

THE UNITED REPUBLIC OF TANZANIA

NATIONAL AUDIT OFFICE (NAO)



**REPORT OF THE CONTROLLER AND AUDITOR GENERAL
ON THE FINANCIAL STATEMENTS OF MBEYA MUNICIPAL COUNCIL
FOR THE YEAR ENDED 30TH JUNE 2005.**

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AR/LG/006/2005

Office of the Controller and Auditor General

The National Audit Office,
United Republic of Tanzania

(Established under Article 143 of the Constitution of the URT).

The statutory duties and responsibilities of the Controller and Auditor General are given in the Public Finance Act No. 6 of 2001.

Our Vision

We aspire to be an organization that fosters a culture of financial discipline, transparency and accountability within the Government of Tanzania.

Our Mission

We are the Supreme Audit Institution in Tanzania, which strives to provide timely and high quality audit services to all our clients in order to enhance public sector financial performance by educating key stakeholders on the effective management of public finances; providing value added services and functioning independently and impartially in auditing and reporting on public accounts.

Therefore, our Core Values are:-

- ✓ We strive to achieve and maintain objectivity in providing impartial audit services so as to promote our independence
- ✓ We pursue excellence in the provision of our audit services
- ✓ We exercise professional integrity by demonstrating high ethical standards
- ✓ We focus on people and have great respect to our stakeholders
- ✓ We encourage and promote innovation amongst our members of staff; and
- ✓ We ensure best resource utilization at national as well as individual public entity level.

We do this by:-

- Contributing to better stewardship of public funds by ensuring that our clients are accountable for the resources entrusted to them;
- Helping to improve the quality of public services by supporting innovation on the use of public resources;
- Providing technical advice to our clients on operational gaps in their operating systems;
- Systematically involve our clients in the audit process and audit cycles; and
- Providing audit staff with adequate working tools and facilities that promote independence.

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ABBREVIATIONS AND DEFINITION OF TERMS

CAG	Controller and Auditor General
CD	Council Director
DED	Municipal Executive Director
DPs	Development Partners
LAAM	Local Authority Accounting Manual
GDP	Gross Domestic Product
LAFM	Local Authority Financial Memorandum
GOT	Government of Tanzania
HIPC	Highly Indebted Poor Countries
IFMS	Integrated Financial Management System
IG	Investment Grant
LGA	Local Government Authorities
LGRP	Local Government Reform Programme
NGO	Non-governmental Organisation
MoF	Ministry of Finance
OCAG	Office of the Controller and Auditor General
PER	Public Expenditure Review
ISA	International Standards on Auditing
PMO-RALG	Prime Ministers' Office - Regional Administration and Local Government
PRSP	Poverty Reduction Strategy Paper
PS	Permanent Secretary
PSRP	Public Service Reform Programme
RAS	Regional Administrative Secretary
RS	Regional Secretariat

Financial Statements means:

The Consolidated Balance Sheet, Consolidated Income and Expenditure Statement, Consolidated Cash-flow Statement, Notes and related schedules of Mbeya Municipal Council for the year ended 30th June 2005.

Council means - Mbeya Municipal Council, both as Councillors as well as an operating entity.

1.0 BACKGROUND INFORMATION TO THE AUDIT

1.1 Introduction:

I have completed the audit of Mbeya Municipal Council for the year ended 30th June 2005. Audit findings arising from examination of accounting records, appraisal of activities and evaluation of the internal control system which require management attention and action are set out under part three of this report.

1.2 Brief history of Client Establishment

Mbeya Municipal Council was established in 1982 in terms of the provisions of section 4 and 5 of the Local Government (Urban Authorities) Act 1982. Besides the Act, the council operates within the framework of the following instruments.

- Local Authority Financial Memorandum 1997.
- Public Procurement Act no 21 of 2004.
- Local Government Finances Act no 9 of 1982.

1.3 Operational Objectives

According to section iii(i) of the Local Government (Urban Authorities) Act, Mbeya Municipal Council has the following objectives:

- (a) To maintain and facilitate maintenance of peace, order and good Governance within its area of jurisdiction.
- (b) To promote the social welfare and economic well being of all persons within its area of jurisdiction.
- (c) Subject to the national policy and plans for Rural and Urban Development, to further the social and economic development of its area of jurisdiction.
- (d) Collection of Public funds through taxes, licences, fees and charges.
- (e) To convince the public that the use of funds have achieved the maximum benefits through sound financial management.

1.4 Financing

The Council has two sources of funds, own sources and external source. The own source includes collection of Public funds through, taxes, fees, Licence and charges. On the other hand external source include subsidies from central government, grants and loans from donor community. Total Income during the year was Shs.5,883,607,720 made up of Shs.555,567,286 from own sources and Shs.5,328,040,434 from government grants.

1.5 Management structure

Mbeya Municipal Council operates under directives of the Full Council, which is a supreme body for legislative responsibilities. Under the Full Council there are three Committees which are directly answerable to it. The Chief Executive for the Municipal Council is the Municipal Director (MD) who is responsible for the day-to-day activities. The structure has positions of Internal Auditor and Legal Officer with the responsibilities of advising the Director on matters falling under their jurisdiction.

In addition the structure provides for functional departments namely: Administration, Finance, Economic and Trade, Health, Education, Works, Planning and Environment, Agriculture, Livestock and Co-operatives as well as Social Welfare and Community Development.

The pictorial management structure of the Municipal Council is shown as annexure II to this report.

1.6 Internal Control System

A System of internal control that should be adopted by councils is given under order 9 through 11 of the Local Authority Financial Memorandum 1997. The Order requires the finance committee to adopt written procedures for proper control of finances. In addition, the Director and the Treasurer should ensure there is assignment of specific responsibilities to individual officers, an organization chart of the Finance Department division of responsibilities and periodic rotation of duties. Accountability of all areas of operations by the Director or his designated representative to check effectiveness of the control system is mandatory. The Council is also required to employ its own Internal Auditor who reports directly to the Director. Similarly, the Public Procurement Act No.21 of 2004 Section 28 (1) requires the Council to establish a Tender Board and Section 34 (1) provides for Establishment of Procurement Management Unit.

The Internal Control set up of Mbeya Municipal Council complies with this order and Procurement Act. Nevertheless weaknesses arising from review of internal control system are included under part 3 of this report.

1.7 Financial Performance issues

Revenue

The Municipal Council collected an amount of Shs.555,567,286 from own sources against the own source revenue budget of Shs.1,016,103,493, reflecting a collection shortfall of Shs.460,536,207 or 45%. The large difference between the actual revenue collection and estimates was not explained but would appear to be a result of unrealistic revenue budget. In addition the council received grants amounting to Shs.5,328,040,434 making total revenue of Shs.5,883,607,720 during the year.

Expenditure

The Council spent Shs.5,957,441,599 during the year against total income of Shs.5,883,607,720 or 101% of total revenue, resulting into a deficit of Shs.73,833,879.

A comparison of the own source revenue of Shs.555,567,286 against expenditure of Shs.5,649,274,925 (net of depreciation) is only 9.8%, implying that the Municipa Council cannot sustain either its recurrent or development expenditure without depending on grants.

1.8 Audit Mandate:

By virtue of the provision of Article 143 of the Constitution of the United Republic of Tanzania, and Section 45 of the Local Government Public Finance Act No.9 of 1982, (Revised, 2000) the Controller and Auditor General is the statutory auditor of all government revenues and expenditure, including the revenues and expenditures of this Municipal Council.

1.9 Audit Objectives.

The main objective of carrying out the audit is to enable me to express an independent opinion on the financial statements of the Municipal Council for the year ended 30th June, 2005 and in particular:-

- To determine whether transactions were executed in accordance with the financial regulations, and recorded properly in the books of accounts for easy preparation of the financial statements.
- To determine whether the revenues due have been collected and used to meet expenses as per approved budget and governing regulations.
- To ascertain whether all supporting documents, records and accounts have been kept in respect of all Municipal Council activities.

- To verify whether goods and services bought were acquired through laid down procedures.
- To perform compliance tests to confirm whether management complied in all material respects with regulations.
- To evaluate whether the internal control procedures instituted are effective to provide relevant and reasonable information to the Management, for implementing and monitoring activities and that the assets of the authority are adequately safeguarded against losses from unauthorized use or disposition.
- To verify whether the Council has implemented audit recommendations made in previous audits.

1.10 Audit Scope

The audit was carried out in accordance with the International Standards on Auditing (ISA) and INTOSAI audit procedures. The audit covered the evaluation of effectiveness of the financial accounting system and internal control over the activities of the Municipal Council, examination and verification of the accompanying financial statements and other auditing procedures as was considered necessary under the circumstances for the purpose of forming an opinion on the financial statements. The audit was conducted on a test check basis; therefore, the findings are confined to the extent that records and information requested for the purpose of the audit were made available to us.

As auditors we are not required to search specifically for fraud; therefore our audit cannot be relied upon to disclose all such matters. However, our audit was planned so that we would have a reasonable expectation of detecting material misstatement in the financial statements resulting from irregularities or fraud. The responsibility for detection and prevention of irregularities and fraud rests with the Council management who are responsible for setting up and maintaining an adequate and effective system of internal control.

1.11 Audit Methodology

In auditing the financial statements together with their underlying records, the following principal audit steps were followed:-

- A review of the council's regulations, guidelines and other Authority's documents as was deemed necessary under the circumstances.
- Examination of receipts and payments to confirm compliance with existing legislation, financial regulations and other instructions or directives.
- A review of the internal control structure by assessing significant policies and procedures and establish its adequacy.

- Review of financial statements, progress reports, various implementation reports and other associated information.
- Conduct compliance tests on the system of awarding contracts and their execution.
- Interview and discuss with some of the staff and other key stakeholders in the implementation of various activities.
- Conduct Local inspection to verify physical implementation of planned activities as well as assessing the progress made.
- Hold entrance and exit meetings with the auditee to discuss the audit objectives and results of the audit respectively.

1.12 Presentation of Audit Findings

The audit was carried out according to the mandate stated above, applying professional standards and audit procedures that were considered appropriate in each situation.

The audit findings are divided into two parts. The first part comprises the opinion on the critical examination of the financial statements submitted for audit and the circumstances surrounding their preparation and presentation.

The second part comprises the detailed findings on the gaps and shortfalls in the internal control system which, if rectified on time, will greatly improve the effectiveness of the internal control system applied.

2.0 AUDIT REPORT ON THE FINANCIAL STATEMENTS

To: Hon. Mizengo Pinda (MP)
Minister, PMO-RALG

Municipal Director and Accounting Officer,
Mbeya Municipal Council.

RE: INDEPENDENT AUDIT REPORT ON THE FINANCIAL STATEMENTS OF MBEYA MUNICIPAL COUNCIL FOR THE YEAR ENDED ON 30TH JUNE 2005

I have audited the Consolidated Balance Sheet, Consolidated Statement of Income and Expenditure, Consolidated Cash-flow Statement and the related notes and schedules of Mbeya Municipal Council shown as annexure I of this report for the financial year ended on 30th June 2005.

Responsibility of Council Management on the financial statements

These financial statements are the responsibility of the management of Mbeya Municipal Council.

Order Nos. 9 through 16 of the LAFM requires the Council to establish and support a sound system of Internal Control within the Council. Order No. 53 places responsibility on the Council management to prepare the financial statements based on Generally Accepted Accounting Standards. Further, section 40 of the Act requires the Accounting Officer to keep and maintain accounts and prepare financial statements in respect of the Council operations in a manner that promotes transparency, accountability and comparability.

Responsibility of the Controller and Auditor General

My responsibility is to express an independent opinion based on the audit. I am also required to satisfy myself whether the funds contributed to the Council were used exclusively and judiciously to meet eligible expenditures with due attention to economy and efficiency, whether the accounts have been kept in accordance with Generally Accepted Accounting Standards, and whether they do comply with the requirements of the Local Government Finances Act No. 9 of 1982 and the Local Authorities Financial Memorandum of 1997.

Basis of opinion

The audit was conducted in accordance with International Standards on Auditing and included such other audit procedures I considered necessary in the circumstances. These standards require that I plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatements.

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. It also includes assessing the significant estimates and judgments made in the preparation of the financial statements, assessing whether the internal control system and the accounting policies are appropriate to the circumstances of Mbeya Municipal Council, consistently applied and adequately disclosed, evaluating the overall financial statements presentation, and assessing the extent of compliance with the statutory requirements. I believe the audit provides a reasonable basis for my opinion.

Opinion

In my opinion, Except for material matters pointed below, the financial statements fairly reflect, in all material respects, the financial position of Mbeya Municipal Council as at 30th June 2005 and the results of its operations and cash flows for the year then ended, in accordance with the International Financial Reporting Standards.

Matters requiring rectification:

1. The Council has effected payments worth Shs.9,994,600 on proforma invoice contrary to the requirement of the procurement laws. Also expenditures worth Shs.10,798,500 were improperly Vouched.
2. Errors in the income and Expenditure statement amounted to Shs.29,690,697 and Depreciation amounting to Shs.308,166,674 was not charged to accounts during the year.
3. The Council paid Shs.350,000,000 to procure a fire brigade motor vehicle which was not delivered to the date of this report contrary to the requirements of procurement laws.

The details on these matters are found on part 3 of this report.

Dr. Frank Mosses Hiza Mhilu
Ag. CONTROLLER AND AUDITOR GENERAL

Office of the Controller and Auditor General
The National Audit Office
DAR ES SALAAM.
March 2006.

3.0 AUDIT FINDINGS AND RECOMMENDATIONS

3.1 Current year's findings

3.1.1 Deferred Payments Shs. 26,828,934/=

Various payments aggregating to Shs. 26,828,934/= properly chargeable in the year 2003/2004 accounts were instead met in the year 2004/2005.

Implication

The non compliance to the budgetary provisions might lead to unimplementation of other planned activities.

Recommendation.

The Council management should state reasons for delaying payments in the respective accounting period (2003/2004). Further it has to abide to the budgetary provisions.

3.1.2 Payments made on strength of proforma invoice Shs.9,994,600

Payments totaling Shs.9,994,600 made for the purchases of goods and services were noted to have been supported by proforma invoices. This is violation of the Procurement Act No. 21 of 2004 and the related Regulations.

Implication

Due to the absence of supporting documents it was difficult to confirm if goods and services paid for were actually supplied or rendered.

Recommendation

The Council management should trace the invoices and delivery particulars and avail them for audit verifications. Also the requirement of the procurement procedures has to be observed.

3.1.3 Unsupported Expenditure Shs. 10,798,500

The test check of payments vouchers for the year ended 30th June 2005 disclosed unsupported payments amounting to Shs.10,798,500.

Implication

The absence of supporting documents raises doubts about the validity of goods and services paid for as well as the amounts charged as expenditure in the Council's accounting records.

Recommendation.

The missing documents should be traced and filed together with the relevant payment vouchers for audit verification.

3.1.4 Imprest not recorded Shs. 5,912,150

Imprests totaling to Shs.5,912,150 were not recorded in the imprest Register.

Implication

In the absence of imprests register, it is difficult to make follow - up for unretired imprests.

Recommendation.

The Council management should establish the register to facilitate control of the imprests.

3.1.5 Errors in the Consolidated Income and Expenditure Statement.

(i) Revenue

Sub - Vote	Total balance as itemized statement (Shs.)	Total balance as per consolidated statement (Shs.)	Difference
Grants	5,328,040,434	5,081,787,123	246,253,311

(ii) Expenditure

Administration & General	1,402,183,096	1,175,704,184	226,478,912
Health and Welfare	588,845,227	619,054,914	30,209,687
Education and General	3,511,996,590	3,690,654,078	178,657,488
Works and Communication	146,250,012	193,552,446	47,302,434
Total	5,649,274,925	5,678,965,622	29,690,697

(ii) Annual depreciation charge - Shs. 308,166,674

Annual depreciation charge amounting to Shs.308,166,674 was not expensed in the consolidated Income and Expenditure statement as detailed below: -

Type of asset	Amount(Shs.)
Land and buildings	220,837,919
Vehicles plants and crafts	79,679,837
Furniture and Fittings	7,631,918
Total	<u>308,166,674</u>

Implication

The stated end result of the Income and expenditure statements is misleading.

Recommendation

The council's management should ensure that all necessary information is reflected in the financial statements.

3.1.6 Outstanding Advances and Imprests - Shs.8,112,466

The Balance Sheet as at 30th June, 2005 disclosed outstanding imprests and advances totalling Shs.8,112,466

Implication

Overdue of advances and imprests may lead into financial instability and non implementation of other planned activities.

Recommendation

The Council's management should ensure that efficient system is in place for recovery of advances and retirement of imprests.

3.1.7 Non delivered of procured item - Shs. 350,000,000

The Balance Sheet as at 30th June 2005 reflected accounts receivables pending realization amounting to Shs.350,000,000. This was a single payment made for acquisition of a modern fire brigade motor vehicle which was not delivered as at the date of Audit.

Implication

Non timely delivery of motor vehicle deprive community right to benefit from the use of it.

Recommendation

The management has to ensure timely delivery of the procured motor vehicle. Further it has to comply with the provisions of the laws.

4.0 CONCLUSION.

The detailed audit findings presented above have been communicated to the management of Mbeya Municipal Council during exit meeting. The Management has promised to take appropriate action with a view to rectify the situation. I shall appreciate to receive formally the actions taken in this respect.

Lastly, I would like to express my appreciation for the cooperation given to the audit team. It is my hope that such good working relationships will be extended during future audits.

Dr. Frank Mosses Hiza Mhilu
Ag. CONTROLLER AND AUDITOR GENERAL

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5.0 ANNEXURES

- Financial statements and notes to the financial statements - annexure I
- Organization structure of Mbeya Municipal Council - annexure II

FINANCIAL STATEMENTS AND NOTES TO THE FINANCIAL STATEMENTS.

ORGANIZATION STRUCTURE OF MBEYA MUNICIPAL COUNCIL

