



anti counterfeit agency

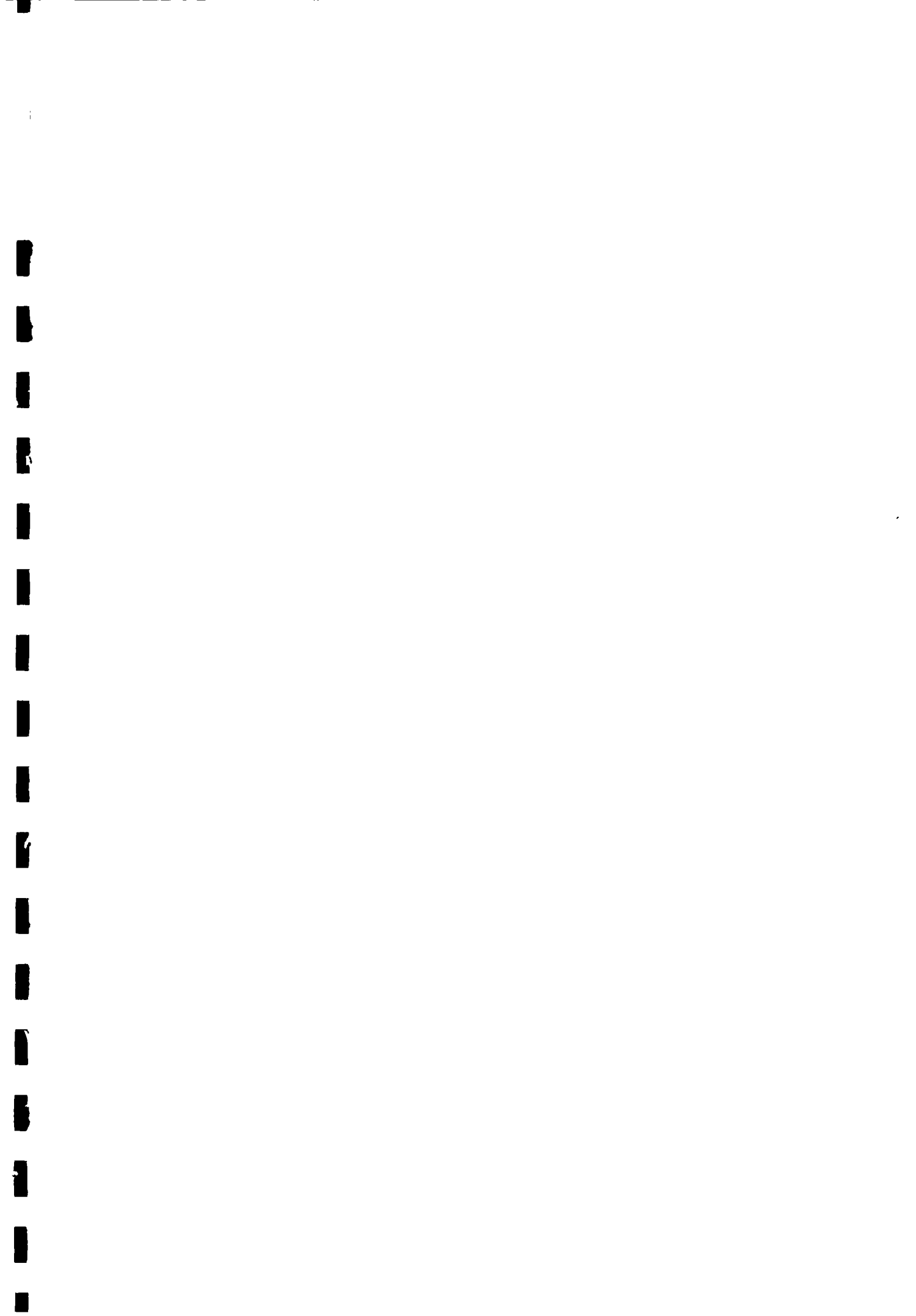
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PARLIAMENT
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FINANCIAL STATEMENTS

2012-2013





anti counterfeit agency

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THE FINANCIAL STATEMENTS FOR THE YEAR ENDED JUNE 30, 2013

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P.O. Box 30084-00100
 NAIROBI

KENYA NATIONAL AUDIT OFFICE

**REPORT OF THE AUDITOR-GENERAL ON ANTI-COUNTERFEIT AGENCY FOR
 THE YEAR ENDED 30 JUNE 2013**

REPORT ON THE FINANCIAL STATEMENTS

I have audited the accompanying financial statements of Anti-Counterfeit Agency set out on pages 6 to 15, which comprise the statement of financial position as at 30 June 2013, and the statement of comprehensive income, statement of changes in reserves and statement of cash flows 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 14 of the Public Audit Act, 2003. I have obtained all information and explanations which, to the best of my knowledge and belief, were necessary for the purpose of the audit.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with International Financial Reporting Standards and for such 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.

The management is also responsible for the submission of the financial statements to the Auditor-General in accordance with the provisions of Section 13 of the Public Audit Act, 2003.

Auditor-General's Responsibility

My responsibility is to express an opinion on these financial statements based on the audit and report in accordance with the provisions of Section 15 (2) of the Public Audit Act, 2003 and submit audit report in compliance with Article 229 (7) of the Constitution of Kenya. The audit was conducted in accordance with International Standards on Auditing. Those standards require compliance with ethical requirements and that the audit planned and performed to obtain reasonable assurance about whether the financial statements are free from material misstatement.

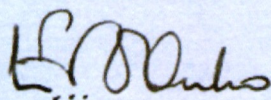
An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgement, including the assessment of the risk of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the

entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Agency 's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the management, as well as evaluating the overall presentation of the financial statements.

I believe that the audit evidence obtained is sufficient and appropriate to provide a basis for my audit opinion.

Opinion

In my opinion, the financial statements present fairly, in all material respects, the financial position of the Agency as at 30 June 2013, and of its financial performance and its cash flows for the year then ended, in accordance with International Financial Reporting Standards and comply with the Anti-Counterfeit Act, 2008.



Edward R.O. Ouko, CBS
AUDITOR-GENERAL

Nairobi

27 May 2014

1.0 Institutional Details / Information

1.1 INTRODUCTION

The Anti-Counterfeit Agency is established under Section 3 of the Anti-Counterfeit Act No. 13 of 2008 under the State Corporations Act, Chapter 446 of the Laws of Kenya. The Agency is a non-commercial State Corporation under the Ministry of Industrialization.

1.2 PRINCIPAL ACTIVITIES

Its core mandates are to enlighten and inform the public on matters relating to counterfeiting; combat counterfeiting, trade and other dealings in counterfeit goods in Kenya in accordance with the Act or any other written law; devise and promote training programs to combat counterfeiting; and co-ordinate with national, regional or international organizations involved in combating counterfeiting.

1.3 REGISTERED OFFICE AND PRINCIPAL PLACE OF BUSINESS

Anti-Counterfeit Agency,
Telposta Towers, 4th Floor
Kenyatta Avenue
P.O. Box 47771 – 00100
Nairobi - Kenya

1.4 BANKERS

Kenya Commercial Bank
Kipande House Branch
P.O. Box 30012 – 00100
Nairobi – Kenya.

1.5 LAWYERS/ADVOCATES

The Attorney General
Sheria House
P.O. Box 40112
Nairobi – Kenya

1.6 INDEPENDENT AUDITOR

The Auditor General
Kenya National Audit Office
Anniversary Towers
P.O. Box 30084 – 00100
Nairobi – Kenya.

2.0 Statement of Directors' Responsibilities

Section 20 of the Anti-Counterfeit Act 2008 requires the Directors to prepare financial statements for each financial year, which include a statement of financial position showing in detail the assets and liabilities of the Agency, a statement of comprehensive income and expenditure, and such other statements that the Directors may deem necessary. It also requires the Directors to ensure the Agency keeps proper books of accounts and records in relation to the Agency and to all the undertakings, including investments of funds. They are also responsible for safeguarding the assets of the Agency.

The Directors accept responsibility for the annual financial statements, which have been prepared using appropriate accounting policies supported by reasonable and prudent judgments and estimates, in conformity with generally accepted accounting practices and in the manner required by the Anti-Counterfeit Act 2008. The Directors are of the opinion that the financial statements give a true and fair view of the state of the financial affairs of the Agency and of its operating results. The Directors further accept responsibility for the maintenance of accounting records which may be relied upon in the preparation of the financial statements, as well as adequate systems of internal financial control.

The following are the members of the Board and management who served during the Financial Year;

Board Members

1. A.G.N. Kamau – Board Chairman
2. Dr. Marisella Ouma
3. Tutui Nanok
4. Martin Gumo
5. Dr. Kipkerich Chumo Koskei
6. Selasio Njiru
7. Betty Maina
8. Alexander Muteti
9. Charles Mahinda
10. Mr. Emmanuel Bitta
11. Dr. James Onsando
12. Roger Sagana
13. Mrs. Eva Oduor
14. Ms. Beatrice Memo
15. Dr. Henry Mutai

Management

1. Stephen O. Mallowah
2. Dr. John Akoten, PhD
2. Johnson Adera
3. Abdikadir Mohammed
4. Agnes Karingu
5. Michael Aremon
6. Elijah Ruttoh
7. Fridah Kaberia


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



DR. JOHN AKOTEN, PhD
Ag. EXECUTIVE DIRECTOR

7/5/2014

Date:



A.G.N KAMAU
CHAIRMAN

7th may 2014

Date:

3.0 Financial Statements

The operations of the Agency together with Financial Statements for the year ended June 30, 2013 are presented herewith in accordance with the requirements of the Anti-Counterfeit Act, Public Audit Act and International Financial Reporting Standards (IFRS).

The Annual Accounts comprise the under-listed statements on the financial performance and position of the assets and liabilities of the Agency at the end of the year:

1. Statement of comprehensive income and expenditure.
2. Statement of financial position.
3. Statement of changes in Accumulated funds.
4. Statement of cash flow.

The financial statements are accompanied with notes including any disclosures which are necessary for the users of financial statements.

INCOME

This is the third set of financial statements being presented since inception of the Agency and Government Grant has been the main source of income. During the financial year 2012/2013 the Agency received Kshs 172,951,199 as Government Recurrent Grant, Kshs 36,000,000 as Development Grants and Kshs 6,925,420.00 from AIA (British High Commission Grant, Complaint filing fees, Destruction and Storage Fees, Investment Income and Sale of Tender Documents).

EXPENDITURE

The operating and capital expenditure was Kshs 200,505,252 and Kshs 20,432,439 respectively.

STATEMENT OF CASHFLOW

Cash flows from the operations of the Agency are detailed in the Statement of Cash flows for the year ended June 30, 2013. The statement is presented as per the requirement of International Accounting Standard (IAS7) using indirect method option.

STATEMENT OF FINANCIAL POSITION

AS AT JUNE 30, 2013

	NOTES	2012/2013 KSHS	2011/2012 KSHS
ASSETS			
NON-CURRENT ASSETS			
Property, Plant and Equipment	2	46,129,210	44,729,755
INTANGIBLE ASSETS			
Software	14	968,176	923,311
Total Non-Current Assets		47,097,386	45,653,066
CURRENT ASSETS			
Inventories	12	2,074,199	1,564,822
Trade & Other Receivables	7	3,010,815	2,990,891
Cash and Cash Equivalent	6	59,652,615	47,972,129
Total Current Assets		64,737,629	52,527,842
TOTAL ASSETS		111,835,015	98,180,908
ACCUMULATED FUNDS & LIABILITIES			
Government Grant Restated	10	47,866,925	18,519,769
Revenue Reserve	11	50,138,664	70,767,298
Total Accumulated Funds		98,005,589	89,287,067
CURRENT LIABILITIES			
Other Payables	8	9,607,122	5,870,116
Staff Gratuity Payable	9	4,222,304	3,023,725
Total Current Liabilities		13,829,426	8,893,841
TOTAL ACCUMULATED FUNDS & LIABILITIES		111,835,015	98,180,908

The financial statements were approved by the Board of Anti-Counterfeit Agency (ACA) and signed on its behalf by:



DR. JOHN AKOTEN, PhD
Ag. Executive Director



A.G.N KAMAU
Chairman

STATEMENT OF COMPREHENSIVE INCOME

FOR THE YEAR ENDED JUNE 30, 2013

	NOTES	2012/2013	2011/2012
		KSHS	KSHS
INCOME			
Government Grant	13	172,951,199	200,067,816
Retained Reserves		25,000,000	-
Other Income	3	6,925,420	3,247,336
Total Income		204,876,619	203,315,152
EXPENDITURE			
Administrative	4	102,876,298	110,159,968
Operating and Maintenance	5	97,628,954	75,805,174
Total Expenditure		200,505,252	185,965,142
SURPLUS FOR THE YEAR		4,371,367	17,350,010

STATEMENT OF CASH FLOW

FOR THE YEAR ENDED JUNE 30, 2013

	NOTES	2012/2013	2011/2012
		KSHS	KSHS
OPERATING ACTIVITIES			
Reserve for the Year		4,371,367	17,350,010
Development Government Grant		36,000,000	-
Adjustments for Items not Involving movement of cash			
Add: Depreciation Expenses		12,335,271	7,308,036
Less: Retained Reserves		(25,000,000)	-
Cash flow from Operating activities before Increase or Decrease In Working capital		27,706,638	24,658,046
WORKING CAPITAL CHANGES			
Decrease in Receivables		71,909	44,475
Increase (Decrease) in Inventories		(509,377)	515,129
Increase (Decrease) in Prepayments		(91,833)	8,594,365
Increase in Payables		4,935,588	3,512,726
Cash flow from Operating activities before Investments		32,112,925	37,324,741
INVESTING ACTIVITIES			
Purchase of Property, Plant & Equipment		(20,432,439)	(15,945,630)
Net Cash used in Investing Activities		(20,432,439)	(15,945,630)
Net increase in cash & cash equivalent		11,680,486	21,379,111
Cash & Cash equivalent as at beginning		47,972,129	26,593,018
Cash & Cash Equivalent as at end of the year		59,652,615	47,972,129

STATEMENT OF CHANGES IN RESERVE FOR THE YEAR ENDED JUNE 30, 2013

	GOVERNMENT GRANT KSHS	REVENUE RESERVE KSHS	TOTAL KSHS
Balance as at 01/07/2010	31,825,457	-	31,825,457
Depreciation	(6,652,844)	-	(6,652,844)
Revenue Reserve for the year	-	46,764,444	46,764,444
Balance as at 30/06/2011	<u>25,172,613</u>	<u>46,764,444</u>	<u>71,937,057</u>
Balance as at 01/07/2011	25,172,613	46,764,444	71,937,057
Depreciation	(6,652,844)	6,652,844	-
Revenue Reserve for the year	-	17,350,010	17,350,010
Balance as at 30/06/2012	<u>18,519,769</u>	<u>70,767,298</u>	<u>89,287,067</u>
Balance as at 01/07/2012	18,519,769	70,767,298	89,287,067
Depreciation	(6,652,844)	-	(6,652,844)
Revenue Reserve for the year	-	4,371,367	4,371,367
Retained Reserves	-	(25,000,000)	(25,000,000)
Development Funds	36,000,000	-	36,000,000
Balance as at 30/06/2013	<u>47,866,925</u>	<u>50,138,665</u>	<u>98,005,590</u>

NOTE:

The adjustment is as a result of depreciation of assets purchased by the Ministry of Industrialization before the Agency began its operations in June 2010.

NOTES TO THE FINANCIAL STATEMENTS

1. SIGNIFICANT ACCOUNTING POLICIES

a) Basis of Accounting

The financial statements are prepared in accordance with and comply with International Financial Reporting Standards (IFRS) and the applicable law in Kenya (Kenya Government Accounting procedures). The financial statements are prepared in Kenya shillings (Kshs) under the historical cost convention.

b) Financial Year

The Financial Year of Anti-Counterfeit Agency is from July 1 to June 30, of every year.

c) Revenue Recognition

Revenue is recognized when funds are actually earned.

d) Expenditure Recognition

Expenses are recognized when incurred even though payments may not have been made.

e) Currency

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

f) Foreign Currency Transactions

Transactions denominated in foreign currency are converted into local currency as follows:

- (i) Transactions, including grants and donations received, which are expressed or denominated in a foreign currency, are converted into local currency at the market exchange rate prevailing at the date of each transaction.
- (ii) Foreign currency assets and liabilities are converted into local currency at the exchange rates prevailing at the balance sheet date.
- (iii) Exchange differences arising from the conversion of foreign currency balances are dealt with through the income and expenditure statement.

g) Depreciation

Property, Plant, Equipment & Furniture are stated at historical cost less accumulated depreciation. Depreciation is calculated on a straight-line basis at annual rates estimated to write off the carrying values of the assets over their useful lives as follows:

Motor vehicles	25%
Office equipment	12.5%
Computer equipment	33.3%
Furniture	12.5%
Leasehold Improvements	Depreciated over remaining lease period

h) Amortization of Intangible Assets

Software	33.3%
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i) Cash and Cash Equivalent

For the purposes of the cash flow statement, cash and cash equivalent comprise cash in hand and deposits held on call with banks.

j) Comparison

Comparative figures in the financial statements are for Financial Year 2011/2012

k) All figures have been rounded off to the nearest whole number

2. PROPERTY, PLANT & EQUIPMENT

	Motor Vehicles		Computers		Office Equipment		Furniture & Fittings		Leasehold Improvements		Total	
	Kshs		Kshs		Kshs		Kshs		Kshs		Kshs	
Cost as at July 1, 2011	19,863,973		5,120,500		6,872,941		13,706,966		8,820,580		54,384,960	
Additions during the Year	4,650,000		1,477,991		2,007,012		4,654,215		1,772,139		14,561,357	
As at June 30, 2012	24,513,973		6,598,491		8,879,952		18,361,181		10,592,719		68,946,316	
DEPRECIATION												
As at July 1, 2011	4,965,993		1,705,127		859,118		1,713,371		1,473,037		10,716,646	
Charge for the Year	6,128,493		2,197,298		1,109,994		2,295,148		1,768,984		13,499,917	
Accumulated Depreciation	11,094,486		3,902,425		1,969,112		4,008,519		3,242,021		24,216,563	
NET BOOK VALUE AS AT 30.06.2012	13,419,487		2,696,067		6,910,841		14,352,662		7,350,698		44,729,755	
Cost as at July 1, 2012	24,513,973		6,598,491		8,879,952		18,361,181		10,592,719		68,946,316	
Additions during the Year	14,605,680		2,354,480		1,350,000		1,363,915		-		19,674,075	
As at June 30, 2013	39,119,653		8,952,971		10,229,952		19,725,096		10,592,719		88,620,391	
DEPRECIATION												
As at July 1, 2012	11,094,486		3,902,425		1,969,112		4,008,519		3,242,021		24,216,563	
Charge for the Year	9,779,913		2,981,339		1,278,744		2,465,637		1,768,984		18,274,617	
Accumulated Depreciation	20,874,399		6,883,764		3,247,856		6,474,156		5,011,005		42,491,180	
NET BOOK VALUE AS AT 30.06.2013	18,245,254		2,069,207		6,982,096		13,250,940		5,581,714		46,129,211	
NET BOOK VALUE AS AT 30.06.2012	13,419,487		2,696,067		6,910,841		14,352,662		7,350,698		44,729,755	

NOTES TO THE FINANCIAL STATEMENTS Cont'd

	2012/2013 KSHS	2011/2012 KSHS
3 OTHER INCOME		
Complaint Filing Fees	2,776,950	1,294,250
Destruction & Storage Fees	1,274,800	777,580
British High Commission Grants	1,736,700	-
Investment Income	152,970	320,352
Tyre Recovery	-	14,004
Donations	-	42,000
Corporate Social Responsibility	-	21,150
Sale of Tender Documents	984,000	778,000
Total Other Income	6,925,420	3,247,336
4 ADMINISTRATIVE		
Board of Directors Expenses		
Board Allowances	3,677,500	6,625,000
Board Domestic Travel and other Expenses	2,705,140	2,590,394
Board Committees, Conferences & Seminars	225,000	1,810,300
Chairman Honoraria & Tel. Allow	1,044,000	1,044,000
Total Board of Directors Expenses	7,651,640	12,069,694
Personnel Emoluments		
Basic Salaries & Personal Allow	78,223,040	83,932,465
Casual & Interns	427,500	458,020
Contractual Employee	-	320,406
Employer Contribution To NSSF	127,800	122,600
Employer Contribution To Pension	6,115,177	1,416,354
Group Medical Insurance	6,955,507	8,167,302
Leave Allowance	632,000	694,000
Staff Gratuity	2,307,650	2,302,524
Staff Insurance - WIBA & Group	435,984	676,603
Total Personnel Emoluments	95,224,658	98,090,274
Total Administrative Expenses	102,876,298	110,159,968
5 OPERATING AND MAINTENANCE		
Depreciation Expense		
Depreciation - Computers	2,981,339	2,197,298
Depreciation - Furn. & Fittings	2,465,637	2,295,148

NOTES TO THE FINANCIAL STATEMENTS Cont'd

	2012/2013	2011/2012
	KSHS	KSHS
Depreciation - Motor Vehicle	9,779,913	6,128,493
Depreciation - Office Equipment	1,278,744	1,109,994
Depreciation - Leasehold Improvements	1,768,984	1,768,984
Amortization Expense	713,498	460,963
Reinstating Government Grant	(6,652,844)	(6,652,844)
Total Depreciation Expense	12,335,271	7,308,036
Operating Expense		
Asset Tagging	-	30,740
Comm. Supplies & Services	2,290,017	2,661,696
Corporate Social Responsibility	-	21,150
Destruction & Storage	-	96,397
Domestic Travel	5,022,715	5,425,723
Foreign Travel	2,753,255	2,422,896
Fuel , Oil & Lubricants	1,791,740	1,770,107
Finance Costs	161,534	-
General Insurance Costs	760,454	1,416,694
Hospitalities & Services	1,672,551	1,959,115
Membership & Subscriptions Fees	295,377	92,320
Office & Gen. Supplies/Services	4,274,787	4,441,588
Parking Charges	2,907,500	1,954,040
Printing, Advertising & Services	7,423,349	7,029,129
Professional & Consultancy Services	9,474,142	3,652,182
Promotional Activities	2,363,986	-
Provision For Audit Fees	858,000	650,000
Rent	30,317,841	21,578,220
Security Charges	2,466,920	1,483,200
Specialized Materials/Supplies	198,070	187,003
Staff Uniforms & Gear	-	81,800
Training Expenses	4,405,744	4,148,004
Transport Cost - Hire	-	201,350
Utilities Supplies & Services	4,303,629	5,607,504
Total Operating/Administrative	83,741,638	66,910,858
Repairs and Maintenance		
Routine Maintenance - Others	855,492	712,710
Routine Maintenance - Vehicles	696,580	873,570
Total Repairs and Maintenance	1,552,072	1,586,280

NOTES TO THE FINANCIAL STATEMENTS Cont'd

	2012/2013	2011/2012
	KSHS	KSHS
Total Operating Expenses	97,628,954	75,805,174
6 CASH & CASH EQUIVALENT		
Petty Cash – Head Quarter	3,791	5,284
Petty Cash – Mombasa	2,291.00	20,700
ACA KCB Main Bank Account	28,512,425	38,629,879
ACA KCB Development Account	17,726,973	-
ACA KCB Revenue Account	8,105,210	4,167,311
ACA NIC Bank Limited - Deposit	5,301,925	5,148,955
Total Cash & Cash Equivalent	59,652,615	47,972,129
7 TRADE & OTHER RECEIVABLES		
Fuel Reserve	-	99,104
Medical Insurance	1,972,563	720,686
Group Insurance – WIBA	143,661	-
Service Charge	-	1,822,201
General Insurance - Prepayment	323,230	-
Training Prepayment	294,370	-
Account Receivables – Staff Imprests	276,991	348,900
Total Trade & Other Receivables	3,010,815	2,990,891
8 OTHER PAYABLES		
Audit Fees	754,000	650,000
Account Payable Liabilities	8,853,122	3,155,383
Employee Pension Contribution	-	688,245
Employer Pension Contribution	-	1,376,488
Total Trade & Other Payables	9,607,122	5,870,116
9 STAFF GRATUITY		
Staff Gratuity b/d	3,023,725	721,201
Net Staff Gratuity FY 2012/2013	1,198,579	2,302,524
Total Accrued Staff Gratuity	4,222,304	3,023,725
10 GOVERNMENT GRANT		
Computers – Desktops & Laptops	-	1,216,666
Furniture & Fittings	4,653,843	5,584,612

NOTES TO THE FINANCIAL STATEMENTS Cont'd

	2012/2013	2011/2012
	KSHS	KSHS
General Equipments	2,759,593	3,311,512
Motor Vehicles	3,953,489	7,906,979
Fuel Deposit	500,000	500,000
Development Grants	36,000,000	-
Total Government Grant	47,866,925	18,519,769

11 REVENUE RESERVE

Revenue Reserve b/d	70,767,298	46,764,444
Less: Retained Reserve Expensed	(25,000,000)	-
Surplus for the year	4,371,367	17,350,010
Adjustment	-	6,652,844
Total Revenue Reserve	50,138,665	70,767,298

12 INVENTORIES

This consists of Office and General Supplies.

13 GOVERNMENT GRANTS

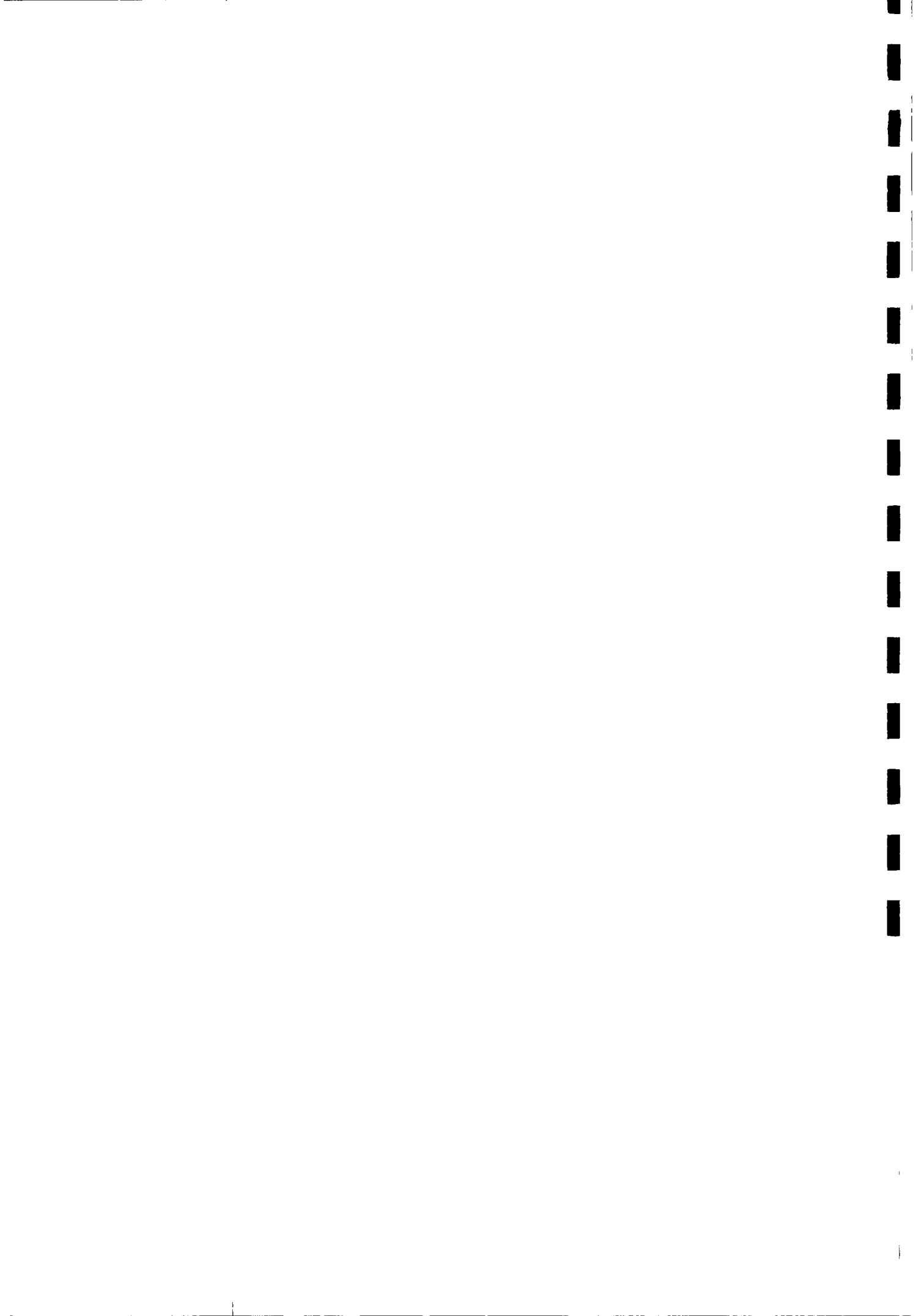
Disbursements from the parent Ministry (Ministry of Industrialization) during the Financial Period.

14 INTANGIBLE ASSET (SOFTWARE)

	KSHS
As at June 30, 2012	1,384,274.00
Amortization for the year	460,963.00
Balance as at June 30, 2012	923,311.00
As at July 01, 2012	1,384,274.00
Additions during the Year	758,364.00
As at June 30, 2013	2,142,637.00
Amortization	
As at July 1, 2013	460,963.00
Charge for the Year	713,498.00
Accumulated Amortization	1,174,461.00
Net Book Value as at June 30, 2013	968,176.00

NOTES:

NOTES:





**anti
counterfeit
agency**

educate, enforce, eliminate

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