

THE UNITED REPUBLIC OF TANZANIA

NATIONAL AUDIT OFFICE (NAO)



**REPORT OF THE CONTROLLER AND AUDITOR GENERAL
ON THE FINANCIAL STATEMENTS OF MWANZA CITY COUNCIL
FOR THE FINANCIAL YEAR ENDED 30TH JUNE 2005**

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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

- 1 contributing to better stewardship of public funds by ensuring that our clients are accountable for the resources entrusted to them;
- 2 helping to improve the quality of public services by supporting innovation on the use of public resources;
- 3 providing technical advice to our clients on operational gaps in their operating systems;
- 4 systematically involve our clients in the audit process and audit cycles; and
- 5 providing audit staff with adequate working tools and facilities that promote independence.

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Table of Contents

	Page
1.0 Background information to the audit	5
1.1 Introduction	5
1.2 Brief history of the client establishment	5
1.3 Operational objectives	5
1.4 Financing	5
1.5 Management structure	6
1.6 Brief description of internal control system	6
1.7 Financial Performance Issues	6-7
1.8 Audit mandate	7
1.9 Audit objectives	7
1.10 Audit scope	8
1.11 Audit Methodology	8
1.12 Presentation of audit findings	9
2.0 Audit report on the financial statements	10-11
	12
3.0 Audit findings and recommendations	12
3.1 Follow up of previous year's Audit findings	13-15
3.2 Current year's findings	16
4.0 Conclusion	17
5.0 Annexures	

DEFINITIONS OF TERMS AND ABBREVIATIONS

CAG	Controller and Auditor General
CD	Council Director
DED	District Executive Director
GDP	Gross Domestic Product
LAFM	Local Authority Financial Memorandum
GOT	Government of Tanzania
GAAS	Generally Accepted accounting Standards
IFMS	Integrated Financial Management System
LGA	Local Government Authorities
LGRP	Local Government Reform Programme
M&E	Monitoring and Evaluation
NGO	Non-governmental Organisation
MoF	Ministry of Finance
OCAG	Office of the Controller and Auditor General
ISA	International Standard on Auditing
PMO-RALG	Prime Minister's Office - Regional Administration and Local Government
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 Mwanza City Council for the year ended 30th June, 2005.

Council means - Mwanza City Council, both as Councilors as well as an operating entity.

1.0 BACKGROUND INFORMATION TO THE AUDIT

1.1 Introduction

I have completed the audit of Mwanza City Council accounts 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

The Mwanza City Council was established in February 2000 vide Government Notice No. 319A under the Local Government (Urban Authorities) (Establishment of Municipalities) Order 1999.

1.3 Operational objectives

According to Section 54 (1) of the Local Government (Urban Authorities) Act, and the Local Authority Financial Memorandum, the Mwanza City Council has the following operational 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, licenses, 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 is partly self financed by its revenue collection and largely has continued to receive grants and donation from the Government and institutions as follows:

Source	Amount	percentage
Revenue collection	1,798,062,160	14.4%
Government grants	10,713,136,243	85.6%
TOTAL	12,511,198,403	100%

1.5 Management Structure

The Mwanza City Council operates under directives of the Full Council which is a supreme body for legislative responsibilities.

The Council is headed by the City Director who is accountable to the Finance and Administration Committee and Full Council for its day-to-day operations. The Council is administered under the Chairmanship of the Hon. Mayor and the City Director of the Council assisted by Heads of Departments.

The structure has positions of Internal Auditor and Legal Officer with responsibilities of advising the City Director on matters falling under their jurisdiction.

The pictorial management structure of the City Council is shown as appendix II of this report.

1.6 Brief description of 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 also mandatory. The Council is further 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 Sect.34 (1) provides for Establishment of Procurement Management Unit. The City Council has established an internal audit unit and the Council Tender Board in Compliance to this requirement.

1.7 Financial Performance Issues

Revenue

The City Council collected an amount of Shs.1,798,062,160 from own sources. In addition the Council received grants amounting to Shs.10,713,136,243 making total revenue of Shs.12,511,198,403 during the year.

Expenditure

The Council spent Shs.11,782,819,766.00 during the year against total income of Shs.12,511,198,403 or 94% of total revenue, leaving unspent amount of Shs.728,378.63 However, performance against budget could not be assessed since budget figures were not disclosed in the financial statements.

A comparison of the internal revenue of Shs.1,798,062,160 against expenditure of Shs.11,782,819,766 (net of depreciation) is only 15% implying that the City Council cannot sustain either its recurrent or development expenditure without depending on grants.

1.8 Audit Mandate

By virtue of the provisions 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 auditor of all government revenues and expenditures, including the revenues and expenditures of this City 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 City 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 account 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 properly kept in respect of all City 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 uses 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. The audit covered the evaluation of effectiveness of the financial accounting system and Internal Control over the activities of the City Council, examination and verification of the accompanying financial statements and other auditing procedures as was considered necessary 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 an auditor I am not required to specifically search 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 examining the financial statements together with the underlying records the following audit steps were followed;

- A review of the council's regulations, guidelines and other 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 discussion 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 of 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 of the detailed findings on the gaps and shortfalls in the internal control system and compliance, 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

The Regional Commissioner,
Mwanza Region,

City Director and Accounting Officer,
Mwanza City Council.

**RE: INDEPENDENT AUDIT REPORT ON THE FINANCIAL STATEMENTS OF
MWANZA CITY 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 Mwanza City Council attached as appendix 1 of this report for the financial year ended on 30 June 2005.

Responsibility of Council Management on the financial statements

These financial statements are the responsibility of the management of Mwanza City Council.

Order Nos. 9 through 16 of the LAFM requires the Council to establish and support a solid 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

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 misstatement.

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 the Mwanza City Council consistently applied and adequately disclosed, evaluating the overall financial statement presentation, and assessing the extent of compliance with the statutory requirements. I believe the audit provides a reasonable basis for my opinion.

Qualification

In my opinion, except for matters shown below, the financial statements fairly reflect, in all material respects, the financial position of Mwanza City Council as at 30th. June 2005 and the results of its operations and cash-flows for the year then ended, in accordance with Part IV of the Local Government Finances Act No. 9 of 1982.

Further to my opinion, the procurement of motor vehicles, office furniture and fittings, machinery and computers, construction of roads, bridges, parks, gardens and street lighting were generally done in accordance with the Public Procurement Act No.21 of 2004 and the related Regulations.

Material disagreement in records keeping

1. Matters from previous audits amounting to Shs.443,921,186 had not been cleared.
2. Thirteen receipt books used to collect revenue were not produced for audit inspection.
3. Outstanding revenue from collecting agents Shs.14,935,916.
4. Missing payment vouchers Shs.244,077,648.
5. Inadequately supported expenditure Shs.81,659,743.20.
6. Medical supplies partly delivered Shs.11,514,000.

The details of these matters and others are given in 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

31 March, 2006

3.0 AUDIT FINDINGS AND RECOMMENDATION

3.1 Follow up of previous year's audit findings

During the previous year's audits, several recommendations were made on some of the key issues which require necessary action for improvement. However, as at this reporting date (February 2006) the following outstanding issues have not fully been implemented as recommended.

Period	Para	Description	Amount queried (Shs)	Outstanding amount (Shs)
1998	2.4	Revenue not collected from Agents	71,752,500	52,211,500
2000	5.1	Title deeds fro land and buildings not produced	204,652,190	204,652,190
2000	5.3	Investments		
2002	2.1.2	Outstanding revenue from Council Agents	130,740,000	124,597,000
2002	4.2	Outstanding debtors • Nyanza cooperative 13,904,810 • CCM Kirumba 2,883,200 • Stephen Saanane 3,240,000 20,028,070	137,672,429	20,028,070
2002	2.3.1	Valuation certificates for fixed assets not produced		
2002	2.3.4	Outstanding advances and imprests	56,856,428	8,474,700
2003	2.1.2	Outstanding service levy	19,630,219.50	1,900,230
2003	2.1.3	Outstanding property tax	467,479,422	20,976,832
2004	2.3	Outstanding service levy	39,472,23	7,904,864
2004	3.5	Advances to Women Groups	20,000,000	3,175,800
		Total		443,921,186

Implication

Failure to act on audit queries aggravates control risks by the Council.

Recommendation

The management's attention is drawn to the advantages of acting promptly on audit recommendations with a view to securing public accountability by instituting financial and accounting controls as recommended.

3.2 Current year's findings

3.2.1 Missing revenue receipt books

Fifteen (13) receipt books issued to revenue collectors during the year 2004/05 were not produced for audit inspection.

Implication

Revenue collected through these receipt books might be misappropriated.

Recommendation

Management should trace the missing books and submit them to audit for verification.

3.2.2 Outstanding revenue from collecting agents Shs.14,935,916

Scrutiny of revenue collections register revealed that Shs.14,935,916 was outstanding as at the date of the audit (December 2005 from various collecting agents).

Implication

Uncertainty with regard to the collectability of these revenues.

Recommendation

The management should add effort to ensure these revenues are collected from the collecting agents.

3.2.3 Missing imprest retirement particulars Shs.7,276,000

Scrutiny of imprest registers revealed that imprests retirement particulars for Shs.7,276,000 in respect of imprests issued to various staff were missing.

Implication

The genuineness of the payments for which these imprests were issued could not be established.

Recommendation

The management should trace and submit the missing retirement particulars for audit verification.

3.2.4 Missing payment vouchers Shs.144,077,648.72

It was revealed during our examination of the Council records that payment vouchers carrying a total sum of Shs.144,077,648 were missing from their respective batchers.

Implication

The propriety with regard to expenditure incurred through these payment vouchers could not be established and there is a probable misuse of funds paid through these vouchers.

Recommendation

The management should trace the missing vouchers and produce them for audit verification.

3.2.5 Inadequately supported expenditure Shs.81,659,743.20

Payments amounting to Shs.81,659,743.20 were made to various institutions and one supplier without being supported by relevant documents/information such as claim forms, invoices, delivery notes, cash sales/receipts etc.

Implication

- In the absence of the relevant supporting documents and information, authenticity of the expenditure incurred could not be established.
- Poor records keeping may lead to misappropriation of the Council funds.

Recommendation

It is recommended that record keeping within the Council should be improved. The supporting documents/information related to the above payments should be traced and made available for audit verification.

3.2.6 Medical supplies partly delivered Shs.11,514,000

It was noted that out of medical supplies worth Shs.13,518,100 ordered and paid for, only items worth Shs.2,004,100 were supplied to the Council leading to a short delivery of supplies worth Shs.11,514,000.

Implication

Inadequate control over purchase and receiving procedures.

Recommendation

It is recommended that the management should make follow up of the partly delivered supplies and confirm accountability of the items.

3.2.7 Contract agreements not produced Shs.29,353,000

A sum of Shs.29,535,000 was paid to two contractors namely, Nyanza Road and Nkuba Transport contractors in respect of road construction and transporting various items as shown below:

Pv No	Cheque NO.	Amount (Shs.)
26/6/2005	043376	8,656,000
27/6/2005	043377	1,080,000
29/6/2005	043379	12,600,000
30/6/2005	043380	7,200,000
		29,353,000

Implication

Since the terms and conditions stipulated in those contracts have not been specified, the eligibility of the payments cannot be established.

Recommendation

The management should trace and submit the relevant contract agreements for our review.

3.2.8 Payments for compensation not acknowledged Shs.9,818,214

The Council involved one consultant to value several areas including houses which were to be demolished to make way for the construction of roads. Two individuals; Kachopi Ntwale and Bora Husein were paid Shs.8,487,000 and Shs.1,331,204 respectively being compensation for their houses which were demolished. We noted that these funds were not acknowledged by the bonafide payees through signing or issuing acknowledgment receipts.

Implication

Fraudulent acts can not be ruled out in the absence of confirmation of receipts by these payees.

Recommendation

The management should obtain acknowledgement receipts from the respective payees and submit to audit for verification.

4.0 CONCLUSION

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

Lastly I would like to express my appreciation for the co-operation given to the audit team. It is my hope that such good working relationship will be extended during future audits.

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

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DODOMA.

Permanent Secretary and Paymaster General,
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Box 9111,
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5.0 ANNEXURES

- Financial Statements and notes to the financial statements - annexure I
- Organization structure of Mwanza City Council - annexure II

FINANCIAL STATEMENTS AND NOTES TO THE FINANCIAL STATEMENTS.

ORGANIZATION STRUCTURE OF MWANZA CITY COUNCIL

