers Association.</p> <p>Raimond is Legal and Human Resources Advisory Expertise in Legal Human Capital organization & development; Employee Relations business advisory & regulatory matters; staff training and development.</p> <p>He joined the Board with effect from 20th March 2019 for 3 years via Gazette Notice no. 3038 of 21st March 2019.</p>

MANAGEMENT TEAM

 <p style="text-align: center;">Hon. Peter Gesora Chairman</p>	<p>Chief Magistrate at Kisumu Court. He is a holder of a degree in law and a diploma from the Kenya School of Law.</p> <p>Mr. Gesora joined the Judiciary in the year 2001 as a District Magistrate II (Prof).</p> <p>He's the AIE holder of the Board and responsible for all financial matters of the Board.</p>
 <p style="text-align: center;">Hon. Kenneth Cheruiyot Board's Secretary</p>	<p>Kenneth Cheruiyot is the Secretary at the Auctioneers Licencing Board. He is a Principal Magistrate at Milimani Criminal Magistrates' Court. He holds a degree in law and a diploma from the Kenya School of Law. His role as a secretary to the Board is as per section 3 of the Auctioneers Act.</p> <p>He is an alternate signatory and authorizer of Board's financial matters.</p>

CHAIRMAN'S STATEMENT

The Auctioneers Licensing Board (hereinafter referred to as the Board) is a creature of statute established by the Auctioneers Act no.5 of 1996 as a body corporate. The object and purpose for which the Board is established are to exercise general supervision and control over the business and practice of auctioneers.

The Board is composed of the following members;

- i. Chairman a person qualified to be a judge of the High Court or Court of Appeal.
- ii. Two Advocates representing the Law Society of Kenya.
- iii. A Chief magistrate
- iv. A representative of the Permanent Secretary in the Office of the President for the time being responsible for matters relating to National Security.
- v. Four auctioneers of not less than five years' standing.
- vi. A representative of the National Chamber of Commerce and Industry.
- vii. A representative of the Kenya Bankers Association.

The functions of the Board are as follows;

- i. License and regulate the business and practice of auctioneers.
- ii. Supervise and discipline licensed auctioneers.
- iii. Develop and facilitate adequate training programs for licensed auctioneers.
- iv. Conduct routine inspections and visits to auctioneer's premises.
- v. Set maintain and continuously improve the standards of learning professional competence and professional conduct for the provision of auctioneering services in Kenya.
- vi. Determine maintain and enhance the standards of professional practice and ethical conduct and learning for the auctioneering profession in Kenya.

KEY ACTIVITIES

In fulfilling its mandate the Board carries out key activities that include;- conducting disciplinary hearings on matters touching on the conduct of auctioneers; setting and administering and marking entry examinations for auctioneers; licensing the auctioneers to carry out business within the Republic of Kenya; conducting inspections of the auctioneers offices and yards within the country; facilitating workshops and trainings for the auctioneers within their regions which are divided into four namely; Nairobi Mount Kenya and Lower Eastern; Coast; Rift valley and Nyanza and Western.

SUCCESES

In my tenure as the Chairman Board has improved service delivery to its members in the following ways.

- i. Hearing dates. The Board has been issuing hearing and mention dates while in session. This has streamlined the hearing and conclusion of cases before the Board.
- ii. Compliance culture. The Board carried out countrywide inspections and noted that most of the auctioneers are complying with standards set by the Board.
- iii. Licensing. The Board has ensured that most of the applications received are processed within 30 days to ensure that all auctioneers are licensed on time.
- iv. Email. The Board has started using email communication to send notices to the parties. In the past, the Board only used snail mail that either was not received on time or not received at all.

CHALLENGES

Office space

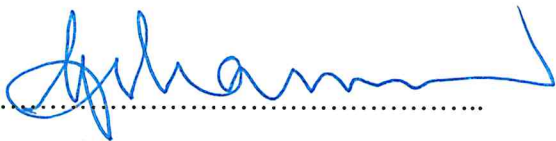
Office space is a challenge in two ways first in 2018 the Board vide an executive order number 1 of 2018 was moved from being a Board under the Judiciary to the Office of the Attorney General. The offices in which house the Board belongs to the Judiciary. The judiciary gave the Board notice to move out as they need to occupy the space.

Secondly, the Board which sits monthly to conduct disciplinary hearings uses the judiciary board room. This has become a challenge in the past few months as there have been competing meetings sometimes forcing the Board to conclude meetings prematurely. It has resulted in compromising the Board's work.

WAY FORWARD AND FUTURE OUTLOOK OF THE BOARD

In the light of the above the Board in catching up with technology and streamlining training licensing and disciplinary processes is planning to undertake two major projects;

- i. Curriculum development. The Board is in discussions with Kabete Training Institute to support the development of a curriculum for auctioneers training. This is mainly to help streamline the practice and enhance knowledge considering that this is a purely apprentice trade. This will also help the board to have a proper training framework for future auctioneers.
- ii. Automation of the licensing process. The Board would like to automate the licensing process. This will go a long way in supporting the licensing and disciplinary functions. On transparency, it will help the members of the public at the click of a button to know the status of and auctioneer jurisdiction and registered office.



Hon. Peter N. Gesora (Mr.)
Chief Magistrate
Chairman Auctioneers Licensing Board.

REPORT OF THE CHIEF EXECUTIVE OFFICER/BOARD SECRETARY


The Auctioneer Licensing Board is established under the Auctioneers Act to license and regulate the business and practice of auctioneers. Section 3(1) of the Act provides that the Board shall consist of the following as members: -

- ~~a. One person qualified for appointment as a Judge of the High Court or the Court of Appeal who shall be chairman;~~
- b. The Permanent Secretary in the Office of the President for the time being responsible for matters relating to security;
- c. One Chief Magistrate;
- d. Two advocates of not less than 10 years standing nominated by the council of the Law Society;
- e. Four auctioneers of not less than 5 years standing nominated by the Auctioneers Association;
- f. One person nominated by the Kenya Bankers Association; and
- g. The Secretary to the Board.

The Chief Justice makes all appointments to the Board in the Kenya Gazette. The following are the current members;

1. Hon. Peter Gesora
2. Hon. Theresia Wairimu Murigi
3. Ms. Belinda Kamar
4. Mr. Dickson Matei
5. Ms. Gladys Mutisya
6. Mr. Eric Njeru Theuri
7. Mr. Raymond Molenje
8. Ms. Judy Kirichu
9. Rev. Herman Kasili
10. Hon Kenneth Cheruiyot

Two of the Board members, Hon. Theresia Murigi and Mr. Dickson Matei served their terms until the 12th of June 2020.


.....
Hon. Kenneth Cheruiyot

Secretary to the Board-Auctioneers Licensing Board

CORPORATE GOVERNANCE STATEMENT

During the year 2019-2020 a seamless change was taking place and the Board trained its energies and resources on delivering on its mandate; to exercise general supervision and control over the business and practice of auctioneers.

As its name suggests one of the key functions of the Auctioneers Licensing Board is to license and regulate the business and practice of auctioneers. The Board examined and licensed over five hundred (500) auctioneer's license. As part of the board's role to supervise and discipline licensed auctioneers Board Seventy-two (75) disciplinary cases were registered out of which 69 cases were heard and determined.

The Board is also tasked with ensuring routine inspections and visits of auctioneer's premises and storage yards to ensure that properties belonging to clients and third parties are safeguarded. Inspection of auctioneers premises and storage yards could only be done to the extent the funds available could allow. Though not all auctioneers were reached many were visited. Currently and harmonization of the report of the Board's finding is ongoing.

As part of its mandate to develop and facilitate adequate training programs for licensed auctioneers the Board conducted 10 workshops and training seminars facilitated by eminent Judges public officers scholars and practitioners in a variety of relevant subjects.

Also to set maintain and continuously improve the standards of learning professional competence and professional conduct for the provision of auctioneering services in Kenya the Board has been receiving and evaluating various offers for a partnership to develop a suitable curriculum for training and eventual certification of auctioneers in Kenya.

First among these is Kabete National Polytechnic which has so far engaged the Board industry players and stakeholders to develop a curriculum that is now undergoing the validation process guided by relevant experts.

According to the Act the expenses of the Board shall be defrayed out of monies provided by Parliament for that purpose. The Board, as usual, has expended monies entrusted to it prudently under public finance laws policies and guidelines. All fees, fine and other monies received by the Board continued to be paid into the Consolidated Fund during the year.

The Board has continued to keep a register of licensed auctioneers as required under the law that is reliable authentic and verifiable and a record of pending and concluded disciplinary cases against auctioneers. Public and private institutions and individuals continue to be provided with information on licensed auctioneers from this record.

At the close of the financial year, the Board had albeit with the challenges of inadequate funds lack of office accommodation and staff faithfully kept and maintained an open transparent and predictable schedule of activities to score success.

.....
Hon. Kenneth Cheruiyot
Secretary to the Board
Auctioneers Licensing Board

MANAGEMENT DISCUSSION AND ANALYSIS

SECTION B

1. SITTINGS & TRAINING

- i. Board sittings Calendar for July 2019, September 2019, November 2019, March 2020 and May 2020
- ii. Training Workshops calendar for September, November 2019 and March 2020
- iii. The inspection was done in Mombasa and its environments North rift, Nairobi, Mt. Kenya Regions and Nyanza /Western regions towards the end of the Financial year.
- iv.

2. LICENSING

S.No	Details	No.
1	Number of Licenses Issued Class A	264
2	Number of Licenses issued for Class 'B' -	140
Total Number of Licensed Auctioneers FY 2019-2020		404

4. CONSTRAINTS/CHALLENGES

(I) Office Space

The Board Secretariat was initially housed on the fourth floor of the Milimani Commercial Courts. It moved out to pave way for the Employment Labour and Relations Court and occupied two rooms. Later it moved out to pave way for Judges and occupied one room at Milimani Law Courts 1st Floor which we considered inadequate. It then moved out from the Milimani Law Courts to the Podium Floor of the Re-Insurance Plaza where it was housed temporarily awaiting to move out of the same floor to pave way for the Judicial Service Commission. Currently, the Board Secretariat is housed at the Re-Insurance Plaza 4th Floor still temporarily. The Board is waiting for contract termination notice then it will eventually initiate a contract agreement with Kenya Re within the same terms.

(ii) Lack of motor – vehicle

One of the key functions of the Board under the Act is to regulate and supervise the business and practice of Auctioneers. The Board endeavours to achieve this through inspection visits at the offices of individual Auctioneers which are spread throughout the country. The Board, however, has no motor – vehicle/van at its disposal to enable it to carry out the above mandate. It relies on the availability of the Judiciary van which also serves other sectors of the Institution.

It is recommended that the Board be assigned a motor – vehicle for ease of planning and implementing its programs.

(iii) Inadequate Funding

Over the years we have always received allocation less than our budget estimates which have forced the Board to cut down its activities. The Board has not been able to completely fund training Workshops Retreats carry out inspections for Auctioneers. It cannot even cater to Secretarial retreats team buildings or any other activity.

Auctioneers Licensing Board's compliance with statutory requirements

Auctioneers Licensing Board has to a great extent of complied with under Section 83 of the PFM Act. The board has endeavoured to implement all internal and external audit recommendations. No contingent liabilities have arisen as a result of this. This has shielded the Auctioneers Licensing Board from potential risks in the cause of its operations.

SECTION C

Key projects and investment decisions the Auctioneers Licensing Board is planning/implementing

Auctioneers Licensing Board has no projects or did not implement any capital project as of 30 June 2020

SECTION D

Major risks facing the Auctioneers Licensing Board

Lack of enough funding may result in the non-implementation of the entity's main activities.

SECTION E

REVENUE AND EXPENDITURE

The expenses of the Board shall be defrayed out of amounts of money provided by Parliament for that purpose. All fees and other amounts of money received by the Board shall be paid into the Consolidated Fund. In this case, the ALB fees and fines are paid to the consolidated funds and accounted for by the Milimani Commercial Courts through the Chief Registrar of the Judiciary (CRJ).

REPORT OF THE DIRECTORS

The Directors submit their report together with the audited financial statements for the year ended June 30, 2020, which show the state of the *Auctioneers Licensing Board's* affairs.

Principal activities

The principal activities of the Board are stipulated under Section 4(2) of the Act. The object and purpose for which the Board is established are to exercise general supervision and control over the business and practice of auctioneers. ~~Without prejudice to the generality of subsection (1) the Board shall—~~

- (a) License and regulate the business and practice of auctioneers;
- (b) Supervise and discipline licensed auctioneers;
- (c) Develop and facilitate adequate training programs for licensed auctioneers;
- (d) Conduct routine inspections and visits of auctioneer's premises;
- (e) Set maintain and continuously improve the standards of learning professional competence and professional conduct for the provision of auctioneering services in Kenya;
- (f) Determine maintain and enhance the standards of professional practice and ethical conduct and learning for the auctioneering profession in Kenya.

Results

The results of the Auctioneers Licensing Board for the year ended June 30, 2020, are set out on page 1

Directors

The members of the Board who served during the year are shown on the page (v) to (viii). During the year 2019/2020 three (3) directors retired/ resigned.

Dividends/Surplus remission

Under 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 Auctioneers Licensing Board did not make any surplus during the year (FY 2019 /2020) and hence no remittance to the Consolidated Fund.

Auditors

The Auditor-General is responsible for the statutory audit of the *Auctioneers Licensing Board* under Article 229 of the Constitution of Kenya and the Public Audit Act 2015 for the year/period ended June 30, 2020.

By Order of the Board

.....
Kenneth Cheruiyot

Board's Secretary

Nairobi

Date: 23rd February 2021

STATEMENT OF DIRECTORS' RESPONSIBILITIES

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


The Directors are responsible for the preparation and presentation of the Auctioneers Licensing Board's financial statements which give a true and fair view of the state of affairs of the Auctioneers Licensing Board for and as at the end of the financial year (period) ended on June 30, 2019. 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 Auctioneers Licensing Board; (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 Auctioneers Licensing Board; (v) selecting and applying appropriate accounting policies; and (vi) making accounting estimates that are reasonable in the circumstances.


The Directors accept responsibility for the Auctioneers Licensing Board'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 the manner required by the PFM Act 2012 and the Auctioneers Act Cap 1996. The Directors believe that the Auctioneers Licensing Board's financial statements give a true and fair view of the state of Auctioneers Licensing Board's transactions during the financial year ended June 30, 2020, and of the Auctioneers Licensing Board's financial position as at that date. The Directors further confirm the completeness of the accounting records maintained for the Auctioneers Licensing Board which have been relied upon in the preparation of the Auctioneers Licensing Board'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 *Auctioneers Licensing Board* 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 Auctioneers Licensing Board's financial statements were approved by the Board on 15th day of July 2020 and signed on its behalf by:


Chairman


Secretary to the Board

REPUBLIC OF KENYA

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REPORT OF THE AUDITOR-GENERAL ON AUCTIONEERS LICENSING BOARD FOR THE YEAR ENDED 30 JUNE, 2020

REPORT ON THE FINANCIAL STATEMENTS

Opinion

I have audited the accompanying financial statements of Auctioneers Licensing Board set out on pages 1 to 24, which comprise the statement of financial position as at 30 June, 2020, and the statement of financial performance, 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, the financial statements present fairly, in all material respects, the financial position of the Auctioneers Licensing Board as at 30 June, 2020, 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 Auctioneers Act, 1996 and the Public Finance Management Act, 2012.

Basis for Opinion

The audit was conducted in accordance with International Standards of Supreme Audit Institutions (ISSAIs). I am independent of the Auctioneers Licensing Board 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 audit opinion.

Key Audit Matters

Key audit matters are those matters that, in my professional judgment, are of most significance in the audit of the financial statements. There were no key audit matters to report in the year under review.

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, nothing has come to my attention to cause me to believe that public resources have not been applied lawfully and in an effective way.

Basis of Conclusion

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, except for the matter described in the Basis for Conclusion on Effectiveness of Internal Controls, Risk Management and Governance section of my report, I confirm that 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 Segregation of Duties

As reported in the previous year, the Board had four (4) staff seconded from the Judiciary. Among the four (4) was an Accountant managing the finance unit and performing all the duties including vote book control (budget) voucher preparation, examination and authorization, cashbook maintenance and bank reconciliations. This posed a risk of errors and misstatements in the accounting records and was contrary Regulation 23(1)(c) of the Public Finance Management (National Government) Regulation, 2015 which requires an Accounting Officer to maintain effective systems of internal controls and put measures to ensure that they are effective.

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 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 (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.

In preparing the financial statements, Management is responsible for assessing the Board's ability to continue 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 Board 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 money is applied in an effective manner.

Those charged with governance are responsible for overseeing the Board's financial reporting process, reviewing the effectiveness of how the entity 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 review is planned and performed to express a conclusion with limited assurance as to 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 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. The nature, timing and extent of the compliance work is limited compared to that designed to express an opinion with reasonable assurance on the financial statements.

Further, in planning and performing the audit of the financial statements and review 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 Board'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 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 Board'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 Board 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 Board 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.


Nancy Gathungu
AUDITOR-GENERAL

Nairobi

22 November, 2021

I. STATEMENT OF FINANCIAL PERFORMANCE FOR THE YEAR ENDED 30 JUNE 2020

	Notes	2019-2020	2018-2019
		Kshs	Kshs
Revenue from non-exchange transactions			
Transfers from other governments –	9	24,700,000	26,950,000
		24,700,000	26,950,000
Revenue from exchange transactions			
Total revenue		24,700,000	26,950,000
Expenses			
Remuneration for Directors	10	15,355,736	20,119,738
Employee Costs	11	6,544,750	5,080,000
General Expenses	12	2,751,706	1,749,221
Depreciation	14	5,625	
Provision for Audit Fees	15	100,000	
Total expenses		24,757,817	26,948,959
Other gains/(losses)			-
Surplus before tax			-
Surplus/(deficit) for the period/year		(57,817)	1,041

The notes set out on pages 6 to 24 form an integral part of these Financial Statements.

Auctioneers Licensing Board
Annual Report and Financial Statements for The Financial Year Ending June 30, 2020

II. STATEMENT OF FINANCIAL POSITION AS AT 30 JUNE 2020

	Notes	2019-2020	2018-2019
		Kshs	Kshs
Assets			
Current assets			
Cash and cash equivalents	13	3,909	1101
Non-current assets			
Property, plant and equipment	14	39,375	-
Total assets		43,284	1,101
Liabilities			
Current liabilities			
Trade and other payables from exchange transactions	15	100,000	-
Taxation		-	-
		-	-
Non-current liabilities			
Non-current employee benefit obligation		-	-
Non-current provisions		-	-
		-	-
Total liabilities		-	-
Revenue Reserves		1,101	61
Surplus for the year		(57,817)	1,040
Capital Fund		-	-
Total net assets and liabilities		43,284	1,101

The Financial Statements set out on pages 1 to 24 were signed on behalf of the Board by:

.....
Secretary to the Board-Hon. Kenneth Cheruiyot
Dated 23rd February 2021

.....
Mr. George Arrum Accountant State Law office ICPAK no. 20487
Dated 23rd February 2021

.....
Chairman of the Board- Hon. Peter G. Gesora
Dated 23rd February 2021

III. STATEMENT OF CHANGES IN EQUITY FOR THE YEAR ENDED 30TH JUNE 2020

	Capital reserves	Accumulated surplus	Total
	KSh	KSh	KSh
Changes in Equity for the year 2018/2019 At 1st July 2018	-	61	<u>61</u>
Surplus/(deficit) for period	-	1040	<u>1040</u>
Transfer to/from Accumulated surplus	-	-	<u>0</u>
Balance as at 30 June 2019	-	1,101	<u>1101</u>
Changes in Equity for the year 2019/2020 At 1st July 2019	-	1,101	<u>1101</u>
Surplus/(deficit) for period	-	(57,817)	<u>(57,817)</u>
Transfer to/from Accumulated surplus	-	-	<u>-</u>
Balance as at 30 June 2020	-	(56,716)	<u>(56,716)</u>

Auctioneers Licensing Board
Annual Report and Financial Statements for The Financial Year Ending June 30, 2020

IV. STATEMENT OF CASH FLOWS FOR THE YEAR ENDED 30 JUNE 2020

	2019/2020	2018/2019
	Ksh	Ksh
Cash flows from operating activities		
Profit / (Loss) before taxation	(57,817)	1,040
<i>Adjustments for:</i>		
Depreciation	5,625	-
Provision for Audit fees	100,000	
Net cash from operating activities	47,808	1,040
Cash flows from investing activities		
Business acquisitions net of cash acquired	-	-
Purchase of property plant and equipment	(45,000)	-
Purchase of intangible assets	-	-
Proceeds from the sale of equipment	-	-
Proceeds from the sale of intangibles	-	-
Acquisition of investments	-	-
Investment income	-	-
Net cash used in investing activities	(45,000)	-
Cash flows from financing activities		
Cash from Issue of shares	-	-
Net cash used in financing activities	0	-
Net increase in cash and cash equivalents	2808	1,040
Cash and cash equivalents at beginning of period 1st July	1,101	61
Cash and cash equivalents at end of period 30th June 2020	3,909	1,101

V. STATEMENT OF COMPARISON OF BUDGET AND ACTUAL AMOUNTS FOR THE YEAR ENDED 30 JUNE 2020

	Original budget 2019/2020	Adjustments 2019/2020	Final budget 2019/2020	Actual on comparable basis 2019/2020	Variance	% Variance	Explanation
Revenue	Kshs	Kshs	Kshs	Kshs	Kshs		
Government grants and subsidies	24,700,000		24,700,000	24,700,000			
Total income	24,700,000	-	24,700,000	24,700,000			
Expenses							
Remuneration for Directors	15,902,000	-	15,902,000	15,355,736	(546,264)	-4%	Some of the board members' term expired.
Employee Costs	6,575,483	-	6,575,483	6,544,750	(30,733)	0%	Saving on employee costs
General Expenses	2,222,517	-	2,222,517	2,751,706	529,189	19%	The was over expenditure that arose from procurement of Covid 19-sanitary items
Total expenditure	24,700,000	-	24,700,000	24,652,192	(47,808)		
Surplus for the period				47,808			

Reconciliation

Details	Amount(Ksh)
Provision for Audit fees	100,000
Depreciation for the Year	5,625
Surplus for the Year	(57,817)
Total	<u>47,808</u>

The difference between the surplus as presented in the statement of comparison and the surplus for the year as presented in the statement of performance arose from depreciation of Ksh. 5,625 /- & provision for Audit fees of Ksh 100,000/- for the year 2019-2020.

NOTES TO THE FINANCIAL STATEMENTS

1) GENERAL INFORMATION

Auctioneers Licensing Board is established by and derives its authority and accountability under Section 3(1) of the Auctioneers Act Cap 1996 of the Laws of Kenya. The Auctioneers Licensing Board is wholly owned by the Government of Kenya and is domiciled in Kenya. The Auctioneers Licensing Board's principal activity is to exercise general supervision and control over the business and practice of Auctioneers.

2) STATEMENT OF COMPLIANCE AND BASIS OF PREPARATION

The financial statements have been prepared on a historical cost basis. The preparation of financial statements conforms with International Public Sector Accounting Standards (IPSAS) allows the use of estimates and assumptions. It also requires management to exercise judgment in the process of applying the *Auctioneers Licensing Board's* accounting policies. The areas involving a higher degree of judgment or complexity or where assumptions and estimates are significant to the financial statements are disclosed in Note 1 to 19.

The financial statements have been prepared and presented in Kenya Shillings which is the functional and reporting currency of the *Auctioneers Licensing Board*.

The financial statements have been prepared under the PFM Act the Auctioneers Act Cap 1996 and International Public Sector Accounting Standards (IPSAS). The accounting policies adopted have been consistently applied to all the years presented.

3) ADOPTION OF NEW AND REVISED STANDARDS

i. Relevant new standards and amendments to published standards effective for the year ended 30 June 2020

Standard	Impact
IPSAS 40: Public Sector Combinations	Applicable: 1st January 2019 The standard covers public sector combinations arising from exchange transactions in which case they are treated similarly with IFRS 3 (applicable to acquisitions only). Business combinations and combinations arising from non-exchange transactions are covered purely under Public Sector combinations as amalgamations.



Auctioneers Licensing Board
Annual Report and Financial Statements for The Financial Year Ending June 30, 2020
NOTES TO THE FINANCIAL STATEMENTS (Continued)

Standard	Effective date and impact:
IPSAS 41: Financial Instruments	<p>Applicable: 1st July 2019:</p> <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 timing and uncertainty of the amount of an Auctioneers Licensing Board's future cash flows.</p>
	<p>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 consider 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 applies to all financial instruments subject to impairment testing; and • Applying an improved hedge accounting model that broadens the hedging arrangements in the scope of the guidance. The model develops a strong link between an Auctioneers Licensing Board's risk management strategies and the accounting treatment for instruments held as part of the risk management strategy.
IPSAS 42: Social Benefits	<p>Applicable: 1st July 2019</p> <p>The objective of this Standard is to improve the relevance of faithful representativeness and comparability of the information that a reporting Auctioneers Licensing Board 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> <p>(a) The nature of such social benefits provided by the Auctioneers Licensing Board;</p> <p>(b) The key features of the operation of those social benefit schemes; and</p> <p>(c) The impact of such social benefits provided on the Auctioneers Licensing Board's financial performance financial position and cash flows.</p>

NOTES TO THE FINANCIAL STATEMENTS (Continued)

- ii. New and amended standards and interpretations in issue but not yet effective in the year ended 30 June 2020**

iii. Early adoption of standards

The Auctioneers Licensing Board did not early – adopt any new or amended standards in the year 2020.

4 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

a) Revenue recognition (Continued)

ii) Revenue from exchange transactions IPSAS 9

Rendering of services

The Board recognizes revenue from rendering of services by license fees fines on completion of cases and penalties imposed on auctioneers in the process of disciplining when the event occurs or by reference to the stage of completion when the outcome of the transaction can be estimated reliably.

Where the contract outcome cannot be measured reliably revenue is recognized only to the extent that the expenses incurred are recoverable.

Interest income

The Board operates one (1) current bank account with the Kenya Commercial Bank (KCB). The Board does not expect to receive any future cash receipts from the current account.

b) Budget information IPSAS 24

The original budget for FY 2019-2020 was approved by the National Assembly. Subsequent revisions or additional appropriations were made to the approved budget following specific approvals from the appropriate authorities. The additional appropriations are added to the original budget by the entity upon receiving the respective approvals to conclude the final budget. Accordingly, the Auctioneers Licensing Board recorded additional appropriations on the 2019-2020 budget following the governing body's approval.

The Board's budget is prepared on a different basis to the actual income and expenditure disclosed in the financial statements. The financial statements are prepared on an 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.

NOTES TO THE FINANCIAL STATEMENTS (Continued)

c) Taxes

Sales tax

Expenses and assets are recognized net of the amount of sales tax except:

- When the sales tax incurred on a purchase of assets or services is not recoverable from the taxation authority in which case the sales tax is recognized as part of the cost of acquisition of the asset or as part of the expense item as applicable
- When receivables and payables are stated with the amount of sales tax included

The net amount of sales tax recoverable from or payable to the taxation authority is included as part of receivables or payables in the statement of financial position.

d) Property plant and equipment IPSA 17

All property plant and equipment are stated at cost less accumulated depreciation and impairment losses. 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.

Depreciation on assets is charged on a straight-line basis over the useful life of the asset. Depreciation is charged at rates calculated to allocate the cost or valuation of the asset less any estimated residual value over its remaining useful life. Full depreciation is charged on the year of acquisition. It is included in general expenses.

The Annual depreciation rates in use are;

Computer Equipment	33.33%
Software	33.33%
Officer Equipment	20.0%
Motor Vehicles	20%
Furniture & Fittings	12.5%

SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

e) Nature and purpose of reserves

The Auctioneers Licensing Board creates and maintains reserves in terms of specific requirements.

f) Changes in accounting policies and estimates

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

g) Employee benefits

Retirement benefit plans

The Auctioneers Licensing Board did not provide retirement benefits for its employees and directors. This is because directors are only entitled to sitting allowances whereas its employees are drawn and paid from the Judiciary.

9. TRANSFERS FROM MINISTRIES DEPARTMENTS AND AGENCIES

Name of the entity sending the grant	Amount recognized to Statement of Comprehensive Income KShs	The amount deferred under deferred income KShs	Amount recognized in capital fund. KShs	Total grant income during the year KShs	2019-2020 KShs	2018-2019 KShs
Office of the Attorney General Department of Justice	24,700,000	-	-	24,700,000	24,700,000	26,950,000
Total	24,700,000 0	-	-	24,700,000	24,700,000	26,950,000

GOK recurrent grants were operational grant from the Government through the Office of the Attorney General and Department of Justice disbursed as follows;

Quarters	Date	Amount
1st Quarter	24/08/2019	6,175,000
2nd Quarter	01/11/2019	6,175,000
3rd Quarter	19/02/2020	6,175,000
4th Quarter	29/05/2020	6,175,000
Total		24,700,000

Auctioneers Licensing Board

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Name of the entity sending the grant	Amount recognized to Statement of Comprehensive Income KShs	The amount deferred under deferred income KShs	Amount recognized in capital fund. KShs	Total grant income during the year KShs	2019-2020 KShs	2018-2019 KShs
Office of the Attorney General Department of Justice	24,700,000	-	-	24,700,000	24,700,000	26,950,000
Revenues from Exchange Transactions						
Total	24,700,000	-	-	24,700,000	24,700,000	26,950,000

ALB fees and fines are paid to the consolidated funds and accounted for by the Milimani Commercial Courts through the Chief Registrar of the Judiciary (CRJ). This is because we are not designated collectors of revenue. The amounts are tabulated as follows;

ALB Collections Accounted for By Milimani Commercial Account No. 1116927268

S. No	CCS Numbers	Amounts
1	305630	309,500.00
2	314405	913,500.00
3	314414	26,000.00
4	314457	1,184,175.00
5	314458	138,000.00
6	314496	640,540.00
	Total	3,211,715.00

10. REMUNERATION OF DIRECTORS

Description	2019-2020	2018-2019
	KShs	KShs
Directors emoluments	12,479,725.00	16,070,000.00
Judicial officers' allowances	770,000.00	1,360,000.00
Daily subsistence Allowances & Travel costs	1,910,000.00	2,233,000.00
Mileage Allowances	196,011.00	456,738.00
Total	15,355,736.00	20,119,738.00

11. EMPLOYEE COSTS

Description	2019-2020	2018-2019
	KShs	KShs
Secretariat allowances	2,435,850.00	2,940,600
Daily Subsistence & Travel Costs	4,108,900.00	2,139,400
Total	6,544,750.00	5,080,000

12. GENERAL EXPENSES

Description	2019-2020	2018-2019
	KShs	KShs
office Expenses	1,639,204	701,935
Air tickets costs	810,326	644,490
Conference costs	300,000	400,000
Bank Charges	2,176	2,796
Total	2,751,706	1,749,221

13. CASH AND CASH EQUIVALENTS

Description	2019-2020	2018-2019
	KShs	KShs
Current account	3,909	1,101
On-call deposits		-
Fixed deposits account		-
Staff car loan/ mortgage		-
Total cash and cash equivalents	3,909	1,101

14. PROPERTY PLANT AND EQUIPMENT

Cost	Land and Buildings Shs	Motor vehicles Shs	Furniture and fittings Shs	Computers Shs	Plant and equipment Shs	Total Shs
At 1 July 2019	-	-	-	-	-	-
Additions	-	-	45,000	-	-	45,000
Disposals	-	-	-	-	-	-
Transfers/adjustments	-	-	-	-	-	-
At 30 th June 2020	-	-	45,000	-	-	45,000
Depreciation and impairment						-
Depreciation	-	-	5,625	-	-	5,625
Disposals	-	-	-	-	-	-
Impairment	-	-	-	-	-	-
Transfer/adjustment	-	-	-	-	-	-
At 30 th June 2020	-	-	5,625	-	-	5,625
Net book values At 30 th June 2020	-	-	39,375	-	-	39,375

15. Trade & Other Trade payables

Description	2019-2020 KShs	2018-2019 KShs
Provision for Audit Fees	100,000	-
Total cash and cash equivalents	100,000	-

APPENDIX 1: PROGRESS ON FOLLOW UP OF AUDITOR RECOMMENDATIONS

The following is the summary of issues raised by the external auditor, and management comments that were provided to the auditor. We have nominated focal persons to resolve the various issues as shown below with the associated time frame within which we expect the issues to be resolved.


Reference No. on the external audit Report	Issue / Observations from Auditor	Management comments	Focal Point person to resolve the issue (Name and designation)	Status:		Timeframe: (Put a date when you expect the issue to be resolved)
				(Resolved / Not Resolved)		
Basis for Qualified Opinion						
1. General Expenses	Included under general expenses of Kshs. 1,749,221 as disclosed at note 12 to the financial statements are conference costs totaling to Kshs.400,000 being cost of four conferences at Kshs.100,000 each. Available information indicate that the amount was paid in respect of a three-day workshop in Kisumu between 23 August 2018 and 25 August 2018, another three-day workshop in Kisumu between 25 October 2018 and 27 October 2018, a three-day workshop in Machakos between 21 March 2019 and 23 March 2019 and a one-day workshop in Kisii on 24 April 2019. However, attendance lists for the four workshops were not availed for audit verification. In addition,	<i>The Board pays for a flat rate of 100,000/= on all Workshops organized by Auctioneers across the country. This is supported by a Board resolution. A copy of the same is available for perusal. Attendance is available for all meetings conducted in Kisumu, Machakos, and Kisii. There was an error in the narration of particulars on individual vouchers but they were adequately supported.</i>	Chairman , Hon. Peter Gesora/Secretary Hon. Kenneth Cheruiyot	Resolved		30 th June 2020

Auctioneers Licensing Board

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3. Back Log of Cases	Annual Report and Financial Statements for The Financial Year Ending June 30, 2020	5 cases Not decided. They are still ongoing. Case files available for Review.	Chairman , Hon. Peter Gesora/Secretary Hon. Kenneth Cheruiyot	Partially solved July 2022
As highlighted in the management discussion and analysis report at page xvii of the annual report, the Board had a total of 123 cases pending determination as at 30 June 2019, out of which 72 were brought forward from 2017/2018 and earlier years. Since these cases involve members of the Public, Auctioneers and Businesses, delay in resolving the cases may result in economic consequences to the parties involved. No adequate action seems to have been taken to clear the back log of the cases				

Hon. Peter Gesora


Chairman of the Board

Date.....23/02/2021.....

APPENDIX II: INTER-ENTITY TRANSFERS

AUCTIONEERS LICENSING BOARD				
Break down of Transfers from the State Department of Justice Office of the Attorney General				
FY 2019/2020				
a.	Recurrent Grants			
		<u>Bank Statement Date</u>	<u>Amount (KShs)</u>	<u>Indicate the FY to which the amounts relate</u>
		24/08/2019	6,175,000	2019/2020
		01/11/2019	6,175,000	2019/2020
		19/02/2020	6,175,000	2019/2020
		29/05/2020	6,175,000	2019/2020
		Total	24,700,000	
b.	Development Grants			
		<u>Bank Statement Date</u>	<u>Amount (KShs)</u>	<u>Indicate the FY to which the amounts relate</u>
			0000	
			0000	
			0000	
		Total	00	
c.	Direct Payments			
		<u>Bank Statement Date</u>	<u>Amount (KShs)</u>	<u>Indicate the FY to which the amounts relate</u>
			0000	
			0000	
			0000	
		Total	00	
d.	Donor Receipts			
		<u>Bank Statement Date</u>	<u>Amount (KShs)</u>	<u>Indicate the FY to which the amounts relate</u>
			0000	
			0000	
			0000	
		Total	00	

The above amounts have been communicated to and reconciled with the Office of the Attorney General.

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APPENDIX III: RECORDING OF TRANSFERS FROM OTHER GOVERNMENT ENTITIES

Name of the MDA/Donor Transferring the funds	Date received			Where Recorded/recognized	
	as per bank statement	Nature: Recurrent/Development/Others	Total Amount - KES	Statement of Financial Performance	Capital Fund
State Law Office of the Attorney General	24/08/2019	Recurrent	6,175,000	6,175,000	-
	01/11/2019	Recurrent	6,175,000	6,175,000	-
	19/02/2020	Recurrent	6,175,000	6,175,000	-
	29/05/2020	Recurrent	6,175,000	6,175,000	-
		Development	-	-	-
Total			24,700,000	24,700,000	-

