

REPUBLIC OF KENYA



*Enhancing Accountability*

THE NATIONAL ASSEMBLY  
PAPERS LAID

DATE: 16 APR 2024

DAY

TUESDAY

**REPORT**

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BY:

HON OWEN ROYA, MP

OPPOSITION PARTY LEADER

CLERK-AT  
THE TABLE:

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OF KENYA  
LIBRARY

**THE AUDITOR-GENERAL**

**ON**

**NAIROBI CENTRE FOR INTERNATIONAL  
ARBITRATION**

**FOR THE YEAR ENDED  
30 JUNE, 2023**



OFFICE OF THE AUDITOR GENERAL  
P.O. BOX 30110, NAIROBI  
KENYA  
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**ANNUAL REPORT  
AND FINANCIAL STATEMENTS  
FOR THE PERIOD ENDED 30<sup>TH</sup> JUNE 2023**

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**ncia** | Nairobi Centre  
for International  
Arbitration



**NAIROBI CENTRE FOR INTERNATIONAL ARBITRATION  
ANNUAL REPORT AND FINANCIAL STATEMENTS  
FOR THE PERIOD ENDED 30<sup>TH</sup> JUNE 2023**

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

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***Nairobi Centre for International Arbitration***  
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**1. ACRONYMS**

1. **NCIA**- Nairobi Centre for International Arbitration.
2. **CEO**-Chief Executive Officer.
3. **PFM**-Public Finance Management.
4. **ADR**-Alternative Dispute Resolution.
5. **IPSAS**- International Public Sector Accounting Standards.
6. **NAV**-Navision.
7. **CSR**-Corporate Social Responsibility.
8. **PPE**-Property Plant and Equipment.
9. **AFAA**- African Arbitration Association.
10. **MOU**-Memorandum of Understanding.

## **2. KEY ENTITY INFORMATION AND MANAGEMENT**

### **(a) Background information**

The Nairobi Centre for International Arbitration (NCIA) is a state corporation established by an Act of Parliament vide NCIA Act No. 26 of 2013 as a Centre for promotion of international commercial arbitration and other forms of dispute resolution mechanisms. The Centre offers a neutral venue for the conduct of international arbitration with commitment to providing institutional support to the arbitral process. In addition, the Centre caters for domestic arbitration and other forms of dispute resolution such as mediation.

The Vision of NCIA is: *"The Premier Centre of Choice for Alternative Dispute Resolution"*. The Mission is: *"To be recognized as a Centre for International Commercial Arbitration and Alternative Dispute Resolution through provision of quality and innovative processes"*. The Core Values are: Fairness and Impartiality; Confidentiality; Integrity; and Efficiency and Effectiveness.

### **(b) Principal Activities**

The principal activity/mission of the **Nairobi Centre for International Arbitration** is to;

- (a) promote, facilitate and encourage the conduct of international commercial arbitration in accordance with this Act;
- (b) administer domestic and international arbitrations as well as alternative dispute resolution techniques under its auspices;
- (c) ensure that arbitration is reserved as the dispute ' resolution process of choice;
- (d) develop rules encompassing conciliation and mediation processes;
- (e) organize international conferences, seminars and training programs for arbitrators and scholars;
- (f) coordinate and facilitate, in collaboration with other lead agencies and non-State actors, the formulation of national policies, laws and plans of action on alternative dispute resolution and facilitate their implementation, enforcement, continuous review, monitoring and evaluation;
- (g) maintain proactive co-operation with other regional and international institutions in areas relevant to achieving the Centre's objectives;
- (h) in collaboration with other public and private agencies, facilitate, conduct, promote and coordinate research and dissemination of findings on data on arbitration and serve as repository of such data;
- (i) establish a comprehensive library specializing in arbitration and alternative dispute resolution;
- (j) provide ad hoc arbitration by facilitating the parties with necessary technical and administrative assistance at the behest of the parties;
- (k) provide advice and assistance for the enforcement and translation of arbitral awards;

- (l) provide procedural and technical advice to disputants;
- (m) provide training and accreditation for mediators and arbitrators;
- (n) educate the public on arbitration as well as other alternative dispute resolution mechanisms;
- (o) enter into strategic agreements with other regional and international bodies for purposes of securing technical assistance to enable the Centre achieve its objectives;
- (p) provide facilities for hearing, transcription and other technological services; and
- (q) manage and apply the Fund In accordance with the provisions of this Act; and perform such other functions as may be conferred on it by this Act or any other written law.

**(c) Key Management**

The centre's day-to-day management is under the following key organs:

**1. Board of Directors**

The Board of Directors is composed of professionals. The directors are accomplished practitioners with multiple skills that assure the proper functioning and administration of the Centre. They are as listed below:

S/No.	Director	Designation
1.	Jacqueline Oyuyo Githinji	Chairperson
2.	Lawrence Waigi Kamau	Member
3.	Linnet Vitisia	Member
4.	Laura Lusiji	Member
5.	Judith Omange	Member
6.	Samuel Mbiriri Nderitu	Member
7.	Aisha Abdallah	Member
8.	Kananu Mutea	Member
9.	L. Muiruri Ngugi	Secretary

**2. Accounting officer/ Chief Executive Officer**

The Accounting Officer of the Centre is Mr. L. Muiruri Ngugi who is the Registrar and Chief Executive Officer.

**3. Management**

Daily management of NCIA is tasked to the Registrar/CEO and a team of professionals who head various departments at the Centre. They are as listed below:

S/No.	Name	Designation
1.	L. Muiruri Ngugi	Registrar/CEO
2.	Joy Maina	Manager Case Management
3.	Millicent Shitakha	Manager Business Development
4.	Victor Ogunyo	Manager Corporate Support Services
5.	Angelica Kimani	Principal Internal Auditor

**(d) Fiduciary Management**

The key management personnel who held office during the financial year ended 30<sup>th</sup> June 2023 and who had direct fiduciary responsibility were:

S/No.	Name	Designation
1.	L. Muiruri Ngugi	Registrar/CEO
2.	Joy Maina	Manager Case Management
3.	Millicent Shitakha	Manager Business Development
4.	Victor Ogunyo	Manager Corporate Support Services
5.	Judith Agala	Principal HR & Administration Officer
6.	David Wambua	Principal Communication & Marketing Officer
7.	Moses Ochieng Owili	Senior Finance/Accounts Officer
8.	Arnold Ndukuyu	Senior ICT Officer
9.	Anne Kago	Senior Supply Chain Management Officer
10.	Lorna Kerubo	Senior Capacity Building Officer

**(e) Fiduciary Oversight Arrangements**

In discharging its mandate, the Centre under the leadership of the Registrar/CEO establishes such committees as are necessary for the performance of its duties. In the 2022-2023 financial year the following committees were constituted to undertake specific functions as indicated:

**1. Budget Implementation Committee**

This committee was formed pursuant to the Public Finance Management (PFM) Act 2012 and the Public Finance Management (PFM) Regulations 2015 to give suggestions, modifications and recommendations on budget processes; to review quarterly budget reports and make recommendations before submission to management; to develop and implement strategies that improve efficiency and achieve budgetary goals; and to ensure full compliance with National Treasury circulars and other government regulations on budgeting.

In the financial year ended 30<sup>th</sup> June 2023 the membership of this committee was as indicated below:

S/No.	Name	Role
1.	Victor Ogunyo	Chairperson
2.	Millicent Shitakha	Co-Chairperson
3.	Moses owili	Secretary
4.	Diana Njeru	Co-Secretary
5.	Judith Agala	Member
7.	David Wambua	Member

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8.	Angelica Kimani	Member
9.	Arnold Ndukuyu	Member
10.	Anne Kago	Member
11.	Joshua Wangila	Member
12.	Lorna Kerubo	Member

## 2. Human Resource Management Advisory Committee

This committee was established under Section 2.14.1 of the NCIA Human Resource Policies and Procedures Manual to advise the Registrar/CEO on issues relating to human resource management and development. During the financial year ended 30<sup>th</sup> June 2023 the following were the members of this committee:

S/No.	Name	Role
1.	Victor Ogunyo	Chairperson
2.	Judith Agala	Secretary
3.	Millicent Shitakha	Member
4.	Joy Maina	Member
5.	Alex Mwaniki	Member
6.	Anne Kago	Member
7.	Moses Owili	Member
8.	Lorna Kerubo	Member

## 3. Strategic Planning Monitoring and Evaluation Committee

This committee was established to develop the Centre's annual work plan, oversee implementation of the strategic plan and report quarterly to the Board on the progress of the strategic plan implementation. During the financial year ended 30<sup>th</sup> June 2023 the following were the members of this committee:

S/No.	Name	Role
1.	Millicent Shitakha	Chairperson
2.	Joshua Juma	Secretary
3.	Joy Maina	Member
4.	Victor Ogunyo	Member
5.	Judith Agala	Member
6.	David Wambua	Member
7.	Angelica Kimani	Member
8.	Anne Kago	Member
9.	Alex Mwaniki	Member
10.	Lorna Kerubo	Member
11.	Arnold Ndukuyu	Member
12.	Diana Njeru	Member

#### **4. Performance Contract Committee**

This committee was established to prepare, periodically monitor and report to the Board on the implementation of the 2022/2023 Centre's Performance Contract. During the financial year ended 30<sup>th</sup> June 2023 the following were the members of this committee:

<b>S/No.</b>	<b>Name</b>	<b>Role</b>
1.	Millicent Shitakha	Chairperson
2.	Joshua Juma	Secretary
3.	Victor Ogunyo	Member
4.	Joy Maina	Member
5.	David Wambua	Member
6.	Angelica Kimani	Member
7.	Judith Agala	Member
8.	Arnold Ndukuyu	Member
9.	Anne Kago	Member
10.	Lorna Kerubo	Member
11.	Diana Njeru	Member
12.	Alex Mwaniki	Member

#### **5. Public Complaints Committee**

This committee was established in accordance with the Commission on Administrative Justice Act 2011 with the mandate to promote the sensitization of staff and other stakeholders on complaints handling; receive, process and oversee the resolution of complaints; coordinate complaints handling activities in the organization; and ensure compliance with the guidelines of the Commission on resolution of public complaints, as may be issued from time to time. During the financial year ended 30<sup>th</sup> June 2023 the following were the members of this committee:

<b>S/No.</b>	<b>Name</b>	<b>Role</b>
1.	David Wambua	Chairperson
2.	Sarah Mutheu	Secretary
3.	Joshua Juma	Member
4.	Charles Lutta	Member
5.	Kibet Sang	Member
6.	Victoria Kigen	Member
7.	Jane Kagai	Member
8.	Victor Ruto	Member

#### **6. Corporate Social Responsibility Committee**

This committee was established with the mandate to define the Centre's corporate and social obligations as a responsible citizen and oversee its conduct in the context of those

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obligations; develop and recommend for acceptance by the board policies on all key areas of Corporate Social Responsibility; develop and support the activities necessary to convert Corporate Social Responsibility policies into an effective plan for implementation across the Centre and to agree a programme of specific Corporate Social Responsibility activities; and ensure that appropriate communications policies are in place and working effectively to build and protect the Centre's reputation both internally and externally. During the financial year ended 30<sup>th</sup> June 2023 the following were the members of this committee:

S/No.	Name	Role
1.	David Wambua	Chairperson
2.	Sarah Mutheu	Secretary
3.	Arnold Ndukuyu	Member
4.	Diana Njeru	Member
5.	Alex Mwaniki	Member
6.	Anne Kago	Member
7.	Mary Machani	Member
8.	Edwin Macharia	Member

## 7. Evaluation Committee

This committee was constituted in accordance with the Public Procurement and Asset Disposal Act, 2015 and the Public Procurement and Disposal Regulations, 2006 with the mandate to carry out evaluation of bids and advise the Registrar/CEO on the matter. During the financial year ended 30<sup>th</sup> June 2023 members of the committee were as indicated below:

S/No.	Name	Role
1.	Victor Ogunyo	Chairperson
2.	Joy Maina	Co-Chairperson
3.	Anne Kago	Secretary
4.	Victor Rutto	Co-Secretary
5.	Judith Agala	Member
6.	Arnold Ndukuyu	Member
7.	Alex Mwaniki	Member
8.	Lorna Kerubo	Member
9.	Moses Owili	Member
10.	Charles Lutta	Member
11.	Kibet Sang	Member
12.	Victor Oketch	Member

## 8. Risk Management Committee

This committee was established in accordance with Section 2.2.3 of the Risk Management Policy. The Committee provides oversight and direction to the risk management processes within the Centre and makes its reports and recommendations to the Board through the

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Board's Audit, Risk and Governance Committee. During the financial year ended 30<sup>th</sup> June 2023 the following were the members of this committee:

S/No.	Name	Role
1.	L. Muiruri Ngugi	Chairperson
2.	Victor Ogunyo	Co-Chairperson
3.	Angelica Kimani	Secretary
4.	Millicent Shitakha	Member
5.	Joy Maina	Member
6.	Arnold Ndukuyu	Member
7.	Anne Kago	Member
8.	Alex Mwaniki	Member
9.	Lorna Kerubo	Member
10.	Moses Owili	Member

#### **9. Ethics and Integrity Committee**

This committee was established to steer and coordinate corruption prevention efforts in the Centre. During the financial year ended 30<sup>th</sup> June 2023 the following were the members of this committee:

S/No	Name	Role
1.	L. Muiruri Ngugi	Chairperson
2.	Millicent Shitakha	Co-Chairperson
3.	Angelica Kimani	Secretary
4.	Victor Ogunyo	Member
5.	David Wambua	Member
6.	Judith Agala	Member
7.	Anne Kago	Member
8.	Alex Mwaniki	Member

#### **10. Disposal Committee**

This committee was established to deal with matters of asset disposal as stipulated under Section 163 (1) of the Public Procurement and Asset Disposal Act, 2015 to verify assets for disposal, determine market value of items for disposal, set up reserve price, verify justification and procedure for disposal and carry out asset disposal in accordance with statute. During the financial year ended 30<sup>th</sup> June 2023 the following were the members of this committee:

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S/No	Name	Role
1.	Arnold Ndukuyu	Chairperson
2.	Victor Rutto	Secretary
3.	Alex Mwaniki	Member
4.	Victor Oketch	Member
5.	Charles Lutta	Member

**11. Information Communication and Technology Steering Committee**

This committee was established pursuant to Section 6 of the ICTA Governance Standard to ensure that NCIA derives value from its Information Technology investment, assist to define the IT mission and goals aligned with the strategic direction of NCIA; authorize and direct the development of the services and operation plans. During the financial year ended 30<sup>th</sup> June 2023 the following were the members of this committee:

S/No	Name	Role
1.	L. Muiruri Ngugi	Chairperson
2.	Victor Ogunyo	Co-Chairperson
3.	Arnold Ndukuyu	Secretary
4.	Millicent Shitakha	Member
5.	Joy Maina	Member
6.	Judith Agala	Member
7.	Anne Kago	Member
8.	Diana Njeru	Member
9.	Lorna Kerubo	Member

**(f) Entity Headquarters**

Nairobi Centre for International Arbitration  
 8<sup>th</sup> Floor, Co-operative Bank Building  
 Haile Selassie Avenue  
 Nairobi, Kenya

**(g) Entity Contacts**

Nairobi Centre for International Arbitration  
 P.O. Box 548-00200  
 Nairobi, Kenya  
 Office Telephone: (254) 2224029/2240377  
 Office Mobile: (254) 771293055  
 E-mail: info@ncia.or.ke  
 Website: www.ncia.or.ke

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**(h) Entity Bankers**

KCB Group Limited  
Kenyatta International Convention Centre Branch  
P. O. Box 48400-00100  
Nairobi, Kenya


**(i) Independent Auditors**



Auditor General  
Office of the Auditor General  
Anniversary Towers, University Way  
P.O. Box 30084-00100  
Nairobi, Kenya

**(j) Principal Legal Adviser**

Attorney General  
State Law Office  
Harambee Avenue  
P.O. Box 40112-00200  
Nairobi, Kenya


**3. THE BOARD OF DIRECTORS**

Director	Director's Particulars
<p><b>1. Jacqueline Oyuyo Githinji - Chairperson</b></p> 	<p><b>Ms. Jacqueline Oyuyo Githinji</b> (DoB: 16/10/1975) is the Managing Partner at Umsizi LLP and has gained considerable experience in a broad range of commercial and family matters in her close to 20 years of practice.</p> <p>Kenya's third female Chartered Arbitrator, she is a Fellow of the Chartered Institute of Arbitrators and a Certified and Court-Accredited Mediator and holds an MBA in Global Technology Management. Jacqueline serves as Non-Executive Director on various Boards, notably the Nairobi Centre for International Arbitration (NCIA).</p>
<p><b>2. Kananu Mutea – Member</b></p> 	<p><b>Ms. Kananu Mutea</b> (DoB: 09/02/1982) is the Head of Dispute Resolution at Gikera &amp; Vadgama Advocates, with experience in arbitration and mediation. She has work experience at top tier firms in London and Nairobi.</p> <p>She is an active member of the Chartered Institute of Arbitrators, Kenya Branch and the Law Society of Kenya, Nairobi Branch by virtue of her extensive technical expertise in dispute resolution. Through her participation she has delivered demonstrable output in improvement of policy and legislation.</p> <p>Ms Mutea holds an LLB from Nagpur University, India. She is an alumna of The Kenya High School, has trained in leadership and mediation from Strathmore Business School and is certified as an arbitrator, as a member of the Chartered Institute of Arbitrators, Kenya Branch.</p>



Director	Director's Particulars
<p><b>3. Lawrence Waigi Kamau - Member</b></p> 	<p><b>Mr. Lawrence Kamau</b> (DoB: 04/05/1973) is a Deputy Chief State Counsel at the Office of the Attorney General and Department of Justice currently heading the Commercial &amp; Arbitration Division, Civil Litigation Department.</p> <p>He was previously the Regional Head of the Malindi County State Law Office (in chARGE of Kilifi, Tana River and Lamu County as well as the Head of the Supreme Court and Court of Appeals Section within the Civil Litigation Department representing the Government of Kenya in high profile and complex litigation.</p>
<p><b>4. Samuel Mbiriri Nderitu – Member</b></p> 	<p><b>Mr. Samuel Nderitu</b> (DoB: 03/02/1979) is an advocate in the Kenyan Bar and holds a Diploma in International Commercial Arbitration and Domestic Arbitration from CIArb London, among other qualifications. He is a highly skilled and experienced litigator and ADR practitioner as arbitrator, mediator, party representative in both arbitration and mediation.</p> <p>He is a Fellow of the Chartered Institute of Arbitrators, CIArb, London, Fellow of the Malaysian Institute of Arbitrators (FMIArb) and a fellow of the Arbitrators' and Mediators Institute of New Zealand (FAMINZ). He is the immediate past Chair of CIArb (Kenya Branch), a Director of the National Committee, International Chamber of Commerce (ICC), Kenya, an accredited Mediator by CIArb and the Mediation Accreditation Committee (MAC) of the Judiciary, Kenya.</p>

Director	Director's Particulars
<p><b>5. Hon. Lady Justice Judith Omange – Member</b></p> 	<p><b>Hon. Judith Omange</b> (DoB: 04/07/1973) is a Judge of the Environment and Land Court.</p> <p>She is a law graduate from the University of Nairobi with training on Judicial Administration, Case Management, Alternative Dispute Resolution and Juvenile Delinquent Treatment Course in UNAFEI, Japan</p> <p>Prior to her appointment as Judge, Hon. Judith served as Registrar of the High Court.</p>
<p><b>6. Aisha Abdallah - Member</b></p> 	<p><b>Ms. Aisha Abdallah</b> (DoB: 19/07/1975) heads the Disputes Resolution department at Anjarwalla &amp; Khanna. Her practice focuses on commercial litigation, with a particular emphasis on fraud, economic crime and disputes over land, the environment, and natural resources.</p> <p>Aisha is dual qualified as an Advocate of the High Court of Kenya and Solicitor of England and Wales.</p> <p>She was appointed to the MARC Court in 2017. She is also a member of the Africa Users Group for the Singapore International Arbitration Centre, member of International Association for Defence Counsel, African Arbitration Association and Delos Dispute Resolution Board of Advisors.</p>


Director	Director's Particulars
<p><b>7. Linnet Vitisia – Board Member</b></p> 	<p><b>Ms. Linnet Vitisia</b> (DoB: 08/12/1971) is a Deputy Accountant General attached to the Directorate of Public Debt Management Office at the National Treasury and Economic Planning. She currently heads the Disbursement Unit, a position she has held for the last five (5) years.</p> <p>She has previously served in various capacities as an Accountant at the Ministry of Foreign Affairs and also served in the Missions of Brussels and Stockholm.</p> <p>Linnet has thirty (30) years' work experience.</p> <p>She is a qualified accountant, a holder of Masters of Business Administration and a recent graduand of the National Defence College of Kenya.</p>
<p><b>8. Laura Lusiji – Board Member</b></p> 	<p><b>Ms. Laura Lusiji</b> (DoB: 15/03/1990) is a Director at JMiles &amp; Co., an Advocate of the High Court of Kenya, and a Fellow of the Chartered Institute of Arbitrators, with over seven (7) years' experience in dispute resolution, with particular focus on international arbitration matters.</p> <p>She has represented clients and sat as Tribunal Secretary in international arbitrations under the auspices of LCIA, DIFC-LCIA, UNCITRAL ad-hoc arbitrations and FOSFA international rules.</p> <p>She sits on the Law Society of Kenya's Alternative Dispute Resolution Committee (2022 – 2024), and was recently elected to serve as a member of the Law Society of Kenya's taskforce for policy and legal reforms.</p>

Director	Director's Particulars
<p data-bbox="252 365 842 432">9. <b>Lawrence M. Ngugi – Board Secretary</b></p>  A black and white portrait of Lawrence M. Ngugi, a middle-aged man with a shaved head, wearing a dark suit, white shirt, and patterned tie. He is looking slightly to the right of the camera with a neutral expression. The background is a light-colored wall with a decorative pattern.	<p data-bbox="866 409 1495 656"><b>Mr. Lawrence Ngugi</b> is the Registrar/CEO of NCIA and the Board Secretary. He is an arbitrator and accredited mediator, member of ICCA, member to the UNCITRAL Working Group II Arbitration &amp; Conciliation and UNCITRAL Working Group III Online Dispute Resolution.</p> <p data-bbox="866 694 1495 902">He holds a BA (Hons.) Econ, LLB and MA International Studies. He also holds a post graduate Diploma in Law from Kenya School of Law. He is admitted to practice as an Advocate of the High Court of Kenya and a Certified Public Secretary.</p>

**4. MANAGEMENT TEAM**

Name	Particulars
<p><b>1. Lawrence Muiruri Ngugi</b></p> 	<p><b>Mr. Lawrence Ngugi</b> is the Registrar/CEO of NCIA and the Accounting Officer. As CEO he leads the Secretariat of the Centre and oversees overall planning, directing, controlling and coordination of the Centre's activities.</p> <p>He holds a BA (Hons.) Econ, LLB and MA International Studies. He also holds a post graduate Diploma in Law from Kenya School of Law.</p> <p>He is admitted to practice as an Advocate of the High Court of Kenya and a Certified Public Secretary.</p>
<p><b>2. Joy Maina</b></p> 	<p><b>Ms. Joy Maina</b> is the Centre's Manager, Case Management Department. She oversees the Case Administration Unit, Case Quality Assurance and Advisory Unit, and the Case Records Management Unit.</p> <p>She holds a Bachelor's degree in law (LLB) from the University of Nairobi and a post graduate Diploma from Kenya School of Law as well as a Master's degree in Energy Law (LLM).</p> <p>She is an advocate of the High Court of Kenya with more than ten (10) years post admission experience.</p>

Name	Particulars
<p><b>3. Millicent Musanga Shitakha</b></p> 	<p><b>Ms. Millicent Shitakha</b> is the Manager Business Development Department at NCIA. She oversees the Corporate Strategy Unit, the Capacity Building Unit, the Communication and Marketing Unit and the Client Relations Unit.</p> <p>She holds a Bachelor of Arts in Economics and an MBA (Finance) both from the University of Nairobi.</p>
<p><b>4. Victor Ogunyo</b></p> 	<p><b>Mr. Victor Ogunyo</b> is the Manager Corporate Support Services Department at NCIA. He oversees the Human Resource Management and Administration Unit, the Legal Affairs Unit, the Finance and Accounts Unit, the Supply Chain Management Unit and the Information Communication and Technology Unit.</p> <p>He holds an MBA in Strategic Management, Bachelor of Commerce in Accounting and Business Administration.</p> <p>He also holds Higher Diploma in Business Technical Education Programme (HRM) and is a Certified Public Accountant.</p>

Name	Particulars
<p data-bbox="256 421 528 456"><b>5. Angelica Kimani</b></p> 	<p data-bbox="932 488 1528 622"><b>Ms. Angelica Kimani</b> is the Principal Internal Auditor. She oversees the Internal Audit, Risk Management and Governance functions.</p> <p data-bbox="932 667 1528 835">She holds a Bachelor of Commerce Degree (Finance) from the University of Nairobi and an MBA from University of Phoenix. She is a Certified Public Accountant and a Certified Internal Auditor.</p>

## **5. CHAIRPERSON'S STATEMENT**



**Jacqueline Oyuyo Githinji**  
**Chairperson NCI Board**

The Nairobi Centre for International Arbitration (NCIA) is honoured to publish the 2022/2023 Annual Report and Financial Statements. The Annual Report and Financial Statements have been prepared in line with Section 20 of the NCIA Act, 2013.

The 2022/2023 Annual Report and Financial Statements highlight key initiatives undertaken by the Centre towards promotion of international commercial arbitration and other alternative forms of dispute resolution. It documents the initiatives and statistical information towards the attainment of our mission to be recognized as a Centre for International Commercial Arbitration and Alternative Dispute Resolution (ADR) through provision of quality and innovative processes. This has largely been done through three (3) strategic themes of promotion and administration of ADR processes; digitalization and automation of cutting-edge ADR services; and organisational growth and sustainability.

I am pleased to report that the financial year 2022/2023 was a period NCIA realised strategic milestones especially in the process of National ADR Policy approval, towards this end the policy was successfully approved by the Cabinet and currently awaiting submission to the National Parliament for final approval. The National ADR Policy once approved, shall provide a framework through which national actors and the country can coordinate efforts to deliver and improve access to justice efficiently and uphold the rule of law.

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In the year under review, the Centre participated in six (6) International Arbitration and Dispute Resolution (ADR) events through online and physical engagements.

In the year under review, the Centre registered thirty (30) arbitration disputes and one (1) mediation disputes for administration and continued to administer twenty-eight (28) ongoing arbitration disputes. The Centre concluded two (2) arbitration and one (1) mediation disputes registered for administration in the year under review. In the same period, the Centre admitted eight (8) arbitrators to the NCIA Panel List of arbitrators and one (1) mediator to the NCIA Panel List of Mediators. The Centre also published four (4) research papers. In the same period, the Centre reviewed two (2) curricula in partnership with ISLP (White & Case), and on Design and implementation of Training Curricula. The Centre implemented Training Calendar as approved by the Board and in the same period undertook eleven (11) trainings session attracting a total of three hundred and twenty-three (323) future practitioners.

### **Challenges Encountered**

The Centre faced a few challenges during the year under review that hindered it from fully achieving all planned activities. Key among them include budgetary constraints occasioned by budget cuts and lack of public awareness and appreciation of structured ADR.


### **Way Forward**

In the coming year, the Centre will focus primarily on implementing the key areas as identified in the NCIA Strategic Plan including developing and publishing Revised Rules on Arbitration and Mediation and implementing the Capacity Building Curriculum on ADR mechanisms

We acknowledge support from the Government of Kenya, the Judiciary and other partners and hope that our journey towards offering alternative dispute resolution services will be sustained for the benefit of generations to come. Indeed, the achievements outlined above would not have been possible without the innovation, resourcefulness, commitment, and hard work of the Secretariat. In this regard, I express gratitude to the Centre's Registrar/CEO, Mr. L. Muiruri Ngugi and the entire staff for work well done in 2022/2023 Financial Year and appreciate their efforts in supporting the vision of the Board and the Centre.

In conclusion, I wish on behalf of the Board of Directors, to express our gratitude for the honour granted to us in service to the people of the great Nation of Kenya in our capacity as members of the Board of NCIA.

Thank you and may God bless You.



**Jacqueline Oyuyo Githinji**

**CHAIRPERSON**

**BOARD OF DIRECTORS, NAIROBI CENTRE FOR INTERNATIONAL ARBITRATION**

**5B. TAARIFA YA MWENYEKITI**



**Jacqueline Oyuyo Githinji**  
**Mwenyekiti Bodi ya NCIA**

Nairobi Centre for International Arbitration (NCIA) inafuraha kuchapisha Ripoti ya Mwaka 2022/2023 na Taarifa za Fedha. Ripoti ya Mwaka na Taarifa za Fedha zimeandaliwa kwa kuzingatia kifungu cha 20 cha Sheria ya NCIA, 2013.

Ripoti ya Mwaka wa 2022/2023 na Taarifa za Fedha zinaonyesha mipango muhimu iliyofanywa na NCIA kuelekea kukuza usuluhishi wa kibiashara wa kimataifa na aina nyingine mbadala za utatuzi wa mizozo. Inaeleza mipango na taarifa za takwimu kuelekea kufikia dhamira yetu ya kutambuliwa kama Kituo cha Kimataifa cha Usuluhishi wa Kibiashara na Utatuzi wa Migogoro Mbadala kupitia utoaji wa michakato bora na ya ubunifu. Hii kwa kiasi kikubwa imefanyika kupitia mada tatu (3) za kimkakati za kukuza na kusimamia michakato ya Utatuzi wa Migogoro Mbadala; Ukuzaji wa dijiti na huduma za kiotomatiki za Utatuzi wa Migogoro Mbadala; na shirika na uendelevu.

Nimefurahi kuripoti kwamba mwaka wa fedha 2022/2023 ulikuwa kipindi NCIA ilitambua hatua muhimu za kimkakati hasa katika mchakato wa idhini ya Sera ya Taifa ya Utatuzi wa Migogoro Mbadala, kuelekea mwisho huu sera iliidhinishwa kwa mafanikio na Baraza la Mawaziri na kwa sasa inasubiri kuwasilishwa kwa Bunge kwa idhini ya mwisho. Sera ya Taifa ya Utatuzi wa Migogoro Mbadala mara baada ya kupitishwa, itatoa mfumo ambao watendaji wa kitaifa na nchi

wanaweza kuratibu juhudi za kutoa na kuboresha upatikanaji wa haki kwa ufanisi na kuzingatia utawala wa sheria.

Katika mwaka uliofanyiwa mapitio, NCIA ilishiriki katika matukio saba (7) ya Usuluhishi wa Kimataifa na Utatuzi wa Migogoro kupitia ushiriki wa mtandaoni na mikutano ya ana kwa ana.

Katika mwaka uliopitiwa, NCIA ilisajili migogoro thelathini (30) ya usuluhishi na migogoro moja (1) ya upatanishi na iliendelea kusimamia migogoro ishirini na nane (28) inayoendelea ya usuluhishi. NCIA ilihitimisha usuluhishi mbili (2) na migogoro moja (1) ya upatanishi iliyosajiliwa mwaka unaopitiwa. Katika kipindi hicho hicho, NCIA ilikubali wasuluhishi nane (8) kwenye Orodha ya Jopo la NCIA la wasuluhishi na mpatanishi mmoja (1) kwenye Orodha ya Jopo la NCIA la Wapatanishi. NCIA pia ilichapisha karatasi nne (4) za utafiti. Katika kipindi hicho, ncia ilipitia mitaala miwili (2) kwa kushirikiana na ISLP (White & Case), na juu ya Kubuni na utekelezaji wa Mitaala ya Mafunzo. NCIA ilitekeleza Kalenda ya Mafunzo kama ilivyoidhinishwa na Bodi na katika kipindi hicho hicho kilichukua kikao cha mafunzo kumi na moja (11) kuvutia jumla ya watendaji wa baadaye mia tatu na ishirini na tatu (323).

### **Changamoto Zilizokabiliwa**

NCIA ilikabiliwa na changamoto chache wakati wa mwaka chini ya ukaguzi ambao ulizuia kufikia kikamilifu shughuli zote zilizopangwa. Muhimu kati yao ni pamoja na vikwazo vya bajeti vinavyosababishwa na kupunguzwa kwa bajeti na ukosefu wa ufahamu wa umma na kuthamini Utatuzi wa Migogoro Mbadala iliyoundwa.

### **Katika Siku Zijazo**

Katika mwaka ujao, NCIA itazingatia hasa katika kutekeleza maeneo muhimu kama ilivyoelezwa katika Mpango Mkakati wa NCIA ikiwa ni pamoja na kuendeleza na kuchapisha Kanuni za Urekebishaji juu ya Usuluhishi na Upatanishi na kutekeleza Mtaala wa Kujenga Uwezo juu ya mifumo ya Utatuzi wa Migogoro Mbadala.

Tunatumai msaada kutoka kwa Serikali ya Kenya, Mahakama na washirika wengine na tunatumai kuwa safari yetu ya kutoa huduma mbadala za utatuzi wa migogoro itaendelezwa kwa manufaa ya vizazi vijavyo. Hakika, mafanikio yaliyoainishwa hapo juu yasingewezekana bila ubunifu, rasilimali, kujituma na kufanya kazi kwa bidii ya Sekretarieti. Katika suala hili, natoa shukrani kwa Msajili/Mkurugenzi Mtendaji wa NCIA, Mheshimiwa L. Muiruri Ngugi na wafanyakazi wote kwa kazi nzuri iliyofanywa katika Mwaka wa Fedha wa 2022/2023 na kuthamini juhudi zao katika kuunga mkono maono ya Bodi na Kituo.

Kwa kumalizia, napenda kwa niaba ya Bodi ya Wakurugenzi, kutoa shukrani zetu kwa heshima tuliyopewa katika kuwatumikia wananchi wa Taifa kubwa la Kenya kwa uwezo wetu kama wajumbe wa Bodi ya NCIA.

Asante na Mungu awabariki.

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**Jacqueline Oyuyo Githinji**  
**Mwenyekiti**  
**BODI YA WAKURUGENZI, NCIA**

## **6. REPORT OF THE CHIEF EXECUTIVE OFFICER**



**Mr. L. Muiruri Ngugi**  
**NCIA Registrar/CEO**

I am delighted at the publication of the Centre's 2022/2023 Annual Report and Financial Statements. The Centre draws its mandate and functions from the NCIA Act 2013. The Act also inform its establishment, structure and operations. The Annual Report and Financial Statements details activities, performance and interventions of the Centre during the year under review. It also looks at the achievements, challenges and options for addressing them. It also elucidates the resources, both capital and human, which were at the Centre's disposal. Further, the Annual Report and Financial Statements document the progress made by the Centre in promotion of international commercial arbitration and other alternative forms of dispute resolution.

### **Promotion and Administration of ADR Services**

NCIA is the first institution of its kind in Kenya to offer institution-administered ADR process. The Centre developed and implemented a Case Management System that ensures efficiency and the provision of quality and innovative services. As the lead agency in ADR, NCIA is mandated by statute to formulate national policies, laws and plans of action on ADR and ensure their implementation. To this end, the National ADR Policy was approved by Cabinet and currently awaiting submission to Parliament by Office of the Attorney General. The Centre also realized expanded coverage of ADR services to new areas, completed draft Rules/Procedure for Adjudication, Conciliation and Negotiation. The Centre also Implemented framework for

cooperation and four (4) MOUs were finalized and signed. In the year under review, the Centre presented a paper at the 3<sup>rd</sup> African Arbitration Association (AfAA) conference

### **Digitalization and Automation of Cutting-Edge ADR Services**

The Centre strengthened its Information Communication Technology (ICT) and to this end, the Centre implemented and maintained integrated operational applications and service programmes, facilitated continuity for distributed workforce on SharePoint and OneDrive, acquired and implemented a Gravity Zone Security-Premium solution for End-point Security and integrated configuration of ICT domain Monitoring and control environment tools. The Centre also undertook capacity building to the ICT Champions on Information Security on threats management and appropriate use of technology assets. In the year under review, the Centre continued implementation of the Microsoft Dynamics Navision (NAV) Enterprise Resource Planning System and an online performance management system which offered milestone in digitization of operations for the Centre.

### **Organizational Growth and Sustainability**

Organizational growth and sustainability ensure that the Centre has sound governance and assurance, stable human resource capacity, strengthened internal processes, sound finance and administration, sound supply chain management and implementation of effective planning, monitoring, and reporting. In the FY 2022/2023, the Centre strengthened its human resource capacity by recruiting Manager Case Management Department, ICT Officer, Internal Auditor, Capacity Building Officer and Office Assistant to complement existing skill set at the secretariat that aid the Registrar/CEO in the day to day running of activities. The Centre also developed and implemented annual procurement plan, budget estimates and financial statements as required by the law. The Centre monitored implementation of the Strategic Plan throughout the year under review.

### **Challenges Encountered**

The Centre faced a few challenges during the year under review that hindered it from fully achieving all planned activities. Key among them include:

- Budgetary constraints occasioned by budget cuts;
- Lack of public awareness and appreciation of structured ADR.

### **Way Forward**

In the coming year, the Centre will focus primarily on implementing the key areas as identified in the NCIA Strategic Plan, Annual Work Plan and Performance Contract. The Centre plans to conduct the following activities in the coming financial year:

- Implement the Strategic Plan for 2023-2027;
- Realize the National ADR policy;
- Develop rules for the Arbitral Court;

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- Constitute the Arbitral Court;
- Publish and circulate simplified user guidelines/handbook on ADR;
- Initiate and undertake research in ADR emerging areas and trends;
- Implement the Capacity Building Curriculum on ADR mechanisms;
- Identify institutions/individuals for strategic partnership;
- Accreditation and induction of practitioners;
- Conduct ADR open days and clinics; and
- Organize seminars, workshops and training programs on ADR.

While the year 2022/2023 was not without its challenges, the Management and Staff of NCIA continued to successfully implement its mandate and to advance its goals and objectives set in the NCIA Strategic Plan and approved by the Board of Directors. The Board provided strategic direction, leadership and oversight to the Secretariat in the execution of planned programmes and activities. To meet this enormous task, the Centre received grants from the Government of Kenya totalling to Kshs.161.84 Million during the year under review.

The Secretariat will continue to ensure effective implementation of programmes of the Centre including supporting the work of the Board and various Board Committees. We will remain dedicated and committed to achieving the Centre's vision of being the Premier Centre of Choice for Alternative Dispute Resolution and its Mission of being recognized as a Centre for International Commercial Arbitration and Alternative Dispute Resolution through provision of quality and innovative processes.

In conclusion, I would like to appreciate the efforts made by the staff of NCIA in realizing the aforementioned achievements, without which the Centre could not have successfully fulfilled its mandate as outlined in the NCIA Act 2013. I also wish on behalf of the Secretariat, to thank the Board for their continued support and leadership towards the accomplishment of the Centre's goals this year.

Thank you and may God abundantly bless you.



**E. Muiruri Ngugi**  
**REGISTRAR/CEO**

**NAIROBI CENTRE FOR INTERNATIONAL ARBITRATION**

**6B. RIPOTI YA AFISA MKUU MTENDAJI**



**Bw. L. Muiruri Ngugi**  
**Msajili/Afisa Mkuu Mtendaji wa NCIA**

Nimefurahishwa na uchapishaji wa Ripoti ya Mwaka na Taarifa za Fedha wa 2022/2023. NCIA inatekeleza mamlaka na majukumu yake kutoka kwa Sheria ya NCIA ya mwaka 2013. Sheria pia inafahamisha uanzishwaji, muundo na uendeshaji wake. Ripoti ya Mwaka na Taarifa za Fedha zinaelezea shughuli, utendaji na uingiliaji wa NCIA katika mwaka unaofanyiwa ukaguzi. Pia inaangalia mafanikio, changamoto na chaguzi za kukabiliana nazo. Pia inatathmini rasilimali za mitaji na wafanyi kazi, ambazo zilikuwa katika NCIA. Aidha, Ripoti ya Mwaka na Taarifa za Fedha zinaandika maendeleo yaliyofikiwa na NCIA katika kukuza usuluhishi wa kibiashara wa kimataifa na aina nyingine mbadala za utatuzi wa migogoro.

**Uendelezaji na Usimamizi wa Huduma za Utatuzi wa Migogoro Mbadala**

NCIA ni taasisi ya kwanza ya aina yake nchini Kenya kutoa mchakato wa Utatuzi wa Migogoro Mbadala unaosimamiwa na taasisi. NCIA ilitengeneza na kutekeleza Mfumo wa Usimamizi wa Kesi ambao unahakikisha ufanisi na utoaji wa huduma bora na za ubunifu. Kama shirika la kuongoza katika Utatuzi wa Migogoro Mbadala, NCIA imepewa mamlaka na sheria ya kuunda sera za kitaifa, sheria na mipango ya hatua juu ya Utatuzi wa Migogoro Mbadala na kuhakikisha utekelezaji wao. Kwa hili, Sera ya Taifa ya Utatuzi wa Migogoro Mbadala iliidhinishwa na Baraza la Mawaziri na kwa sasa inasubiri kuwasilishwa kwa Bunge na Ofisi ya Mwanasheria Mkuu wa

Serikali. NCIA pia ilitambua kupanua wigo wa huduma za Utatuzi wa Migogoro Mbadala kwa maeneo mapya, kukamilika kwa rasimu ya Kanuni/Utaratibu wa Kuhukumu, Patanisho na Majadiliano. NCIA pia ilitekeleza mfumo wa ushirikiano na memoranda ya uelewa nne (4) zilikamilishwa na kusainiwa. Katika mwaka uliopitiwa, NCIA iliwasilisha karatasi katika mkutano wa tatu ya African Arbitration Association (AFAA).

### **Ukuzaji wa Dijiti na Huduma za Kiotomatiki za Utatuzi wa Migogoro Mbadala**

NCIA iliimarisha Teknolojia yake ya Mawasiliano ya Habari (ICT) na kwa kudumisha programu za uendeshaji na programu za huduma, kuwezesha mwendelezo wa wafanyikazi waliosambazwa kwenye SharePoint na OneDrive, kupatikana na kutekeleza suluhisho la Usalama wa Eneo la Gravity kwa Usalama wa Mwisho na usanidi wa pamoja wa zana za ufuatiliaji wa NCIA ya ICT na zana za kudhibiti mazingira. NCIA pia ilichukua uwezo kwa Mabingwa wa ICT juu ya Usalama wa Habari juu ya usimamizi wa vitisho na matumizi sahihi ya mali za teknolojia. Katika mwaka uliopitia, NCIA iliendelea kutekeleza Mfumo wa Mipango ya Rasilimali za Microsoft Dynamics (NAV) na mfumo wa usimamizi wa utendaji mkondoni ambao ulitoa hatua muhimu katika uboreshaji wa shughuli za NCIA.

### **Ukuaji wa Shirika na Uendelevu**

Ukuaji wa shirika na uendelevu huhakikisha kuwa NCIA ina utawala mzuri na uhakikisho, uwezo thabiti wa rasilimali watu, michakato ya ndani iliyoimarishwa, fedha nzuri na utawala, usimamizi mzuri wa ugavi na utekelezaji wa mipango bora, ufuatiliaji, na kuripoti. Katika mwaka was fedha 2022/2023, NCIA iliimarisha uwezo wake wa rasilimali watu kwa kuajiri Meneja Idara ya Usimamizi wa Kesi, Afisa wa ICT, Mkaguzi wa Ndani, Afisa wa Kujenga Uwezo na Msaidizi wa Ofisi ili kukamilisha ujuzi uliopo uliowekwa kwenye sekretarieti ambayo husaidia Msajili/Afisa Mku Mtendaji katika uendeshaji wa shughuli za kila siku. NCIA pia iliandaa na kutekeleza mpango wa manunuzi wa kila mwaka, makadirio ya bajeti na taarifa za kifedha kama inavyotakiwa na sheria. NCIA ilifuatilia utekelezaji wa Mpango Mkakati mwaka mzima chini ya ukaguzi.

### **Changamoto zilizojitokeza**

NCIA ilikabiliwa na changamoto chache katika kipindi cha mwaka mmoja chini ya ukaguzi ambazo zilikuza kufanikisha kikamilifu shughuli zote zilizopangwa. Muhimu kati yao ni pamoja na:

- Vikwazo vya kibajeti vinavyosababishwa na ufinyu wa bajeti;
- Ukosefu wa ufahamu wa umma na kuthamini Utatuzi wa Migogoro Mbadala iliyoundwa.

### **Katika Siku Zijazo**

Katika mwaka ujao, NCIA itazingatia hasa utekelezaji wa maeneo muhimu kama yalivyoainishwa katika Mpango Mkakati wa NCIA, Mpango wa Kazi wa Mwaka na Mkataba wa Utendaji. Kituo kina mpango wa kufanya shughuli zifuatazo katika mwaka ujao wa fedha:

- Kuandaa Mpango Mkakati wa mwaka 2023-2027;
- Tambua sera ya Taifa ya Utatuzi wa Migogoro Mbadala;

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- Kuandaa kanuni za Mahakama ya Usuluhishi;
- Kuunda Mahakama ya Usuluhishi;
- Kuchapisha na kusambaza miongozo / kitabu kilichorahisishwa cha mtumiaji kwenye Utatuzi wa Migogoro Mbadala;
- Kuanzisha na kufanya utafiti katika maeneo na mwenendo unaojitokeza wa Utatuzi wa Migogoro Mbadala;
- Kutekeleza mtaala wa Kujenga Uwezo juu ya taratibu za Utatuzi wa Migogoro Mbadala;
- Kutambua taasisi/watu binafsi kwa ushirikiano wa kimkakati;
- Vibali na uingizaji wa watendaji;
- Fanya siku za wazi za Utatuzi wa Migogoro Mbadala na kliniki;
- Kuandaa semina, warsha na programu za mafunzo juu ya Utatuzi wa Migogoro Mbadala.

Mwaka wa 2022/2023 ulikuwa na changamoto zake. Usimamizi na Wafanyakazi wa NCIA waliendelea kutekeleza majukumu yake kwa ufanisi na kuendeleza malengo yake yaliyowekwa katika Mpango Mkakati wa NCIA na kupitishwa na Bodi ya Wakurugenzi. Kwa kweli Bodi ilitoa mwelekeo wa kimkakati, uongozi na usimamizi kwa Sekretarieti katika utekelezaji wa mipango na shughuli zilizopangwa. Ili kutimiza jukumu hili kubwa, Kituo kilipokea misaada kutoka kwa Serikali ya Kenya jumla ya Milioni Kshs. 161.84 wakati wa mwaka uliofanyiwa ukaguzi.

Sekretarieti itaendelea kuhakikisha utekelezaji mzuri wa mipango ya NCIA ikiwa ni pamoja na kusaidia kazi za Bodi ya Wakurugenzi na Kamati mbalimbali za Bodi. Tutaendelea kujitolea kufikia maono ya NCIA, cha kuwa Kituo cha Uchaguzi cha Utatuzi wa Migogoro Mbadala na dhamira yake ya kutambuliwa kama Kituo cha Kimataifa cha Usuluhishi wa Kibiashara na Utatuzi wa Migogoro Mbadala kupitia utoaji wa michakato bora na ya ubunifu.

Kwa kumaliza, napenda kuthamini juhudi zilizofanywa na wafanyakazi wa NCIA katika kutambua mafanikio yaliyotajwa hapo juu, bila hivyo Kituo kisingeweza kutimiza majukumu yake kama ilivyoainishwa katika Sheria ya NCIA ya mwaka 2013. Aidha, napenda, kwa niaba ya Sekretarieti, kuishukuru Bodi ya Wakurugenzi kwa kuendelea kuunga mkono, na uongozi katika kufanikisha malengo ya Kituo hiki mwaka huu.

Asante na Mungu awa bariki kwa wingi.



**E. Mwiruri Ngugi**  
**Msajili/Afisa Mkuu Mtendaji**  
**NCIA**

**7. STATEMENT OF NAIROBI CENTRE FOR INTERNATIONAL ARBITRATION PERFORMANCE AGAINST PREDETERMINED OBJECTIVES FOR FY 2022/2023**

Nairobi Centre for International Arbitration has three (3) strategic pillars and seven (7) objectives within its Strategic Plan for the period 2022/2023 - 2027/2028.

The strategic pillars are as follows:

**Pillar 1:** Promotion and Administration of Alternative Dispute Resolution (ADR) Services.

**Pillar 2:** Digitalization and Automation of Cutting-Edge ADR Services.

**Pillar 3:** Organizational Growth and Sustainability.

Arising from the pillars, the Centre will pursue seven (7) strategic objectives as enumerated below:

**Objective 1:** Increase access to credible predictable and reliable ADR services.

**Objective 2:** Leadership in international arbitration and ADR in Kenya.

**Objective 3:** National and International visibility and absorption of the Centre's services.

**Objective 4:** Enhance institutional visibility.

**Objective 5:** Digital enabled arbitration and ADR service transformation

**Objective 6:** Optimize capacity for growth and sustainability.

**Objective 7:** Good corporate governance culture.

The Centre develops its annual work plan based on the above pillars and objectives. Assessment of the Centre's performance against its annual work plan is done on a quarterly basis. In FY 2022/2023 the Centre achieved set performance targets as indicated in the table below:

Strategic Pillar	Objective	Key Performance Indicators	Activities	Achievements
<b>Pillar 1:</b> Promoting and Administration of (ADR) Services.	To Increase access to credible predictable and reliable ADR services.	ADR Policy monitoring and evaluation framework	Advocacy for adoption of a National ADR Policy	National ADR Policy approved by Cabinet on 21 <sup>st</sup> March 2023 and currently awaiting submission to Parliament by Office of the Attorney General.
		Updated Database of ADR practitioners	Maintain and update database of accredited ADR practitioners	Accreditation requests received, processed, and considered by the Board.
		Negotiate new and actualize existing MOUs	Transform ADR practice from siloed to collaborative	Implemented framework for cooperation and total of three (3) MOUs were finalized and signed as follows:

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Strategic Pillar	Objective	Key Performance Indicators	Activities	Achievements
				<p>MOU with KEPSA signed on 27/09/2022 to promote NCIA as leading Centre for provision of ADR services and provision of facility where mediation can be undertaken by KEPSA.</p> <p>MOU with ISLP (White &amp; Case) signed on 28/10/2022 to review Curriculum in International Commercial and Investments Arbitration.</p> <p>MOU with Energy Dispute Arbitration Centre (EDAC) signed on 8/11/2022.</p>
		Thought leadership in ADR.	Initiate and promote research in ADR.	<p>Research paper on Enforcement of Foreign Awards.</p> <p>Research conducted on library reference materials. A total of 124 reference materials submitted to the library &amp; My-LOFT activated for the library desktops.</p> <p>Research paper on NCIA and the Singapore convention in the context of the AFCFTA.</p> <p>Research paper on Confidentiality in Arbitration: Evaluating Legal &amp; Ethical Dilemmas.</p>
		Expanded coverage of ADR services to new areas	Adapt and deliver additional ADR services	Draft rules Rules/Procedure for Adjudication, Conciliation and Negotiation developed and considered by LRA committee.

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Strategic Pillar	Objective	Key Performance Indicators	Activities	Achievements
		Expanded institutionalized use of ADR within Public Sector	Develop and publish panel standards/code of conduct for Adjudicators, Conciliators and Negotiators.	Draft Panel Standards/Codes of Conduct for Adjudicators and Conciliators developed and considered for approval by the LRA committee.
	Leadership in international arbitration and ADR in Kenya.	Networking and select participation in local, regional, and international ADR events	Attend and present/moderate in colloquia, Seminars, Workshops and conferences on topical issues	<p>Attended and presented a paper at the 3<sup>rd</sup> African Arbitration Association (AfAA) conference held in Accra from 3<sup>rd</sup> to 5<sup>th</sup> November 2022.</p> <p>Attended and presented a paper on "Age Diversity in International Arbitration" at the 16<sup>th</sup> Young Ogemid Virtual symposium held on 28<sup>th</sup> October 2022.</p> <p>Attended and presented at the Kisumu BCUC meeting held on 16<sup>th</sup> December 2022.</p> <p>Attended and presented at the LCIA and NCIA Breakfast meeting at Bowmans held on 23<sup>rd</sup> November 2022.</p> <p>Attended and presented at the NCIA, ICC Kenya and KEPSA Breakfast Meeting held on 29<sup>th</sup> November 2022.</p> <p>Attended and presented a paper on "NCIA and the Singapore Convention in the Context of the AfCFTA" at the UNCITRAL Africa Day held on 17<sup>th</sup> November 2022 at the University of Nairobi.</p>

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Strategic Pillar	Objective	Key Performance Indicators	Activities	Achievements
	National and International visibility and absorption of the Centre's services.	Published Research Papers	Initiate and promote research in ADR emerging areas and trends	4 Research papers submitted and uploaded to the website and published in the 1 <sup>st</sup> , 2 <sup>nd</sup> & 3 <sup>rd</sup> quarter newsletters.
		Annual Caseload Report	Administration of Arbitrations and Mediations registered at the Centre	<p><b>a) Under Arbitration</b></p> <p>30 new Registration requests were received and processed.</p> <p>28 Disputes are <b>ongoing</b>.</p> <p>2 disputes were <b>Finalized</b> during the period.</p> <p><b>b) Under Mediation</b></p> <p>1 mediation request received and processed.</p>
		Broadened scope for ADR training services.	Design and implement Training Curricula.	<p>2 curricula reviewed in partnership with ISLP (White &amp; Case)</p> <p>Training Calendar implemented as approved</p> <p>11 trainings session undertaken attracting a total of 323 future practitioners.</p>
		Updated database of training practitioners and Approved Credit Policy	<p>Maintain and update a list of trained practitioners.</p> <p>Develop credit policy.</p>	<p>Training database updated &amp; maintained.</p> <p>Credit Policy for Training fees developed &amp; approved by the Board on 29<sup>th</sup> Sep 2022.</p>
<b>Pillar 2:</b> Digitalization and Automation of Cutting-Edge ADR Services	Cutting-edge digital enabled arbitration and ADR service transformation.	ERP modular review on Case Management, Workflow management, financial interfacing, recruitment	Deploy cutting-edge digital transformation for integrated service management systems	Implemented and maintained integrated operational applications and service programmes

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Strategic Pillar	Objective	Key Performance Indicators	Activities	Achievements
		module, and training.		
		Leverage cloud computing for end-to-end ADR Users' service.	Maintain enterprise mail system with integrated ATP.	Facilitated continuity for distributed workforce on SharePoint and OneDrive.  Subscription for enterprise mail system fully featured on O 365 maintained
		Enterprise-wide cyber-safety and security.	Provide a Robust and Secure IT security architecture	Design, acquire, evaluate, deploy, configure, and implement a Gravity Zone Security-Premium solution for End-point Security and integrated configuration of ICT domain Monitoring and control environment tools
		Staff Teams' digital competence, capacity, and culture entrenched	Build the capacity of users for optimal utilization of ICT resources	Acquired requisite ICT Accessories to meet end-user-needs.  Undertook ICT Technology trends sensitization for staff.  Capacity build ICT Champions on Information Security, threats management and appropriate use of technology assets.
<b>Pillar 3:</b> Organizational growth and Sustainability	To optimize capacity for growth and sustainability	Strengthen Human resource capacity	Conduct Induction of new staff	5 new staff inducted between 24 <sup>th</sup> – 26 <sup>th</sup> October 2022
			Placement of 4 interns seconded by NITA	17 Attachees engaged through the development programme.
			Placement of 4 interns seconded by PSCK	7 interns seconded by PSCK were deployed in various departmental units.

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Strategic Pillar	Objective	Key Performance Indicators	Activities	Achievements
		Sound finance administration	Implement Financial Management and reporting framework.	Develop and Implement annual Budget estimates.  FY 2022/2023 Cash flow plan report prepared and submitted to Office of the Attorney General  Financial Statement report prepared and submitted to NT&P
		Increased own source revenue	<ul style="list-style-type: none"> <li>- Administer disputes.</li> <li>- Panel listing</li> <li>- Capacity building</li> <li>- Hiring of facilities</li> </ul>	Kshs. <b>9,966,010</b> generated in A-I-A against a target of Kshs. <b>7,000,000</b>
		Implement effective planning, monitoring, and reporting	Implement Monitoring and Evaluation (M&E) framework for Strategic Plan	Monitored implementation of the Strategic Plan through the quarterly work plan reports.
		2022/23 FY Performance Contract	Implement Performance Contracting (PC) 19 <sup>th</sup> Guidelines	FY 2022/23 PC vetted, signed, implemented and reported on quarterly basis to PSPMU.
		Sound Supply Chain management	Publish procurement proceedings on the Centre's website and in Public Procurement Information Portal	<p>FY 2022/2023 Consolidated Annual Procurement Plan prepared and uploaded on Public Procurement Information Portal on 1<sup>st</sup> Aug 2022.</p> <p>Prepared the Procurement report on 30% AGPO awards and uploaded all AGPO procurement proceeding in the PPIP.</p> <p>Reports on 40% promotion of local content to Ministry of Trade and Industrialization prepared and submitted.</p>

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Strategic Pillar	Objective	Key Performance Indicators	Activities	Achievements
		Diversified external funding and resourcing	Implement Resource Mobilization Strategy	Improved budgetary allocations FY 2023/2024 from Kshs. 129,000,000 to Kshs. 209,000,000.
	To embrace good corporate governance culture.	Institutional risk and audit management framework.	Carry out risk based Internal Controls and Processes reviews.	<p>Carried out internal controls and Internal audit reviews on:</p> <ul style="list-style-type: none"> <li>- Monthly Bank reconciliations process.</li> <li>- Payroll and benefits reviews.</li> <li>- Review of major tenders and quotations.</li> <li>- Annual Report and financial statements FY 30 June 2022 review.</li> <li>- Implemented risk management framework.</li> <li>- Undertook corruption mitigation initiatives and submitted quarterly reports to EACC.</li> </ul>

## **8. CORPORATE GOVERNANCE STATEMENT**

The Board is committed to ensuring that the Centre's obligations, roles and responsibilities to its various stakeholders are fulfilled through its corporate governance practices. The Members and the Management undertake to perform their duties with impartiality, honesty, transparency and accountability, professionalism, integrity, care and due diligence and to act in good faith to the best interests of the public. The Board is committed to ensuring that the Centre complies with all applicable laws and statutes.

### **The NCIA Board**

The NCIA Board is established under Section 6 of the NCIA Act No. 26 of 2013 and comprise of a non-executive Chairperson appointed by the President on the recommendation of the Cabinet Secretary; the Attorney General or his representative; the Principal Secretary in the ministry for the time being responsible for matters relating to finance or his representative; Chief Registrar of the High Court or his representative; three members, not being public officers, nominated by domestic arbitration bodies within the East African region, appointed by the Cabinet Secretary; One person each nominated by the following bodies: the Kenya National Chamber of Commerce & Industry, the Law Society of Kenya, the Kenya Association of Manufacturers and the Chartered Institute of Arbitrations Kenya Branch. The Registrar/CEO is an ex-officio Member and Secretary of the Board.

### **The Role of the Board**

Members of the Board are responsible for the overall management of the Centre. In addition, the Members are responsible for drawing up strategies for the long-term success of the Centre as well as carrying out the fiduciary duty of monitoring and overseeing the activities of the Management. To actualize the aforementioned, the Board Members meet regularly to make determinations/decisions. The Board provides the Strategic direction of the Centre and overseeing the Centre's compliance with statutory and regulatory obligations. The Chairperson is primarily responsible for providing leadership to the Board including Chairing of Board meetings. The Chairperson also ensures that the Board is supplied with timely and sufficient information to enable it to discharge its duties effectively. The Registrar/Chief Executive Officer is the Board Secretary.

### **Board Charter**

The Board Charter is a commitment by the Directors to discharge the Mandate of the Centre. It outlines the rules that guide them and does not in any way purport to replace or supersede any laws and regulations that guide the operations of the Centre.

## **Committees of the Board**

The Board has four (4) standing Committees established with formal written terms of reference and which observe the same rules of conduct and procedure as the full Board. These Committees are as follows:

### **1. Business Development Committee**

The Committee's responsibilities are as follows:

- Advise the Board on the Centre's proposal for strategies on corporate marketing, communication and capacity development.
- Review the Centre's proposal for corporate image building and branding and make recommendations to the Board as necessary.
- Review the Centre's proposal for collaboration and cooperation frameworks and make recommendations to the Board as necessary.
- Advise the Board on resource mobilization strategies for funded projects and programmes for marketing and capacity development.
- Advise the Board on the Centre's proposal for training policy, recognition and accreditation of training programs and service providers.
- Advise the Board on the Centre's proposal for communication policy, protocols and guidelines on handling client information and feedback and complaints mechanism.
- Review the Annual work plans and performance of the Business Development Department make appropriate recommendations to the Board and ensure action points identified are implemented.
- Establish the content and process for the development of the five-year Strategic Plan providing for the full participation of members of the Board.
- Report to the Board on a regular basis on the committee's activities.
- Perform any such other function as the Board may from time to time assign to the Committee.

The membership of the Committee in 2022/2023 was as follows:

<b>S/No.</b>	<b>Director</b>	<b>Designation</b>
1.	Kananu Mutea	Chairperson
2.	Aisha Abdallah	Member
3.	Samuel Mbiriri Nderitu	Member
4.	Millicent Shitakha	Secretary

## **2. Legislative Review and Accreditation Committee**

The Committee's responsibilities are as follows:

- Review rules, procedures and guidelines for conduct of Alternative Dispute Resolution processes under the auspices of the Centre and make recommendations to the Board as necessary.
- Advise and recommend strategies to the Board to ensure Alternative Dispute Resolution processes adopted by the Centre are responsive to global trends and developments.
- Review criteria and procedure for accreditation and removal of practitioners listed on the Centre's panel and make recommendations to the Board as necessary.
- Exercise general oversight on processes for accreditation and removal of practitioners listed on the Centre's panel and recommend to the Board a framework for monitoring and evaluation.
- Review and advise the Board on the Centre's proposal for recognition of institutions for purposes of equivalence accreditation of practitioners to the Centre's list.
- Review standards and code of Conduct for practitioners appointed to undertake the role of neutrals or representatives of parties in disputes referred for resolution under the rules of the Centre and make recommendations to the Board as necessary.
- Review and advise the Board on proposals for formulation, implementation, and enforcement, continuous review of a National Policy, laws and plans of action on Alternative Dispute Resolution.
- Review the Annual work plans and performance of the Case Management Department make appropriate recommendations to the Board and ensure action points identified are implemented.
- Report to the Board on a regular basis on the committee's activities.
- Perform any such other function as the Board may from time to time assign to the Committee.

The membership of the Committee in 2022/2023 was as follows:

<b>S/No.</b>	<b>Director</b>	<b>Designation</b>
1.	Lawrence Waigi Kamau	Chairperson
2.	Judith Omange	Member
3.	Linnet Vitisia	Member
4.	Laura Lusiji	Member
5.	Joy Maina	Secretary

### **3. Finance and Administration Committee**

The Committee's responsibilities are as follows:

- Review the Centre's proposal for Annual Estimates of revenue and expenditure and make recommendations to the Board.
- Review the Annual Financial Statements for the Centre and make recommendations to the Board as necessary.
- Review on a quarterly basis the period management accounts of the Centre and make any necessary recommendations to Board.
- Ensure that the books and records of accounts and income of the Centre are maintained, and the expenditure and assets of the Centre are prudently managed and properly recorded.
- Review and advise the Board on the Annual plans for procurement of goods, works and services and disposal of assets by the Centre in accordance with the Public Procurement and Disposal laws and regulations.
- Advise the Board in relation to the Centre's policies, procedures, guidelines, manuals and other process for internal management of affairs and staff of the Centre.
- Advise the Board in relation to Board affairs and welfare.
- Review the Annual work plans and performance of the Corporate Support Services Department make appropriate recommendations to the Board and ensure action points identified are implemented.
- Liaise with other Committees of Board as may be required and where appropriate advise Board, the Audit, Risk and Governance Committee and other Committees of the Centre as appropriate.
- Report to the Board on a regular basis on the committee's activities.
- Perform any such other function as the Board may from time to time assign to the Committee.

The membership of the Committee in 2022/2023 was as follows:

S/No.	Director	Designation
1.	Samuel Mbiriri Nderitu	Chairperson
2.	Lawrence Waigi Kamau	Member
3.	Linnet Vitisia	Member
4.	Kananu Mutea	Member
5.	Victor Ogunyo	Secretary

#### **4. Audit, Risk and Governance Committee**

The Committee's responsibilities are as follows:

- Evaluate adequacy of management procedures regarding issues relating to risk management, control and governance and advise the Board as necessary.
- Review the internal and external audit findings and recommendations including Public Accounts and Public Investment Committee' recommendations and propose corrective and preventive action where necessary.
- Review the systems established to ensure sound public financial management and internal controls, as well as compliance with policies, laws, regulations, procedures, plans, code of conduct and ethics and advise the Board as necessary.
- Initiate special audit or investigation on any allegations, concerns and complaints regarding corruption, lack of accountability and transparency in consultation with the Chief Executive Officer.
- Review the Annual work plans and performance of the Internal Audit Unit make appropriate recommendations to the Board and ensure action points identified are implemented.
- Liaise with other Committees of Board as may be required and where appropriate advise the Board and other Committees of the Centre as appropriate.
- Report to the Board on a regular basis on the committee's activities.
- Perform any such other function as the Board may from time to time assign to the Committee.

The membership of the Committee in 2022/2023 was as follows:

S/No.	Director	Designation
1.	Aisha Abdallah	Chairperson
2.	Judith Omange	Member
3.	Linnet Vitisia	Member
4.	Laura Lusiji	Member
5.	Angelica Kimani	Secretary

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**Board/Board Committee Meetings**

During the year 2022/2023 the Board held five (5) regular meetings. There were other meetings during the year as need arose. These included meetings where members were engaged with various stakeholders including the Office of the Attorney General and Department of Justice, the Law Society of Kenya, the Judiciary of Kenya among others.

**Board/Board Committee Meetings**

The summary of number of Board and Board Committee meetings held is presented below:

<b>No.</b>	<b>Board / Board Committee</b>	<b>No. of Meetings Held</b>
1.	Regular Board Meeting	5
2.	Audit, Risk and Governance	5
3.	Finance and Administration Committee	6
4.	Legislative Review and Accreditation Committee	4
5.	Business Development Committee	4
6.	Other meetings	11

**Board/Board Committee Meetings**

The summary of attendance of Board and Board Committee meetings by members is presented below:

<b>Particulars</b>	<b>Category</b>	<b>Regular Board</b>	<b>ARG Committee</b>	<b>F&amp;A Committee</b>	<b>LRA Committee</b>	<b>BD Committee</b>	<b>Other Meetings</b>
Jacqueline Oyuyo Githinji	Chairperson	5	-	-	-	-	10
Aisha Abdallah	Member	4	5	2	2	2	6
James M Kihara	Member	3	-	-	2	2	2
Judith Omange	Member	3	3	4	3	-	6
Kananu Mutea	Member	3	2	4	-	4	11
Laura Lusiji	Member	1	-	-	1	-	-
Lawrence Waigi Kamau	Member	5	2	6	3	1	7
Linnet Vitisia	Member	4	2	2	3	-	4
Peter Mwangi	Member	-	-	-	-	-	3
Samuel Nderitu	Member	5	-	5	2	3	8
Christopher Ombega	Co-opted Member	1	-	-	-	-	-
Nicholas Awiti	Co-opted Member	1	-	-	-	-	-

## **Board Training**

During the year 2022/2023, one Board Member, Hon. Judith Omange attended a board induction workshop organized jointly by the State Corporations Advisory Committee and the Institute of Certified Secretaries of Kenya in April 2023. One other Board Member, Ms. Linnet Vitisia though scheduled to attend could not make it due to exigencies of duty.

## **Board Performance Results**

In the year under review, performance of the board was measured by officers drawn from State Corporation Advisory Committee. The board evaluation exercise was conducted on 25<sup>th</sup> July 2022. The Board evaluation report was presented to the Board in its meeting of 29<sup>th</sup> September 2022.

## **Conflict of Interest**

During the year ended 30<sup>th</sup> June 2023 there was no conflict of interest reported by members of the board in the conduct of their functions. As required, before commencement of each meeting held, every board member was given an opportunity to declare any conflict of interest in the matters for consideration.

## **Remuneration**

Payment of Honoraria and allowances to the Chairperson and other allowances to the other members of the Board were made in accordance with Guidelines on Terms and Conditions of Service for State Corporations' Chief Executive Officers, Chairmen and Board Members, Management Staff and unionisable Staff. The total expenses incurred in relation to Board activities was Kshs. 6,741,590.

## **Removal from Office**

Section 2 of the Schedule to the NCIA Act 2013 provides for the instances in which a board member, other than an ex-official member would leave office. These instances include the following:

- a) at any time resign from office by notice in writing to the Cabinet Secretary;
- b) be removed from office by the Cabinet Secretary on recommendation of the Board if the member –
  - i. has been absent from three consecutive meetings of the Board without its permission;
  - ii. is adjudged bankrupt or enters into a composition or scheme of arrangement with his creditors;

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- iii. is convicted of a corruption or economic crime or other criminal offence involving dishonesty, fraud or moral turpitude or any other criminal offence under any law punishable with imprisonment that amounts to a felony under the Laws of Kenya;
- iv. is of unsound mind or is incapacitated by prolonged physical or mental illness for a period exceeding six months; or
- v. is otherwise unable or unfit to discharge his functions.

## **9. MANAGEMENT DISCUSSION AND ANALYSIS**

### **SECTION A**

#### **The Centre's Operational Performance**

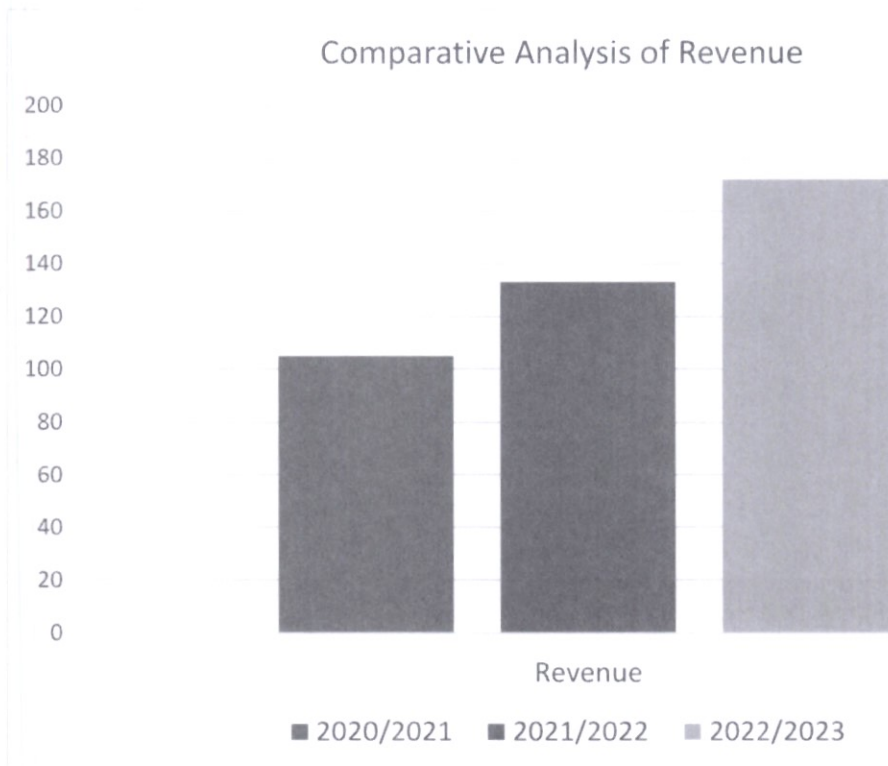
The Centre is implementing its 5-year Strategic Plan (2022/2023-2026/2027) whose pillars are: Promotion and Administration of Alternative Dispute Resolution (ADR) Processes; Digitalization and Automation Cutting-Edge ADR services; and Organisational Growth and Sustainability. In 2022/2023 the Centre implemented the following key activities:

- Recruitment of Senior Corporate Strategy Officer, Senior Finance/Accounts Officer and Finance/Accounts Officer to address the gaps in the Units.
- Registered thirty (30) new disputes for administration in accordance with the NCIA Arbitration Rules 2015 (Revised 2019) and NCIA Mediation Rules, 2015.
- Continued to administer twenty-three (23) ongoing disputes registered for administration in accordance with the NCIA Arbitration Rules 2015 (Revised 2019) and NCIA Mediation Rules, 2015.
- Concluded two (2) disputes administration in accordance with the NCIA Arbitration Rules 2015 (Revised 2019) and NCIA Mediation Rules, 2015.
- Reviewed NCIA Arbitration Rules and NCIA Mediation Rules.
- Developed Tribunal Secretary Model.
- Enlisted eight (8) practitioners to the NCIA Arbitrator Panel.
- Enlisted one (1) practitioners to the NCIA Mediator Panel.
- Developed and circulated the 2022-2023 Financial Year training calendar.
- Conducted eleven (11) training sessions for the upcoming ADR practitioners.
- Participated in local, regional and international conferences in ADR which were hosted virtually.
- Trained 323 ADR practitioners.
- Conducted two (2) ADR webinars.
- Engaged seven (7) interns with the support of the Public Service Commission.
- Engaged seventeen (17) attaches for their university industrial attachment programme.

### The Centre's Financial Performance

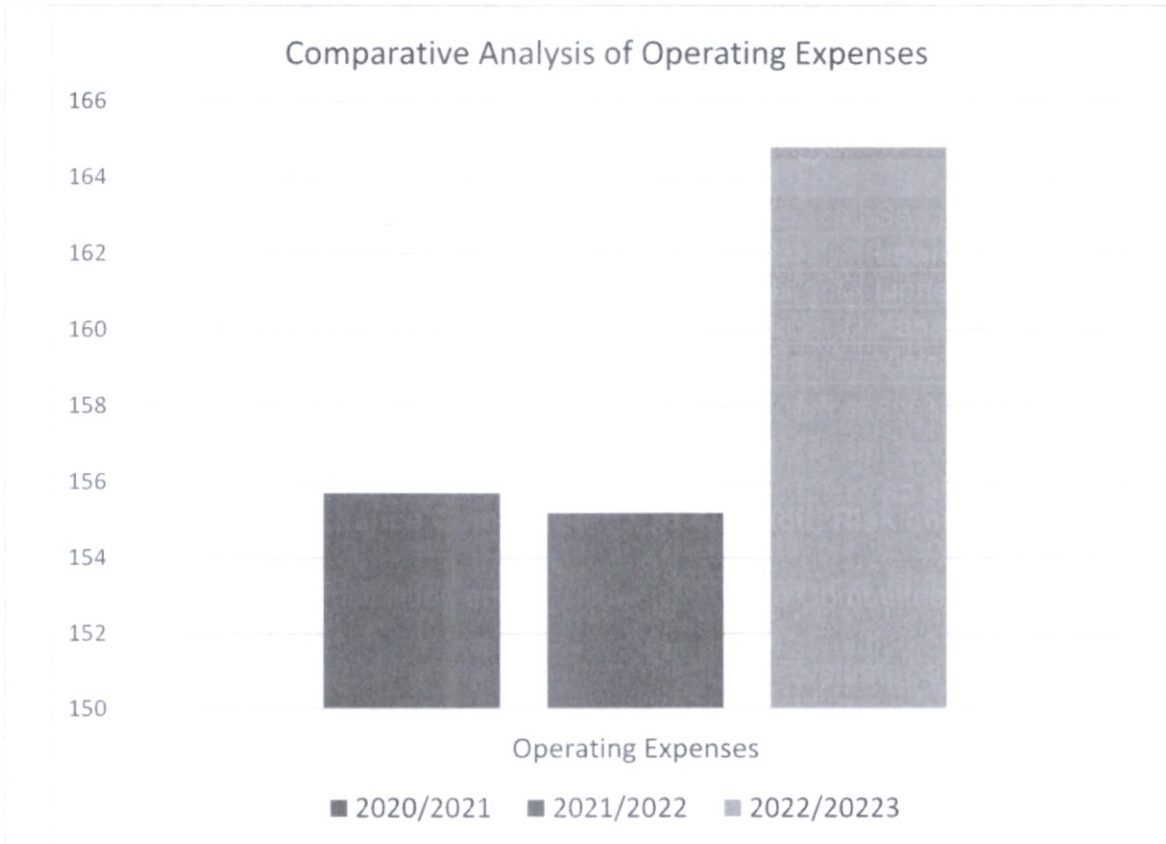
Comparative analysis of revenue received in the last three (3) years is as indicated in the graph below.

- FY **2020/2021** revenue was **Kshs. 105,404,617.**
- FY **2021/2022** revenue was **Kshs. 133,467,858.**
- FY **2022/2023** revenue was **Kshs. 171,988,537**



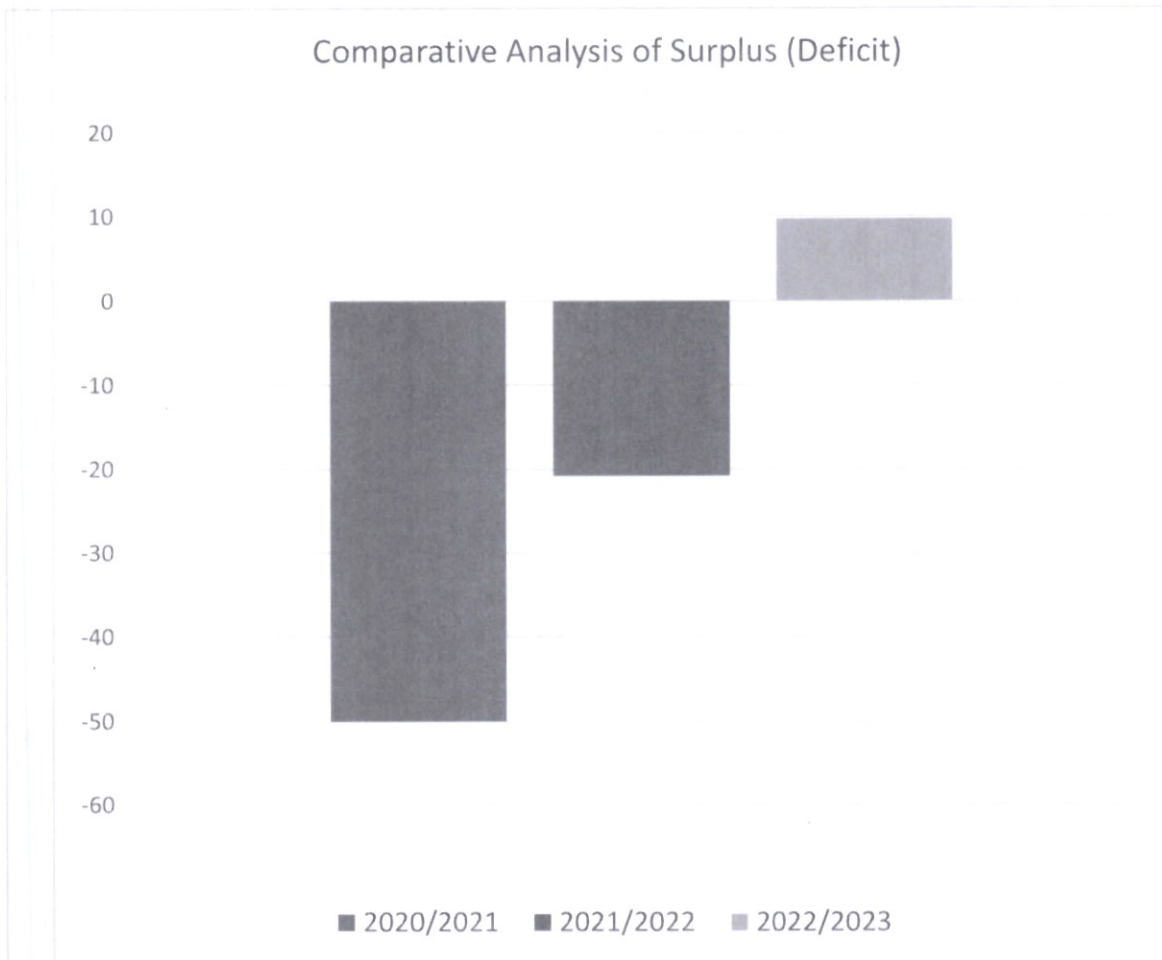
Comparative analysis of operating expenses in the last three (3) years is as indicated in the graph below.

- FY **2020/2021** operating expenses was **Kshs. 155,716,525.**
- FY **2021/2022** operating expenses was **Kshs. 155,186,288.**
- FY **2022/2023** operating expenses was **Kshs. 164,783,943**



Comparative analysis of surplus (deficit) in the last three (3) years is as indicated in the graph below.

- FY **2020/2021** the deficit was **Ksh. 50,225,762.**
- FY **2021/2022** the deficit was **Ksh. 20,855,913.**
- FY **2022/2023** the surplus was **Ksh. 9,705,328**



## **SECTION B**

### **Centre's Compliance with Statutory Requirements**

The Centre files tax returns to Kenya Revenue Authority (KRA) and other statutory remittances to National Social Security Fund (NSSF), National Hospital Insurance Fund (NHIF) and Higher Education Loans Board (HELB) and National Industrial Training Authority (NITA).

There is no exposure to litigation recorded for the year under review.

## **SECTION C**

### **Key Projects and Investment decisions NCIA is planning/implementing**

The Centre is implementing its Strategic Plan and programmes are implemented in accordance with Annual Work Plans and Budgets drawn from the plan. Key projects are geared towards facilitating delivery of the Centre's mandate of providing efficient and affordable hearing facilities for disputants in line with the National Government strategic objectives and policies as outlined in the Medium-Term Plan III of the Vision 2030 and aligned to the President's Big Four Agenda. Other planned activities for implementation include:

- Improve professional competence and capacity of NCIA staff through training and development in Arbitration and Mediation Course;
- Disseminate and create awareness on NCIA institutional Rules on Arbitration and Mediation;
- Undertake training programmes on ADR to enhance capacity in international commercial arbitration and investment dispute settlement;
- Coordinate formulation of a National ADR Policy and Action Plan;
- Coordinate review and harmonization of legislation on Arbitration and other ADR mechanisms;
- Develop Strategic Partnerships by identifying thematic areas for collaboration; and
- Identify key regional and global strategic partnerships and negotiation of appropriate memoranda of understanding.

## **SECTION D**

### **Major Risks facing NCIA**

The key risks facing the Centre include:

- i. Market Risks;**
  - Low awareness and uptake of Alternative Dispute Resolution services.
  - Competition from established centres and institutions.
  - Negative perception of lack of neutrality.

## **SECTION E**

**Material Arrears in Statutory/Financial Obligations**

The centre does not have loan default, tax default, outstanding staff and pension obligations/actuarial deficit on pension schemes, non-payment of dividends and loan redemption to the National Exchequer.

**SECTION F**

**The Centre's Financial Probity and Serious Governance Issues**

There is no financial improbity reported by the Internal Audit Unit, the Board Audit Risk and Governance Committee, External auditors, or other National Government Agencies providing oversight.

There are no governance issues among Board Members and Management including conflict of interest. The Conflict-of-Interest Register is maintained to record all declared conflicts of interest among Board Members and Staff.

**SECTION G**

**Pictorial – 1**



The Registrar/CEO Mr. L. Muiruri Ngugi leading the management team during a courtesy visit to the Attorney General Hon. Justin Muturi at his office.

**Pictorial – 2**



Kenya Private Sector Alliance (KEPSA) CEO Carole Kariuki with NCIA Registrar Mr. Lawrence Muiruri display a partnership MOU at KEPSA offices.

**Pictorial – 3**



NCIA team led by the Registrar during a courtesy visit at the office of the Data Commissioner. Next to the Registrar/CEO is Mr. Oscar Otieno, Deputy Data Commissioner in Charge of Investigations and Enforcement.

**Pictorial – 4**



NCIA Registrar/CEO Mr. L. Muiruri Ngugi after a recent International Commercial Arbitration training in partnership with White & Case LLP for Counsels from the Office of the Attorney General & Department of Justice.

**Pictorial – 5**



The Registrar Mr. Lawrence Muiruri signing a memorandum of understanding with the East Africa Law Society. Looking on is NCIA Chairperson Ms. Jacqueline Oyuyo Githinji, EALA CEO David Sigano (seated right) and EALA Vice President Mr. Ramdhan Abubakar(standing right).

**Pictorial – 6**



Management team led by Mr. L. Muiruri Ngugi (Registrar/CEO) during a recent visit to Solicitor General Hon. Shadrack J. Mose at his office.

**Pictorial – 7**



Moi University management led by Vice Chancellor Prof. Isaac Sanga Kosgey, Ph.D.,MBS(3rd left) pose for a group photo during a courtesy call to NCIAB to discuss areas of possible collaboration between the Center and the university.

**Pictorial – 8**



Participants attending the Certified Professional Mediation Training Program held in Mombasa held from 13th to 17th March 2023.

## **10. ENVIRONMENTAL AND SUSTAINABILITY REPORTING**

Nairobi Centre for International Arbitration exists to transform lives. This is our purpose; the driving force behind everything we do. It's what guides us to deliver our strategy, putting the customer/Citizen first, delivering relevant services, and improving operational excellence. Below is an outline of the organisation's policies and activities that promote sustainability.

Nairobi Centre for International Arbitration (NCIA) recognizes its obligations to act responsibly, ethically and with integrity in its interactions with all stakeholders be they employees, customers, suppliers, neighbours and the environment as a whole.

Responsibility areas of focus include promotion of alternative dispute resolution, promotion of education, protection of the environment and promotion of gender equity and inclusiveness.

To this end:

1. The Centre has in place policies that clarify its commitment to negating its impact on the environment;
2. The Centre carried out regular risk assessments to guarantee the wellbeing of employees, clients and visitors, in accordance with Occupational Health and Safety regulations;
3. The Centre actively manages its reputation, and drives best practice, through the application of prudent public procurement practices as outlined in the Public Procurement and Asset Disposal Act 2015;
4. The Centre is an equal opportunities employer which promotes diversity and does not differentiate on grounds of gender, ethnicity, religion, race, or physical ability;
5. The Centre actively contributes to social and environmental initiatives in the Republic of Kenya through donation of time and funds. During the financial year 2022-2023 the Centre participated in a tree planting exercise at Gatharaini riparian river within the proximity of Githurai, Nairobi County.
6. The Centre commits to being open and transparent in the interest of promoting best practice.

It is important to our employees to work for a socially responsible organization and our approach therefore reflects our people. We recognize that our activities as a Centre have an impact on our communities and the public. We are committed to not only managing that impact but also using the public resources and donor funds we have been entrusted with in making a real and sustainable difference.

To this end:

1. The Centre is actively involved in supporting and developing the local community to make a lasting positive impact;
2. The Centre works hard to ensure that the negative impact our work has on the environment is minimized; and

3. The Centre provides the tools to enable employee growth and fulfilment for individuals and for the Centre to work together to make a difference as a team.

### **Sustainability Strategy and Profile**

The strategic vision of NCIA is to be the Premier Centre of Choice for Alternative Dispute Resolution. The Centre seeks to be a good corporate citizen in all aspects of its operations and activities and to this end, it has formulated and put in place a CSR policy that guides its environmental and sustainability initiatives. The Centre through its initiatives continues to enhance value by promoting social and environmental sustainability, as well as social welfare of the society.

The Centre holds the view that sustained socio-economic growth cannot be achieved without social progress and the well-being of the environment and the community. It is against this background that the Centre considers it its responsibility to undertake Corporate Social Responsibility with the aim of benefiting those whose lives it impacts. The Centre remains committed to environmental conservation and sustainability and in this regard takes part in various activities aimed at protecting the ecosystem such as tree planting, donation of tree seedlings, environmental clean-ups, beautification and landscaping among other sustainability initiatives.

The Centre remains committed to adopting ICT practices that can lead to more environmentally friendly and ecologically responsible decisions and lifestyles, which will further help protect the environment and sustain its natural resources for current and future generations.

### **Environmental Performance**

The guiding principles of NCIA Corporate Social Responsibility Policy is anchored on the following factors:

1. An understanding that environmental and sustainability responsibility has become an integral part of public service and that the Centre appreciates its role to its stakeholders and the society as a whole.
2. The NCIA staff are fully informed of all the Centre's environmental and sustainability activities, and it is against this background that they effectively support its strategic direction. Being a socially responsible organization will bolster the Centre's image and help build the Centre's overall brand identity. It will also empower employees to leverage the corporate resources at their disposal to do good and boost their morale leading to greater productivity in the workplace.
3. That employees are aware of their responsibility of maintaining the Centre's good corporate citizenship and positioning the Centre as a socially and environmentally responsible entity.
4. That stakeholders are provided easy access to essential, useful, and engaging information on the Centre's environmental and sustainability policies and activities.

The Centre's Board of Directors recently approved the Environmental, Social and Governance (ESG) policy that outlines the Centre's commitment to mitigate and adapt to climate change, protect, and improve the quality of the environment, and manage resources sustainably with a

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view to mitigating the impact of climate change, environmental degradation, and attaining sustainable development.

The Center is focused on working with relevant partners to reduce and prevent loss of biodiversity, maintain, and restore ecosystems in partnership with other agencies both in public and private sectors, promote the sustainable management of water usage, combat forms of pollution, and promote sound waste management.

The Center is also focused on promoting resource efficiency and support clean and sustainable energy and low-carbon technologies, ensuring that economic growth goes hand in hand with the transition to low-emissions and with environmental sustainability.

The Board in its oversight role also ensures implementation in line with the Centre's approved Corporate Social Responsibility policy and Executive orders.



The recent presidential order to attain a 10 per cent tree cover to be realized through partnerships between state and non-state actors aimed at enhancing the cover through tree planting and growing initiatives that aim at spurring a tree growing culture among communities is also being implemented by the Centre. During the financial year 2022/2023, the Centre collaborated with the National Environment Management Authority (NEMA) and the Nairobi City County to carry out a tree planting exercise in Gatharaini riparian river within the proximity of Githurai, Nairobi County.

The Gatharaini stream originates in the marshes of the lower reaches of the Aberdare mountains and flows through densely various populated areas.



The stream is heavily impacted by human activities along its channels and in its catchment areas. In the upper sections of Kiambaa and Kanunga, the stream passes through swampy and marshy areas, with subsistence agriculture and human settlement as the main types of land use in the areas. In the midsections of Kiambu, there are extensive coffee crops and mixed farming.

In Eastern Nairobi, the river passes through Nairobi Sewerage water Company in Ngundu and Kamulu in the lower sections of Githurai and Zimmerman. Along the stream is coffee farming, intensive mixed farming, and industrial activities like the Kamiti Tannery Factory.

In consultation with environmental experts from NEMA, 200 native tree species were chosen for their compatibility with the riparian ecosystem for planting. The selected tree species included bamboos and Croton Megalocampus seedlings known for their ability to withstand the local climate and also known to contribute to biodiversity conservation.

The primary objective of the CSR activity was to restore and enhance the riparian ecosystem by planting a considerable number of trees in addition to raising awareness among employees,

volunteers, and the local community about the importance of protecting riparian zones and the benefits of environmental conservation through tree planting.



The tree planting activity garnered significant community participation and generated positive impacts in several ways namely;

**1. Environmental Conservation:**

By planting over 200 trees in the riparian land area, the CSR activity contributed to the restoration of the ecosystem and helped in prevention of soil erosion, promotion of water quality, and support wildlife habitat preservation.

**2. Awareness and Education:**

The initiative raised awareness among participants and the local community about the importance of riparian zones and the role trees play in maintaining a healthy environment. The event provided an opportunity to educate the community on sustainable practices and their impact on the ecosystem.

### **3. Community Engagement:**

The CSR activity served as a platform for fostering community engagement and collaboration. It encouraged employees, volunteers, and residents to come together for a common cause, promoting a sense of ownership and environmental stewardship within the community.

The tree planting activity in the riparian land area was a resounding success, achieving its objectives of environmental conservation, awareness raising, and community engagement. The initiative demonstrated the Centre's commitment to corporate social responsibility and sustainable practices.

#### **Employee Welfare**

The Centre has developed a Human Resource Policies and Procedures Manual which guides on recruitment process and considers the gender and stakeholder engagements. The policies are amended from time to time as and when necessary. The Centre has endeavoured to maintain a healthy and safe working condition for employees to ensure there is no personal injury caused by accidents.

The Centre has put in place a performance management system which provides employees with a clear understanding of job expectations; regular feedback about performance; advice and steps for improving performance; rewards for good performance; and sanctions for poor performance.

To increase the level of employee skills, the Centre has a well-designed employee development program which focuses on employee training and working on Career Progression Guidelines.

## **11. REPORT OF THE DIRECTORS**

The Directors submit their report together with the audited financial statements for the year ended June 30, 2023 which show the state of the centre's affairs.

### **Principal Activities**

The principal activities of the entity are to:

- (a) promote, facilitate and encourage the conduct of international commercial arbitration in accordance with this Act;
- (b) administer domestic and international arbitrations as well as alternative dispute resolution techniques under its auspices;
- (c) ensure that arbitration is reserved as the dispute ' resolution process of choice;
- (d) develop rules encompassing conciliation and mediation processes;
- (e) organize international conferences, seminars and training programs for arbitrators and scholars;
- (f) coordinate and facilitate, in collaboration with other lead agencies and non-State actors, the formulation of national policies, laws and plans of action on alternative dispute resolution and facilitate their implementation, enforcement, continuous review, monitoring and evaluation;
- (g) maintain proactive co-operation with other regional and international institutions in areas relevant to achieving the Centre's objectives;
- (h) in collaboration with other public and private agencies, facilitate, conduct, promote and coordinate research and dissemination of findings on data on arbitration and serve as repository of such data;
- (i) establish a comprehensive library specializing in arbitration and alternative dispute resolution;
- (j) provide ad hoc arbitration by facilitating the parties with necessary technical and administrative assistance at the behest of the parties;
- (k) provide advice and assistance for the enforcement and translation of arbitral awards;
- (l) provide procedural and technical advice to disputants;
- (m) provide training and accreditation for mediators and arbitrators;
- (n) educate the public on arbitration as well as other alternative dispute resolution mechanisms;
- (o) enter into strategic agreements with other regional and international bodies for purposes of securing technical assistance to enable the Centre achieve its objectives;
- (p) provide facilities for hearing, transcription and other technological services; and
- (q) manage and apply the Fund In accordance with the provisions of this Act; and perform such other functions as may be conferred on it by this Act or any other written law.

**Nairobi Centre for International Arbitration  
Annual Reports and Financial Statements  
For the year ended June 30, 2023**

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**Results**

The results of the Centre for the year ended June 30, 2023 are set out on pages **1 to 41**.

**Directors**

The members of the Board of Directors who served during the year are shown on pages xv to xix.

During the year two (2) directors were appointed to the NCIA Board as indicated below:

S. No.:	Name of Director	Role in the Board	Appointment Date
1.	Linnet Vitisia	Member	1 <sup>st</sup> August 2022
2.	Laura Lusiji	Member	1 <sup>st</sup> March 2023

During the year under review Mr. James Muruthi Kihara's term on the NCIA Board ended on 24<sup>th</sup> October 2022.

**Dividends/Surplus remission**

In accordance with 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. NCIA is a service institution that relies substantially on National Government grants appropriated by the National Parliament, additionally the Centre is not a regulatory entity.

**Auditors**

The Auditor General is responsible for the statutory audit of the Centre in accordance with Article 229 of the Constitution of Kenya and the Public Audit Act 2015.

By Order of the Board



L. Muiruri Ngugi  
**Board Secretary**

**NAIROBI CENTRE FOR INTERNATIONAL ARBITRATION**

Date: *28.09.2023*

## **12. STATEMENT OF DIRECTORS' RESPONSIBILITIES**

Section 81 (1) of the Public Finance Management (PFM) Act, 2012, Section 14 of the State Corporations Act, 2015, and the Nairobi Centre for International Arbitration (NCIA) Act, 2013 require the Directors to prepare financial statements which give a true and fair view of the state of affairs of the Centre at the end of the financial year and the operating results of the Centre for that year. The Directors are also required to ensure that the Centre keeps proper accounting records which disclose with reasonable accuracy the financial position of the Centre. The Directors are also responsible for safeguarding the assets of the centre. Section 81 (3) requires the financial statements so prepared to be in a form that complies with relevant accounting standards as prescribed by the Public Sector Accounting Standards Board of Kenya.

The Directors are responsible for the preparation and presentation of the Centre's financial statements, which give a true and fair view of the state of affairs of the Centre for and as at the end of the financial year ended on June 30, 2023. 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 centre;
- (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 Centre;
- (v) selecting and applying appropriate accounting policies; and
- (vi) Making accounting estimates that are reasonable in the circumstances.

The Directors accept responsibility for the Centre's financial statements, which have been prepared using appropriate accounting policies supported by reasonable and prudent judgements and estimates, in conformity with International Public Sector Accounting Standards (IPSAS), and in the manner required by the PFM Act, 2012 and the NCIA Act No. 26 of 2013. The Directors are of the opinion that the Centre's financial statements give a true and fair view of the state of the Centre's transactions during the financial year ended June 30, 2023, and of the centre's financial position as at that date. The Directors further confirm the completeness of the accounting records maintained for the Centre, which have been relied upon in the preparation of the Centre's financial statements as well as the adequacy of the systems of internal financial control.

The Directors confirm that the Centre has complied fully with applicable Government of Kenya Regulations and the terms of external financing covenants (where applicable), and that the Centre's funds received during the year under audit were used for the eligible purposes for which they were intended and were properly accounted for. Nothing has come to the attention of the Directors to indicate that the Centre will not remain a going concern for at least the next twelve (12) months from the date of this statement.

**Approval of the financial statements**

The Nairobi Centre for International Arbitration (NCIA) financial statements were approved by the Board on 28.09.2023 and signed on its behalf by:



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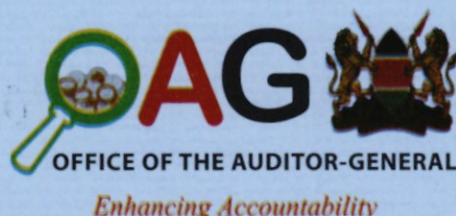
Jacqueline Oyuyo Githinji  
**Board Chairperson**



.....

L. Muiruri Ngugi  
**Registrar/CEO**

# REPUBLIC OF KENYA



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Website: www.oagkenya.go.ke

HEADQUARTERS  
Anniversary Towers  
Monrovia Street  
P.O. Box 30084-00100  
NAIROBI

## REPORT OF THE AUDITOR-GENERAL ON NAIROBI CENTRE FOR INTERNATIONAL ARBITRATION FOR THE YEAR ENDED 30 JUNE, 2023

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### PREAMBLE

I draw your attention to the contents of my report which is in three parts:

- A. Report on the Financial Statements that considers whether the financial statements are fairly presented in accordance with the applicable financial reporting framework, accounting standards and the relevant laws and regulations that have a direct effect on the financial statements.
- B. Report on Lawfulness and Effectiveness in Use of Public Resources which considers compliance with applicable laws, regulations, policies, gazette notices, circulars, guidelines and manuals and whether public resources are applied in a prudent, efficient, economic, transparent and accountable manner to ensure Government achieves value for money and that such funds are applied for the intended purpose.
- C. Report on Effectiveness of Internal Controls, Risk Management and Governance which considers how the entity has instituted checks and balances to guide internal operations. This responds to the effectiveness of the governance structure, the risk management environment and the internal controls, developed and implemented by those charged with governance for orderly, efficient and effective operations of the entity.

An unmodified opinion does not necessarily mean that an entity has complied with all relevant laws and regulations and that its internal controls, risk management and governance systems are properly designed and were working effectively in the financial year under review.

The three parts of the report are aimed at addressing the statutory roles and responsibilities of the Auditor-General as provided by Article 229 of the Constitution, the Public Finance Management Act, 2012 and the Public Audit Act, 2015. The three parts of the report, when read together constitute the report of the Auditor-General.

### REPORT ON THE FINANCIAL STATEMENTS

#### Opinion

I have audited the accompanying financial statements of the Nairobi Centre for International Arbitration set out on pages 1 to 45, which comprise of the statement of financial position as at 30 June, 2023, and the statement of financial performance, statement of changes in net assets, statement of cash flows and the 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

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*Report of the Auditor-General on Nairobi Centre for International Arbitration for the year ended 30 June, 2023*

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 Nairobi Centre for International Arbitration as at 30 June, 2023, 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 the Public Finance Management Act, 2012 and NCIA Act No.26 of 2013.

### **Basis for Opinion**

The audit was conducted in accordance with International Standards of Supreme Audit Institutions (ISSAIs). I am independent of the Nairobi Centre for International Arbitration Management in accordance with ISSAI 130 on Code of Ethics. I have fulfilled other ethical responsibilities in accordance with the ISSAI and in accordance with other ethical requirements applicable to performing audits of financial statements in Kenya. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

### **Key Audit Matters**

Key audit matters are those matters that, in my professional 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, except for the matter described in the Basis for Conclusion on Lawfulness and Effectiveness in Use of Public Resources section of my report, I confirm that, nothing else has come to my attention to cause me to believe that public resources have not been applied lawfully and in an effective way.

### **Failure to Transfer Excess AIA to The National Treasury**

The statement of financial performance reflects income from rendering of services and other income of Kshs.7,281,546 and Kshs.2,866,991 as disclosed in Notes 7 and 8 respectively all totaling to Kshs.10,148,537. The amount is in relation to Appropriation in Aid (AIA). Examination of State Law Office and Department of Justice budget revealed that the Centre budgeted for AIA was Kshs.7,000,000 compared with the actual collection of Kshs.10,148,537 resulting in in excess AIA of Kshs.3,148,537. However, the excess AIA was not surrendered to the exchequer as required by Regulation 84 of the Public Finance Management (National Government) Regulations, 2015 which states that not later than 31 January each year, each Accounting Officer shall surrender to the National Exchequer Account unexpended voted money or excess Appropriations in Aid as confirmed by Auditor-General in the audit report.

In the circumstances, Management was in breach of the law.

### **Basis for 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, based on the audit procedures performed, I confirm that, nothing has come to my attention to cause me to believe that internal controls, risk management and overall governance were not effective.

### **Basis for Conclusion**

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 processes and systems of internal controls, risk management and 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 the Board of Directors**

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 controls, risk management and governance.

In preparing the financial statements, Management is responsible for assessing the Centre'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 Centre 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 resources are applied in an effective way.

The Board of Directors is responsible for overseeing the Centre's financial reporting process, reviewing the effectiveness of how Management monitors compliance with relevant legislative and regulatory requirements, ensuring that effective processes and systems are in place to address key roles and responsibilities in relation to governance and risk management, and ensuring the adequacy and effectiveness of the control environment.

### **Auditor-General's Responsibilities for the Audit**

The audit objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion in accordance with the provisions of Section 48 of the Public Audit Act, 2015 and submit the audit report in compliance with Article 229(7) of the Constitution. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISSAIs will always detect a material misstatement and weakness when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

In addition to the audit of the financial statements, a compliance audit is planned and performed to express a conclusion about whether, in all material respects, the activities, financial transactions and information reflected in the financial statements are in compliance with the authorities that govern them and that public resources are applied in an effective way, in accordance with the provisions of Article 229(6) of the Constitution and submit the audit report in compliance with Article 229(7) of the Constitution.

Further, in planning and performing the audit of the financial statements and audit of compliance, I consider internal control in order to give an assurance on the effectiveness of internal controls, risk management and overall governance processes and systems in accordance with the provisions of Section 7(1)(a) of the Public Audit Act, 2015 and submit the audit report in compliance with Article 229(7) of the Constitution. My consideration of the internal control would not necessarily disclose all matters in the internal control that might be material weaknesses under the ISSAIs. A material weakness is a condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements caused by error or fraud in amounts that would be material in relation to the financial statements being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions.

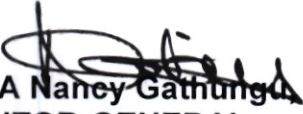
Because of its inherent limitations, internal control may not prevent or detect misstatements and instances of non-compliance. Also, projections of any evaluation of effectiveness to future periods are subject to the risk that controls may become inadequate because of changes in conditions, or that the degree of compliance with the set 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 Centre's ability 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 Centre to cease 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 Centre 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 communicate with them all relationships and other matters that may reasonably be thought to bear on my independence and where applicable, related safeguards.

  
**FCPA Nancy Gathungu, CBS**  
**AUDITOR-GENERAL**

**Nairobi**

**21 March, 2024**

**Nairobi Centre for International Arbitration**  
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**14. STATEMENT OF FINANCIAL PERFORMANCE FOR YEAR ENDED 30<sup>TH</sup> JUNE 2023**

	Notes	Period ended 30/06/2023	Comparative Period ended 30/06/2022
		Kshs	Kshs
<b>Revenue from non-exchange transactions</b>			
Transfers from other governments entities	6	161,840,000	129,840,000
		<b>161,840,000</b>	<b>129,840,000</b>
<b>Revenue from exchange transactions</b>			
Rendering of services	7	7,281,546	3,627,858
Other Income	8	2,866,991	0
<b>Total revenue</b>		<b>171,988,537</b>	<b>133,467,858</b>
<b>Expenses</b>			
Employee costs	9	75,731,155	86,903,018
Board Expenses	10	6,741,590	6,951,638
Depreciation and amortization expense	11	7,660,897	9,877,352
Repairs and maintenance	12	2,848,718	2,179,938
Contracted Services	13	1,601,845	1,240,089
Uses of goods & services	14	70,199,738	48,034,254
<b>Total expenses</b>		<b>164,783,943</b>	<b>155,186,289</b>
<b>Other Gains/Losses</b>			
Gain on foreign exchange transactions	15c	2,500,734	862,516
<b>Surplus/(deficit) for the period/year</b>		<b>9,705,328</b>	<b>(20,855,915)</b>

The notes set out on pages **10 to 41** form an integral part of these Financial Statements.

The Financial Statements set out on pages **1 to 41** were signed on behalf of the Board of Directors by:

  
 Registrar/CEO


L.Muiruri Ngugi

Date 28.09.2023

  
 Manager Corporate Services

Victor A. O. Ogunyo  
 ICPAK Member No.:10364

Date 28.09.2023

  
 Chairperson of the Board

Jacqueline Oyuyo Githinji

Date 28.09.2023

**Nairobi Centre for International Arbitration**  
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**15. STATEMENT OF FINANCIAL POSITION AS AT 30<sup>TH</sup> JUNE 2023**

	Notes	Period as at 30/06/2023	Audited 2021-2022
		Kshs	Kshs
<b>Assets</b>			
<b>Current Assets</b>			
Cash and cash equivalents	15a	29,757,805	26,221,194
Receivables from non-exchange transactions	16	0	62,979
Prepayments	16b	6,298,860	5,081,118
<b>Total Current Assets</b>		<b>36,056,665</b>	<b>31,365,291</b>
<b>Non-Current Assets</b>			
Property, plant and equipment	17a	28,790,000	30,033,260
Intangible assets	17b	1,992,345	2,988,518
<b>Total Non-Current Assets</b>		<b>30,782,345</b>	<b>33,021,778</b>
<b>Total Assets</b>		<b>66,839,010</b>	<b>64,387,069</b>
<b>Liabilities</b>			
<b>Current Liabilities</b>			
Refundable deposits from customers	18	4,341,165	3,544,924
Trade and other payables	19	1,983	4,715,320
Gratuity provision	20	9,371,017	16,257,308
<b>Total Current Liabilities</b>		<b>13,714,165</b>	<b>24,517,552</b>
<b>Non-Current Liabilities</b>		0	0
<b>Total liabilities</b>		<b>13,714,165</b>	<b>24,517,552</b>
<b>Net Assets</b>			
Capital Fund	21	1,120,226	2,234,170
Accumulated surplus	22	48,454,619	37,635,347
Revaluation reserve	24	3,550,000	0
<b>Total Net Assets</b>		<b>53,124,845</b>	<b>39,869,517</b>
<b>Total Net Assets and Liabilities</b>		<b>66,839,010</b>	<b>64,387,069</b>

**Nairobi Centre for International Arbitration  
Annual Reports and Financial Statements  
For the year ended June 30, 2023**

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The Financial Statements set out on pages **1 to 41** were signed on behalf of the Board of Directors by:


  
.....  
**Registrar/CEO**

L. Muiruri Ngugi

Date 28.09.2023  
.....

  
.....  
**Manager Corporate Services**  
Victor A. O. Ogunyo  
ICPAK Member No.:10364

Date 28.09.2023  
.....

  
.....  
**Chairperson of the Board**  
Jacqueline Oyuyo Githinji

Date 28.09.2023  
.....

**Nairobi Centre for International Arbitration**  
**Annual Reports and Financial Statements**  
**For the year ended June 30, 2023**

**16. STATEMENT OF CHANGES IN NET ASSETS FOR THE YEAR ENDED 30<sup>TH</sup> JUNE 2023**

	Retained Earnings	Capital/Development grants/ Fund	Revaluation	Total
		Kshs	Kshs	Kshs
<b>At July 1, 2021</b>	<b>57,377,316</b>	<b>3,348,114</b>	<b>0</b>	<b>60,725,430</b>
Surplus / Deficit for the year	(20,855,913)	0	0	(20,855,913)
Transfer of Depreciation/Amortization from capital fund to retained earnings	1,113,944	(1,113,944)	0	0
Revaluation Reserves	0	0	0	0
<b>At June 30, 2022</b>	<b>37,635,347</b>	<b>2,234,170</b>	<b>0</b>	<b>39,869,517</b>
<b>At July 1, 2022</b>	<b>37,635,347</b>	<b>2,234,170</b>	<b>0</b>	<b>39,869,517</b>
Surplus / Deficit for the year	9,705,328	0		9,705,328
Transfer of Depreciation/Amortization from capital fund to retained earnings	1,113,944	(1,113,944)		0
Revaluation Reserves	0	0	3,550,000	3,550,000
<b>At June 30, 2023</b>	<b>48,454,619</b>	<b>1,120,226</b>	<b>3,550,000</b>	<b>53,124,845</b>

**Note:**

- The Capital Fund is composed of Kshs.1,120,226 relating to the Net Book Value of assets bought on behalf of the Centre by the Office of the Attorney General and Department of Justice at inception.
- Depreciation transfer of Kshs. 1,113,944 relates to asset bought by the Office of the Attorney General and was transferred from the capital fund to retained earnings.
- The accumulated surplus as at 30<sup>th</sup> June 2023 of Kshs. 48,454,619 is inclusive of cumulative surplus for the period ended 30<sup>th</sup> June 2021 of Kshs. 37,635,347.
- Revaluation reserves as at 30<sup>th</sup> June 2023 relates to estimated valuation report carried out by the State Department of Roads and Transport on the two motor vehicles held by the Centre and had zero Net Book Values as at 30<sup>th</sup> June 2022.

**Nairobi Centre for International Arbitration**  
**Annual Reports and Financial Statements**  
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**17. STATEMENT OF CASH FLOWS FOR THE YEAR ENDED 30<sup>TH</sup> JUNE 2023**

		Period as at 30/06/2023	Audited 2021-2022
		Kshs	Kshs
<b>Cash flows from operating activities</b>			
<b>Receipts</b>			
Transfers from other governments entities	6	161,840,000	129,840,000
Rendering of services	7	7,281,546	3,627,858
Other Income	8	2,866,991	0
Gains on Foreign Exchange Transactions	15c	2,500,734	862,516
<b>Total Receipts</b>		<b>174,489,271</b>	<b>134,330,374</b>
<b>Payments</b>			
Employee costs	9b	82,617,446	74,821,991
Board Expenses	10	6,741,590	6,951,636
Repairs and maintenance	12b	2,912,122	2,216,538
Contracted Services	13b	1,599,962	2,151,980
Uses of goods & services	14b	76,006,318	54,729,565
<b>Total Payments</b>		<b>169,877,438</b>	<b>140,871,710</b>
<b>Net cash flows from operating activities</b>		<b>4,611,833</b>	<b>(6,541,336)</b>
<b>Cash flows from investing activities</b>			
Purchase of property, plant, equipment	17	(1,871,463)	0
<b>Net cash flows used in investing activities</b>		<b>(1,871,463)</b>	<b>0</b>
<b>Cash flows from financing activities</b>			
Increase in deposits	18	796,241	1,484,654
<b>Net cash flows used in financing activities</b>		<b>796,241</b>	<b>1,484,654</b>
<b>Net increase/(decrease) in cash &amp; cash equivalents</b>		<b>3,536,611</b>	<b>(5,056,682)</b>
Cash and cash equivalents at 1st JULY		26,221,194	31,277,876
<b>Cash and cash equivalents at 30<sup>th</sup> JUNE</b>	15a	<b>29,757,805</b>	<b>26,221,194</b>

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The Financial Statements set out on pages **1 to 41** were signed on behalf of the Board of Directors by:



**Registrar/CEO**

L.Muiruri Ngugi

Date 28.09.2023



**Manager Corporate Services**

Victor A. O. Ogunyo  
ICPAK Member No.:10364

Date 28.09.2023



**Chairperson of the Board**

Jacqueline Oyuyo Githinji

Date 28.09.2023

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**18. STATEMENT OF COMPARISON OF BUDGET AND ACTUAL AMOUNTS FOR THE YEAR ENDED 30<sup>TH</sup> JUNE 2023**

	Original annual Budget	Adjustments	Final Annual budget	Actual Cumulative to date	Performance difference	% Utilization
	a	b	c=a+b	d		
	Shs	Shs	Shs	Shs		Shs
<b>Revenue</b>						
Government grants & subsidies	169,840,000	(8,000,000)	161,840,000	161,840,000	0	100
Rendering of services	7,000,000	0	7,000,000	7,281,546	(281,546)	104
Other income	0	0	0	2,866,991	(2,866,991)	-
Balance B/F	6,724,227	0	6,724,227	6,724,227	0	100
<b>Total Income</b>	<b>183,564,227</b>	<b>(8,000,000)</b>	<b>175,564,227</b>	<b>178,712,764</b>	<b>(3,148,537)</b>	<b>102</b>
<b>Expenses</b>						
Compensation of employees	90,830,231	(7,543,566)	83,286,665	75,731,155	7,555,510	91
Board Expenses	7,000,000	403,245	7,403,245	6,741,590	661,655	91
Repairs and maintenance	2,644,738	653,102	3,297,840	2,848,718	449,122	86
Contracted services	2,000,000	(360,000)	1,640,000	1,601,845	38,155	98
Use of goods and services	81,089,258	(1,152,781)	79,936,477	70,199,738	9,736,739	88
<b>Total Expenditure</b>	<b>183,564,227</b>	<b>(8,000,000)</b>	<b>175,564,227</b>	<b>157,123,046</b>	<b>18,441,181</b>	<b>89</b>
<b>Surplus/(Deficit) for the Period</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>21,589,718</b>		
<b>Capital Expenditure</b>	<b>2,217,000</b>	<b>(345,536)</b>	<b>1,871,464</b>	<b>1,871,464</b>		<b>100</b>

**Note:**

\*The adjustments stated above were as a result of budget re-allocation effected in Quarter Three.

\*The budget presentation in the financial statement is on accrual basis.

\*The Nairobi Centre for International Arbitration annual budget is prepared on cash basis depending on the resource allocation by the National Treasury and Economic Planning.

\*In arriving at the total budget for the year, the Centre has factored in apportion of balance brought forward of kshs. 6,724,227 from the prior year in accordance with Section 16(3) of the NCIA Act No. 26 of 2013.

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**Budget Notes**

- 1. Rendering of Services:** The positive variance under Rendering of Services is attributed to pension recoveries from staff who were initially on secondment and whose terms of contract come to an end. Additionally, pension mentioned above were remitted to superannuation scheme in favour of seconded staffs in accordance with the new rules and regulations.
- 2. Repairs and maintenance:** The variance under repairs and maintenance is attributed to austerity measures taken by the National Treasury and Economic Planning which resulted in reduction of the Centre budget by Kshs. 8,000,000 and consequently resulting into budget underutilization. Further, provisions and prepaid expenses reversed during the year. The actual cash payment/commitment under repairs and maintenance was as per the table below;

Description	Period Ended June 2023	Prior year Period 2021-2022
	KShs	KShs
Total repairs and maintenance	2,848,718	2,179,938
Transport Services	(97,439)	97,439
Prepaid Motor Vehicle General Insurance	(52,741)	(113,580)
Motor Vehicle General Insurance carried down	58,860	52,741
Prepayment for fuel	154,724	0
<b>Total repairs and maintenance</b>	<b>2,912,122</b>	<b>2,216,538</b>

- 3. Use of Goods and Services:** The variance under use of goods and services is attributed to prepaid and accrued expenses reversed during the year. The actual cash payment/commitment under use of goods and services was as per the table below;

Description	Period Ended June 2023	Prior year Period 2021-2022
	KShs	KShs
Total Use of goods and services	70,199,738	48,034,254
Prepaid Group medical insurance	(4,930,939)	0
Group Medical Insurance	6,085,278	4,930,939
Rent accrued and paid	4,715,320	4,552,722
Global Procurement	0	68,600
Liquid Telecom	0	105,222
Centre Forty	0	93,863
Innovative Technologies	0	568,341
MFI Solutions	0	127,431
Standing & temporary imprest	(63,079)	2,754
Prepaid Group medical insurance	0	(3,754,561)
<b>Total use of goods and services</b>	<b>76,006,318</b>	<b>54,729,565</b>

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**EXPLANATION OF DIFFERENCE BETWEEN SURPLUS ON STATEMENT OF FINANCIAL PERFORMANCE AND STATEMENT OF COMPARISON OF BUDGET AND ACTUAL AMOUNTS.**

<b>Particulars</b>	<b>Amount</b>
	<b>Kshs</b>
<b>Surplus as per statement of comparison of budget and actual amount</b>	<b>21,589,718</b>
<b>Adjusted For:</b>	
Bal B/F	(6,724,227)
Depreciation and amortization expense	(7,660,897)
Forex gain	2,500,734
<b>Surplus as per statement of financial performance</b>	<b>9,705,328</b>

**19. NOTES TO THE FINANCIAL STATEMENTS**

**1. GENERAL INFORMATION**

The Nairobi Centre for International Arbitration is established by an Act of parliament, the NCIA Act No. 26 of 2013 and derives its authority and accountability from the Nairobi centre for International Arbitration Act. The entity is wholly owned by the Government of Kenya and is domiciled in Kenya. The entity's principal activity is alternative dispute resolution.

**2. STATEMENT OF COMPLIANCE AND BASIS OF PREPARATION**

The Centre's financial statements have been prepared in accordance with and comply with International Public Sector Accounting Standards (IPSAS). The financial statements are presented in Kenya shillings, which is the functional and reporting currency of the entity. The accounting policies have been consistently applied to all the years presented. The financial statements have been prepared on the basis of historical cost, unless stated otherwise. The cash flow statement is prepared using the direct method. The financial statements are prepared on accrual basis.

**3. ADOPTION OF NEW AND REVISED STANDARDS**

**i. Early adoption of standards New and amended standards and interpretations in issue but not yet effective in the year ended 30 June 2023**

Standard	Effective date and impact:
<p><b>IPSAS 41:</b> Financial Instruments</p>	<p><b>Applicable: 1<sup>st</sup> January 2023:</b></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 amounts, timing, and uncertainty of an entity's future cash flows.</p> <p>IPSAS 41 provides users of financial statements with more useful information than IPSAS 29, by:</p> <p>a. Applying a single classification and measurement model for financial assets that considers the characteristics of the asset's cash flows and the objective for which the asset is held;</p>

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Standard	Effective date and impact:
	<p>b. Applying a single forward-looking expected credit loss model that is applicable to all financial instruments subject to impairment testing; and</p> <p>c. Applying an improved hedge accounting model that broadens the hedging arrangements in scope of the guidance. The model develops a strong link between an entity's risk management strategies and the accounting treatment for instruments held as part of the risk management strategy.</p> <p><b><i>The centre did not adopt the provisions provided for in the proposed amendments to the standard in the year under review as there were no financial instruments nor associated credit losses or hedging arrangements put in place to mitigate such effects in the period under review.</i></b></p>
<p><b>IPSAS 42:</b> Social Benefits</p>	<p><b>Applicable: 1<sup>st</sup> January 2023</b></p> <p>The objective of this Standard is to improve the relevance, faithful representativeness and comparability of the information that a reporting entity 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 entity;</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 entity's financial performance, financial position and cash flows.</p> <p><b><i>There was no social benefit scheme operated by the centre and as a result NCIA did not apply any of the provisions in the proposed amendments to the standard.</i></b></p>
<p>Amendments to Other IPSAS resulting from IPSAS 41,</p>	<p><b>Applicable: 1st January 2023:</b></p> <ul style="list-style-type: none"> <li>• Amendments to IPSAS 5, to update the guidance related to the components of borrowing costs which were inadvertently omitted when IPSAS 41 was issued.</li> </ul>

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Standard	Effective date and impact:
Financial Instruments	<ul style="list-style-type: none"> <li>• Amendments to IPSAS 30, regarding illustrative examples on hedging and credit risk which were inadvertently omitted when IPSAS 41 was issued.</li> <li>• Amendments to IPSAS 30, to update the guidance for accounting for financial guarantee contracts which were inadvertently omitted when IPSAS 41 was issued.</li> </ul> <p>Amendments to IPSAS 33, to update the guidance on classifying financial instruments on initial adoption of accrual basis IPSAS which were inadvertently omitted when IPSAS 41 was issued.</p> <p><b><i>NCIA did not have any borrowing facility or financial instruments and hedging arrangements entered into and as such the effect of IPSAS 41 on the related IPSAS did not have an effect on the presentation of the Centre's financial statements.</i></b></p>
Other improvements to IPSAS	<p><b>Applicable: 1st January 2023:</b></p> <ul style="list-style-type: none"> <li>• <b>IPSAS 22 Disclosure of Financial Information about the General Government Sector.</b> Amendments to refer to the latest System of National Accounts (SNA 2008).</li> <li>• <b>IPSAS 39: Employee Benefits.</b> Now deletes the term composite social security benefits as it is no longer defined in IPSAS.</li> <li>• <b>IPSAS 29: Financial instruments: Recognition and Measurement.</b> Standard no longer included in the 2023 IPSAS handbook as it is now superseded by IPSAS 41 which is applicable from 1st January 2023.</li> </ul> <p><b><i>The Centre did not adopt the provisions provided for in the proposed amendments to the standard in the year under review.</i></b></p>

**ii. Early adoption of standards**

The Centre did not early – adopt any new or amended standards in year 2022 and year 2023.

#### **4. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

##### **a) Revenue Recognition**

###### **i) Revenue from Non-Exchange Transactions**

###### **Transfers from other government entities**

Revenues from non-exchange transactions with other government entities are measured at fair value and recognized on obtaining control of the asset if the transfer is free from conditions and it is probable that the economic benefits or service potential related to the asset will flow to the entity and can be measured reliably. Recurrent grants are recognized in the statement of financial performance. Grants are recognized in the statement of financial position and realised in the statement of financial performance over the useful life of the assets that has been acquired using such funds

###### **ii) Revenue from Exchange Transactions**

###### **Rendering of services**

The Centre recognizes revenue from rendering of services by reference to the stage of completion when the outcome of the transaction can be estimated reliably.

##### **b) Budget Information**

The original budget for FY 2022-2023 was approved by the NCIA Board on 28<sup>th</sup> July 2022. The Centre's budget is prepared on a different basis to the actual income and expenditure disclosed in the financial statements.

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.

A statement to reconcile the actual amounts on a comparable basis included in the statement of comparison of budget and actual amounts and the actuals as per the statement of financial performance has been presented under pg.7 of these financial statements.

**c) Taxes**

The Centre is a non-profit making state corporation that is not obliged to pay corporation tax

**d) Property, Plant and Equipment**

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

***Contingent liabilities***

The Centre's contingent liability is pending litigations which may arise. In the current financial year there are no pending litigations.

***Contingent assets***

The Centre does not have any assets whose occurrence or non-occurrence of one or more uncertain future events are not wholly within the control of the entity

**e) Changes in Accounting Policies and Estimates**

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

**f) Employee Benefits**

**Retirement Benefit Plans**

The Centre provides retirement benefits for its employees who are on a permanent and pensionable basis. Defined contribution plans are post-employment benefit plans under which the Centre pays fixed contributions into a separate entity (a fund), and will have no legal or constructive obligation to pay

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further contributions if the fund does not hold sufficient assets to pay all employee benefits relating to employee service in the current and prior periods. The contributions to fund obligations for the payment of retirement benefits are charged against income in the year in which they become payable.

**g) Foreign Currency Transactions**

Transactions in foreign currencies are initially accounted for at the ruling rate of exchange on the date of the transaction. Exchange differences arising from the incomes received at rates different from those at which they were initially recorded during the period, have been recognized as incomes in the period in which they arise.

**h) Related Parties**

The Centre regards a related party as a person or an entity with the ability to exert control individually or jointly, or to exercise significant influence over the Entity, or vice versa. Members of key management are regarded as related parties and comprise Directors, Registrar/CEO and Heads of Departments.

**i) Cash and Cash Equivalents**

Cash and cash equivalents comprise cash at bank. Bank account balances include amounts held at Kenya Commercial Bank accounts at the end of the financial year.

**j) Comparative Figures**

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

**k) Subsequent Events**

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

## **5. SIGNIFICANT JUDGMENTS AND SOURCES OF ESTIMATION UNCERTAINTY**

The preparation of the Centre's financial statements in conformity with IPSAS requires management to make judgments, estimates and assumptions that affect the reported amounts of revenues, expenses, assets and liabilities, and the disclosure of contingent liabilities, at the end of the reporting period. However, uncertainty about these assumptions and estimates could result in outcomes that require a material adjustment to the carrying amount of the asset or liability affected in future periods.

### **Estimates and assumptions**

The key assumptions concerning the future and other key sources of estimation uncertainty at the reporting date, that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities within the next financial year, are described below. The Centre based its assumptions and estimates on parameters available when the consolidated financial statements were prepared. However, existing circumstances and assumptions about future developments may change due to market changes or circumstances arising beyond the control of the Centre. Such changes are reflected in the assumptions when they occur.

### **Useful lives and residual values**

The useful lives and residual values of assets are assessed using the following indicators to inform potential future use and value from disposal:

The condition of the asset based on the assessment of experts employed by the centre.

1. The nature of the asset, its susceptibility and adaptability to changes in technology and processes.
2. The nature of the processes in which the asset is deployed.
3. Availability of funding to replace the asset.
4. Changes in the market in relation to the asset.

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**6. TRANSFERS FROM MINISTRIES, DEPARTMENTS AND AGENCIES**

Name of the Entity sending the grant	Amount recognized to Statement of Financial performance	Amount deferred under deferred income	Amount recognized in capital fund.	Total Transfers 2022-2023	Prior year 2021-2022
			KShs	KShs	KShs
OAG&DOJ	161,840,000	0	0	161,840,000	129,840,000
<b>Total</b>	<b>161,840,000</b>	<b>0</b>	<b>0</b>	<b>161,840,000</b>	<b>129,840,000</b>

**7. RENDERING OF SERVICES**

Description	2022-2023	2021-2022
	KShs	KShs
Income from Dispute Administration		
Case Admin. - Domestic - Registration	265,000	21,682
Case Admin.- Domestic - Administration	249,720	323,868
Income from Accreditation of Practitioners		
NCIA Arbitrator Panel – Domestic application fee	116,710	0
NCIA Arbitrator Panel – Domestic registration fee	520,768	0
NCIA Arbitrator Panel – Annual	346,387	295,142
NCIA Arbitrator Panel - International	130,072	603,166
NCIA Arbitrator Panel - International-Annual	208,396	0
NCIA Mediator Panel – Registration	5,000	0
NCIA Mediator Panel – Domestic Application	37,375	200,000
NCIA Mediator Panel – Annual	40,000	0
NCIA Mediator Panel – Domestic-Registration	0	0
NCIA Mediator Panel - International	0	0
Capacity Building	5,127,000	2,105,000
Hiring of rooms	87,500	79,000
ADR Conference Registration	147,617	0
<b>Total Revenue from Rendering of Services</b>	<b>7,281,546</b>	<b>3,627,858</b>

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**8. OTHER INCOME**

Description	2022-2023	2021-2022
	KShs	KShs
Income from recovery of pension and other liabilities	2,764,991	0
Sale of Tender	2,000	0
Donation toward Strategic Planning Launch	50,000	0
Income from bond security	50,000	0
<b>Total Other Income</b>	<b>2,866,991</b>	<b>0</b>

**9. EMPLOYEE COSTS**

Description	2022-2023	2021-2022
	KShs	KShs
Salaries and wages	64,105,570	57,426,349
Pension contribution	4,373,221	6,033,751
Gratuity	7,252,364	23,442,918
<b>Total Employee Costs</b>	<b>75,731,155</b>	<b>86,903,018</b>

**9b. CASHFLOW ON EMPLOYEE COSTS**

Description	2022-2023	2021-2022
	KShs	KShs
Total Employee costs	75,731,155	86,903,018
Gratuity provisions	16,257,308	(12,141,252)
Salary advance	0	60,225
Gratuity paid	(9,371,017)	0
Gratuity closing balance	0	0
<b>Total Employee costs</b>	<b>82,617,446</b>	<b>74,821,991</b>

**10. BOARD EXPENSES**

Description	2022-2023	2021-2022
	KShs	KShs
Chairman's Honoraria	960,000	720,000
Directors' emoluments	3,140,000	2,620,000
Other Board Expenses	2,641,590	3,611,638
<b>Total Board Expenses</b>	<b>6,741,590</b>	<b>6,951,638</b>

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**11. DEPRECIATION AND AMORTIZATION EXPENSE**

Description	2022-2023	2021-2022
	KShs	KShs
Property, plant and equipment	6,664,724	6,897,781
Intangible assets amortization	996,173	2,979,571
<b>Total Depreciation and Amortization</b>	<b>7,660,897</b>	<b>9,877,352</b>

- Depreciation is calculated on a straight-line basis at annual rates estimated to write off the cost of property and equipment over their expected useful lives. This approach, guideline and treatment of property, plant and equipment is in line with IAS 16 and IPSAS 17.
- NCIA fixed assets are not depreciated during the year of purchase, assets bought during the year are depreciated in the following year.
- The rates used in calculation of depreciation are:

<b>The rates per annum are:</b>	<b>Rate</b>
Motor Vehicles	25.0%
Office Equipment	12.5%
Computers	33.3%
Furniture and fittings	12.5%
Software	20.0%

**12. REPAIRS AND MAINTENANCE**

Description	Period Ended June 2023	Comparative Period Ended June 2022
	KShs	KShs
Transport Services	2,034,118	1,288,570
ICT accessories	814,600	891,368
<b>Total Repairs and Maintenance</b>	<b>2,848,718</b>	<b>2,179,938</b>

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**12b.CASHFLOW ON REPAIRS AND MAINTENANCE**

Description	Period Ended June 2023	Prior year Period 2021-2022
	KShs	KShs
Total repairs and maintenance	2,848,718	2,179,938
Transport Services	(97,439)	97,439
Prepaid Motor Vehicle General Insurance	(52,741)	(113,580)
Motor Vehicle General Insurance carried down	58,860	52,741
Prepayment for fuel	154,724	0
<b>Total Repairs and Maintenance</b>	<b>2,912,122</b>	<b>2,216,538</b>

**13.CONTRACTED SERVICES**

Description	2022-2023	2021-2022
	KShs	KShs
Cleaning Services	858,300	214,500
Internet Broadband and Networks	743,545	1,025,589
<b>Total Contracted Services</b>	<b>1,601,845</b>	<b>1,240,089</b>

**13b. CASHFLOW ON CONTRACTED SERVICES**

Description	2022-2023	2021-2022
	KShs	KShs
Total contracted services	1,601,845	1,240,089
Accrued Internet services	(1,883)	0
Accrued Internet services	0	227,909
Accrued cleaning services	0	683,982
<b>Total Contracted Services</b>	<b>1,599,962</b>	<b>2,151,980</b>

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**14. USE OF GOODS AND SERVICES**

Description	Period Ended June 2023	Comparative Period Ended June 2022
	KShs	KShs
Administrative Cost	11,600,638	5,391,992
Advertising Expenses	5,282,236	1,287,936
Bank Charges	209,130	166,902
Conferences and Delegations	1,944,835	305,000
Consumables	2,146,022	991,870
Financial Reporting and Audit Expenses	2,265,934	1,719,077
Insurance	8,013,732	7,427,513
Rent and Rates	21,018,880	20,698,720
Subscriptions	207,362	183,556
Telecommunication and ICT Expenses	9,374,719	2,691,220
Training and Development	8,136,251	7,170,468
<b>Total use of goods and services</b>	<b>70,199,738</b>	<b>48,034,254</b>

**14b. CASH FLOW ON USE OF GOODS AND SERVICES**

Description	2022-2023	2021-2022
	KShs	KShs
Total Use of goods and services	70,199,738	48,034,254
Prepaid Group medical insurance	(4,930,939)	0
Group Medical Insurance	6,085,278	4,930,939
Rent accrued and paid	4,715,320	4,552,722
Global Procurement	0	68,600
Liquid Telecom	0	105,222
Centre Forty	0	93,863
Innovative Technologies	0	568,341
MFI Solutions	0	127,431
Standing & temporary imprest	(63,079)	2,754
Prepaid Group medical insurance	0	(3,754,561)
<b>Total Use of Goods and Services</b>	<b>76,006,318</b>	<b>54,729,565</b>

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**15. CASH AND CASH EQUIVALENTS**

**(a) Summary**

Description	2022-2023	2021-2022
	KShs	KShs
Kshs. Current account	9,402,461	10,261,175
USD. Current Account*	16,014,179	12,982,445
Kshs. Client Trust Account	4,341,165	2,977,574
<b>Total Cash and Cash Equivalents</b>	<b>29,757,805</b>	<b>26,221,194</b>

**\*Exchange Rate:**

Transactions in foreign currencies were initially accounted for at the CBK indicative ruling exchange rate of exchange on the date of the transaction. Exchange differences arising from the incomes received at rates different from those at which they were initially recorded during the period, have been recognized as exchange gain in the financial statement.

**(b) Detailed Analysis**

Description	2022-2023	2021-2022
	KShs	KShs
Kshs. Current account	9,402,461	10,261,175
USD. Current Account*	16,014,179	12,982,445
Kshs. Client Trust Account	4,341,165	2,977,574
<b>Total Cash and Cash Equivalents</b>	<b>29,757,805</b>	<b>26,221,194</b>

**(c) Gain on Foreign Exchange Transaction**

Description	2022-2023	2021-2022
	KShs	KShs
Daily USD exchange rates	2,500,734	862,516
<b>Total Gain on Foreign Exchange Transaction</b>	<b>2,500,734</b>	<b>862,516</b>

**16. RECEIVABLES AND OTHER PREPAYMENTS**

**(a) Other Receivables from non-exchange transactions**

Description	2022-2023	2021-2022
	KShs	KShs
Standing & temporary imprest	0	2,754
Staff salary advance	0	60,225
<b>Total</b>	<b>0</b>	<b>62,979</b>

**(b) Prepayments**

Description	Period Ended June 2023	Prior year Period 2021-2022
	KShs	KShs
Group Medical Insurance.	6,085,278	4,930,939
Motor Vehicle General Insurance.	58,858	52,740
Motor Vehicle Fuel, oil & lubricants	154,724	97,439
<b>Total</b>	<b>6,298,860</b>	<b>5,081,118</b>

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**17. PROPERTY, PLANT AND EQUIPMENT**

**(a) TANGIBLE ASSETS**

	Motor vehicles	Furniture and fittings	Computers	Plant and equipment	Total
Cost	Shs	Shs	Shs	Shs	Shs
<b>At 1st July 2021</b>	<b>11,071,750</b>	<b>48,366,915</b>	<b>13,875,313</b>	<b>5,576,754</b>	<b>78,890,732</b>
Additions during the Year	0	0	0	0	0
Disposals during the year	0	0	0	0	0
<b>As at 30th June 2022</b>	<b>11,071,750</b>	<b>48,366,915</b>	<b>13,875,313</b>	<b>5,576,754</b>	<b>78,890,732</b>
Additions during the period	0	0	708,000	1,163,464	1,871,464
Disposals during the year	0	0	0	0	0
Revaluation	3,550,000	0	0	0	3,550,000
<b>As at 30th June 2023</b>	<b>14,621,750</b>	<b>48,366,915</b>	<b>14,583,313</b>	<b>6,740,218</b>	<b>84,312,196</b>
<b>Depreciation and impairment</b>					
<b>As at 1st July 2021</b>	<b>(11,071,750)</b>	<b>(13,229,708)</b>	<b>(12,371,370)</b>	<b>(5,286,863)</b>	<b>(41,959,691)</b>
Depreciation for the year 2021/2022	-	(6,045,864)	(757,145)	(94,772)	(6,897,781)
<b>As at 30th June 2022</b>	<b>(11,071,750)</b>	<b>(19,275,572)</b>	<b>(13,128,515)</b>	<b>(5,381,635)</b>	<b>(48,857,472)</b>
Depreciation for the year Q4 FY 2022/2023	-	(6,045,864)	(577,992)	(40,868)	(6,664,724)
<b>As at 30<sup>th</sup> June 2023</b>	<b>(11,071,750)</b>	<b>(25,321,436)</b>	<b>(13,706,507)</b>	<b>(5,422,503)</b>	<b>(55,522,196)</b>
<b>Net Book Values</b>					
<b>As at 30th June 2022</b>	<b>0</b>	<b>29,091,343</b>	<b>746,798</b>	<b>195,119</b>	<b>30,033,260</b>
<b>As at 30th June 2023</b>	<b>3,550,000</b>	<b>23,045,479</b>	<b>876,806</b>	<b>1,317,715</b>	<b>28,790,000</b>

**Note:** Revaluation value appearing in the PPE schedule as at 30<sup>th</sup> June 2023 relates to estimated valuation report carried out by the State Department of Roads and Transport on the two (2) motor vehicles held by the Centre and that had zero Net Book Values as at 30<sup>th</sup> June 2022.

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**17b. INTANGIBLE ASSETS**

Description	2022-2023	2021-2022
	KShs	KShs
<b>Cost</b>		
<b>At beginning of the year 1st July</b>	8,947,660	8,947,660
Additions	0	0
<b>At end of the year</b>	<b>8,947,660</b>	<b>8,947,660</b>
Additions—internal development	0	0
<b>At end of the year 30<sup>th</sup> June</b>	<b>8,947,660</b>	<b>8,947,660</b>
<b>Amortization and impairment</b>		
At beginning of the year 1st July	5,959,142	2,979,571
Impairment loss	996,173	2,979,571
<b>At end of the year 30<sup>th</sup> June</b>	<b>6,955,315</b>	<b>5,959,142</b>
<b>NBV 30<sup>th</sup> June</b>	<b>1,992,345</b>	<b>2,988,518</b>

Intangible assets acquired separately are initially recognized at cost. Following initial recognition, intangible assets are carried at cost less any accumulated amortization and accumulated impairment losses.

Following review of finance policy and subsequent approval by the board, amortization rate changed from 33.33% to 20% thus providing extra useful life from the initial 3 years to 5 years.

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**18. REFUNDABLE DEPOSITS FROM CUSTOMERS**

Description	2022-2023	2021-2022
	KShs	KShs
Client fees account	4,341,165	2,977,574
Exalo Drilling Deposit	0	567,350
<b>Total Refundable Deposits from Customers</b>	<b>4,341,165</b>	<b>3,544,924</b>

**19. TRADE AND OTHER PAYABLES**

Description	2022-2023	2021-2022
	KShs	KShs
Balance B/F	4,717,203	4,715,320
Standing and Temporary Imprest	100	0
Reversal of Accrued Q4 Rent	(4,715,320)	0
<b>Total Trade and Other Payables</b>	<b>1,983</b>	<b>4,715,320</b>

**20. GRATUITY PROVISION**

Description	2022-2023	2021-2022
	KShs	KShs
Balance B/F	16,257,308	4,116,056
Provision for the year	7,028,808	12,141,252
Reversal of gratuity provision	(13,915,099)	0
<b>Total Gratuity Provision</b>	<b>9,371,017</b>	<b>16,257,308</b>

**21. CAPITAL FUND**

Description	2022-2023	2021-2022
	KShs	KShs
Balance B/F	2,234,170	3,348,114
Depreciation transfer to accumulated surplus	(1,113,944)	(1,113,944)
<b>Total Capital Fund</b>	<b>1,120,226</b>	<b>2,234,170</b>

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**22. ACCUMULATED SURPLUS**

Description	Period	Prior year
	Ended June 2023	Period 2021-2022
	KShs	KShs
Balance B/F	37,635,347	57,377,316
Surplus/Deficit for year ended 2023	9,705,328	(20,855,913)
Depreciation transferred from capital fund	1,113,944	1,113,944
<b>Total Accumulated surplus</b>	<b>48,454,619</b>	<b>37,635,347</b>

**23. CASH GENERATED FROM OPERATIONS**

Description	2022-2023	2021-2022
	KShs	KShs
Surplus for the year before tax	9,705,328	(20,855,913)
<b>Adjusted for:</b>		
Depreciation	7,660,897	9,877,352
<b>Working capital adjustments:</b>		
Decrease in prepayments	(1,217,743)	(1,212,977)
Increase in receivables	62,979	(62,979)
Increase in payables	0	(6,428,070)
Decrease in payables	(11,599,628)	12,141,252
<b>Net cash flow from operating activities</b>	<b>4,611,833</b>	<b>(6,541,335)</b>

**24. REVALUATION RESERVE**

Description	2022-2023	2021-2022
	KShs	KShs
Revaluation	3,550,000	0
<b>Total Revaluation</b>	<b>3,550,000</b>	<b>0</b>

**25. FINANCIAL RISK MANAGEMENT**

The Centre's activities expose it to a variety of financial risks including credit and liquidity risks and effects of changes in foreign currency. The Centre's overall risk management programme focuses on unpredictability of changes in the business environment and seeks to minimise the potential adverse effect of such risks on its performance by setting acceptable levels of risk. The Centre does not hedge any risks and has in place policies to ensure that credit is only extended to customers with an established credit history.

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The Centre's financial risk management objectives and policies are detailed below:

**i. Liquidity Risk management**

Ultimate responsibility for liquidity risk management rests with the Centre's Directors, who have built an appropriate liquidity risk management framework for the management of the Centre's short, medium and long-term funding and liquidity management requirements. The Centre manages liquidity risk through continuous monitoring of forecasts and actual cash flows.

**ii. Capital Risk Management**

The objective of the Centre's capital risk management is to safeguard the Centre's ability to continue as a going concern. The entity capital structure comprises of the following funds:

	2022-2023	2021-2022
	Kshs	Kshs
Retained earnings	48,454,619	37,635,347
<b>Total funds</b>	<b>48,454,619</b>	<b>37,635,347</b>
Total borrowings	0	0
Less: cash and bank balances	29,757,805	25,653,842
Net debt/(excess cash and cash equivalents)	(29,757,805)	(25,653,842)
<b>Gearing</b>	0	0

➤ The Centre's gearing level is at 0% since it has no Borrowings/Debt.

**iii. Market risk**

The Centre has put in place an Internal Audit function to assist it in assessing the risk faced by the entity on an ongoing basis, evaluate and test the design and effectiveness of its internal accounting and operational controls.

Market risk is the risk arising from changes in market prices, such as interest rate, equity prices and foreign exchange rates which will affect the entity's income or the value of its holding of financial instruments. The objective of market risk management is to manage and control market risk exposures within acceptable parameters, while optimising the return. Overall responsibility for managing market risk rests with the Risk Management Committee.

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The Internal Audit Unit is responsible for co-ordinating development of risk management policies (subject to review and approval by Risk Management Committee) and for the day-to-day implementation of those policies. There has been no change to the entity's exposure to market risks or the manner in which it manages and measures the risk.

		Other currencies (USD)	Total
	Kshs	Kshs	Kshs
<b>As at 30 June 2023</b>			
Financial assets			
Cash & Cash equivalent	0	16,014,179	16,014,179
Total financial assets	0	<b>16,014,179</b>	<b>16,014,179</b>
<b>Net foreign currency asset/(liability)</b>	0	<b>16,014,179</b>	<b>16,014,179</b>

		Other currencies (USD)	Total
	Kshs	Kshs	Kshs
<b>As at 30 June 2022</b>			
Financial assets			
Cash & Cash equivalent	0	12,415,094	12,415,094
Total financial assets	0	<b>12,415,094</b>	<b>12,415,094</b>
<b>Net foreign currency asset/(liability)</b>	0	<b>12,415,094</b>	<b>12,415,094</b>

**iv. Foreign Currency Sensitivity Analysis**

The following table demonstrates the effect on the entity's statement of comprehensive income on applying the sensitivity for a reasonable possible change in the exchange rate of the three main transaction currencies, with all other variables held constant. The reverse would also occur if the Kenya Shilling appreciated with all other variables held constant.

	Change in currency rate	Effect on Performance before tax	Effect on Equity/Net assets
	Kshs	Kshs	Kshs
<b>2022-2023</b>			
USD	22.69	2,500,734	2,500,734
<b>2022-2023</b>			
USD	17.83	862,516	862,516

## 26. RELATED PARTY BALANCES

### (a) Nature of Related Party Relationships

Entities and other parties related to the entity include those parties who have ability to exercise control or exercise significant influence over its operating and financial decisions. Related parties include management personnel, their associates and close family members.

The Centre is related to:

- i) Government of Kenya;
- ii) Office of the Attorney General and Department of Justice;
- iii) Board of Directors; and
- iv) Key Management.

### Transactions with Related Parties

	2022-2023	2021-2022
	Kshs	Kshs
<b>a) Grants from the Government</b>		
Grants from National Government	161,840,000	129,840,000
<b>Total</b>	<b>161,840,000</b>	<b>129,840,000</b>
<b>b) Board of Directors Compensation</b>		
Directors' emoluments	6,741,590	6,951,636
<b>Total</b>	<b>6,741,590</b>	<b>6,951,636</b>
<b>c) Key Management Compensation</b>		
Compensation to Registrar/CEO	5,810,000	5,810,000
Compensation to Key Management	15,398,190	13,620,260
<b>Total</b>	<b>21,208,190</b>	<b>19,430,260</b>

## 27. TAXATION

The centre is a non-profit making state corporation and is exempted from taxation.

**28. EVENTS AFTER THE REPORTING PERIOD**

There were no material adjusting and non-adjusting events after the reporting period.

**29. ULTIMATE AND HOLDING ENTITY**

Nairobi Centre for International Arbitration is a state corporation under the Office of the Attorney General and Department of Justice. Its ultimate parent is the Government of Kenya.

**30. CURRENCY**

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

**APPENDIX I: 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: (Resolved / Not Resolved)	Timeframe: (Put a date when you expect the issue to be resolved)
1.	<b>Unreconciled variance in the amount converted into US Dollar (USD)</b>  Review of the cash and cash equivalents bank balances revealed that the Centres' USD account bank reconciliation statement reflects bank balance as per bank statement of USD 99,890 while the bank statement in support of the same reflects bank statement balance of USD 71,980 resulting to unreconciled variance of USD 27,910 or Kshs.3,010,094 when converted at the Central Bank of	Whereas we note the observations made by the Auditor, the Centre would like to reiterate that;  The Centre provided clarity with regards to maintenance of its account in KCB Ltd and carries out online transactions via a portal provided by the bank. The amount of Kes.3,156,549 was transferred from the KCB Ltd Kenya Shillings Account to the KCB Ltd USD account on 30 <sup>th</sup> June 2021 but it remained on transit and was credited to the USD account on 1 <sup>st</sup> July 2021 as USD 27,909.36.  As at 30 <sup>th</sup> June 2021 this money had not reflected in the USD account hence it formed part of reconciliation in the bank reconciliation	Finance and Accounts Unit - SFAO	Resolved 30 <sup>th</sup> June 2022	NA

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	<p>Kenya (CBK) indicative currency statement as of 30<sup>th</sup> June 2021, to this end the mean exchange rate of 1USD to transaction has was cleared and credited to the Kshs.107.85 as at June,2021. USD bank account.</p> <p>In addition, Note 16 to the financial statements reflects NCIA USD bank USD 99,889.58 was translated based on account balance of Kshs 10,928,432 transaction date of each transaction and not the against the cash book balance in the base rate of Kshs. 107.85. This translation was bank reconciliation statement of mainly for reporting purposes.</p> <p>USD 99,890. The latter when converted to the reporting currency To this end, observations from the OAG were (Kshs) at the Central Bank of Kenya factored in the annual report and financial statements for the period ended 30<sup>th</sup> June 2022.</p> <p>currency mean exchange rate of The US Dollar Bank balance was translated at Kshs. 107.85 to 1 USD as at 30 June the CBK closing rate as at 30<sup>th</sup> June 2022 and 2021 results to Kshs.10,773,137 not KCB rate, point to note is that this amount resulting to unreconciled variance of was not realized in Kenya shillings.</p> <p>Kshs 155,341.00</p> <p>Further, the Centre appeared before the National Assembly and Public Investments Committee on Governance and Education on 29<sup>th</sup> November 2024 and was given an opportunity and did provide detailed clarification on this matter.</p>				
2.	<p><b>Incorrect Presentation of Total Net Assets and Liabilities</b></p> <p>The statement of financial position as at 30 June 2021 reflects total</p>	<p>The Centre aligned the presentation with the National Treasury IPSAS Reporting Template for FY 2021-2022 which is issued upon consultation with the PSASB Public Sector Accounting Standards Board (PSASB).</p>	<p>Finance and Accounts Unit - SFAO</p>	<p>Resolved 30<sup>th</sup> June 2022</p>	<p>NA</p>

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	<p>liabilities of Kshs. 17,319,717 and net assets of Kshs. 60,725,430 but reflects at the bottom total net assets and liabilities of Kshs. 60,725,430. Consequently, the total net assets and liabilities balance is not correctly presented. In the circumstances, the accuracy and completeness of the total net assets and liabilities balance of Kshs. 60,725,430 as at 30 June 2021 could not be confirmed.</p>	<p>We have since corrected this issue in the Annual Report and Financial Statements for the periods mentioned. We also confirmed that total liabilities of Kshs. 17,319,717 and net assets of Kshs. 60,725,430 was the true position as of 30<sup>th</sup> June 2021.</p> <p>Total Net Assets and Liabilities was reviewed and correctly presented in the Statement of Financial Position and aligned with an approved template as at 30<sup>th</sup> June 2022 together with that of 30<sup>th</sup> June 2023.</p> <p>Further, the Centre appeared before the National Assembly and Public Investments Committee on Governance and Education on 29<sup>th</sup> November 2023 and was given an opportunity and did provide detailed clarification on this matter.</p>			
3.	<p><b>Variance Between the Statement of Comparison of Budget and Actual Amounts and Statement of Financial Performance</b></p> <p>The statement of comparison of budget and actuals amounts for the</p>	<p>The NCIA Act No. 26 of 2013 paragraph 16(3) allows the Center to hold any financial balances at the close of each financial period and shall not be remitted into the consolidated fund but to be retained for purposes of running programmes for the Centre.</p> <p>During the year ended 30<sup>th</sup> June 2021, the balance brought forward from previous</p>	Corporate Support Services -CSS	Resolved 30 <sup>th</sup> June 2022	NA

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	<p>year ended 30<sup>th</sup> June 2021 reflects total income of Kshs. 156,991,891 which is at variance with the total revenue of Kshs. 105,404,617 in the statement of financial performance by Kshs. 51,587,274 that is described as balance brought forward, no explanation was provided for the variance.</p> <p>In the circumstances, the accuracy and completeness of the statement of comparison of budget and actual amounts as at 30<sup>th</sup> June, 2021 could not be confirmed.</p>	<p>FY2019/20 was Kshs. 51,587,274 this formed part of budget for the period ended 30<sup>th</sup> June 2021 hence total budget of Kshs. 156,991,891.</p> <p>In addition, the Centre applied accrual Method of accounting to present its financial statement, and in doing this some of the contracted services covered two different financial periods and were carried forward from previous period to form part of current financial year, hence the balance brought forward in the budget.</p> <p>In arriving at the total budget for the year, the Centre has continued to factor in balance brought forward from the previous year. This has been the practice over the years as supported by the NCIA Act No. 26 of 2013 paragraph 16(3). Management was given an opportunity to clarify this position to the Auditor General in the concluded audit cycle for the period ended 30<sup>th</sup> June 2022 and 30<sup>th</sup> June 2023</p> <p>Further, the Centre appeared before the National Assembly and the Public Investments Committee on Governance and Education on 29<sup>th</sup> November 2023 and was given an</p>			
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		opportunity and did provide detailed clarification on this matter..			
	<p><b>Financial Performance</b></p> <p>During the year under review, the Centre reported deficit of Kshs.50,225,762 (2019/2020) a deficit of Kshs.592,994). The Centre had total revenue of Kshs.105,404,617 against total expenses of Kshs.155,716,525 resulting to a deficit of Kshs.55,225,792 caused mainly by over-expenditure in compensation of employees and use of goods and services of Kshs.6,713,168 and 4,404,576 respectfully.</p> <p>Persistent deficits may result in the Centre's inability to meet financial obligations as and when they fall.</p>	<p>Whereas we note the observations made by the Auditor, the Centre would like to reiterate that; In financial reporting, the Centre uses the accrual basis of accounting in the preparation of its financial statements, which results in either a surplus or a deficit at the end of a reporting period. In arriving at this, several non-cash items like depreciation, accrued expenses, provisions and prepayments are taken into consideration.</p> <p>Additionally, in the prior years the Centre brought forward surpluses. This amount has over the years reduced. Further, in FY 2022-2023 the Centre reported a surplus of Kshs.9,705,328 denoting a great improvement in terms of annual performance.</p> <p>The Statement of Comparison of the Budget and Actual Amounts as contained in the NCIA Annual Report and Financial Statement for the Year Ended 30th June 2021 indicates that the Centre has not been operating on a deficit as an analysis of the same shows utilization of resources in accordance with approved budget.</p>	Corporate Support Services -CSS	Resolved 30 <sup>th</sup> June 2023	NA

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		<p>Further, the Centre appeared before the National Assembly and Public Investments Committee on Governance and Education on 29<sup>th</sup> November 2023 and was given an opportunity and did provide detailed clarification on this matter.</p> <p>The Board is keen to ensure adherence with the approved budget and receives quarterly budget utilization reports from management to confirm compliance and to monitor budget implementation.</p>			
4.	<p><b>Irregular procurement of ICT Infrastructure</b> Review of procurement documents revealed that the NCIA procured ICT infrastructure through restricted tendering and awarded M/S Liquid Telecoms Limited two components of the contract for Kshs 2,525,328 and Kshs 2,626,951 all totalling Kshs 5,152,279. However, the following irregularities were noted:</p> <p>The NCIA had eight (8) firms prequalified for Procurement of Supply, Installation and Configuration of Online Enterprise</p>	<p>Whereas we note the observations made by the Auditor, the Centre would like to reiterate that;</p> <p>The procurement of ICT infrastructure entailed two different independent tenders i.e</p> <ol style="list-style-type: none"> <li>1. Tender for supply, installation and configuration of online mail enterprises (office 365) for a period of <b>two years</b> at a total sum of Kshs.2,525,328. and</li> <li>2. Tender for supply, installation and configuration of broadband internet services for a period of <b>two years</b> at a total sum Kshs.2,626,951.</li> </ol>	Supply Chain Management Unit - SSCMO	Resolved 30 <sup>th</sup> June 2022	NA

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	<p>Mail System (Office 365) and selected only five firms to participate in supply, installation and configuration of broadband internet services. This is contrary to regulation 89 (5), (6) and (8) of the Public Procurement and Disposal Regulations, 2020</p> <p>The professional opinion given did not indicate whether it was related to the procurement under review since no procurement or tender number was quoted.</p>	<p>Whereas the PPADA, 2015 gives 4 options to choose while procuring through restricted tender, the Auditor relied on Section 102 (b) of the PPADA backed by section 89 (5) which states " in pursuant to section 102 (1)(b) the PE shall invite tenders from atleast 10 persons selected from the prequalified list".</p> <p>At the time of procurement, the Centre had no responsive prequalified list for provision of internet services and microsoft 365 and therefore relied on section 71 (4) of PPADA, 2015 which states that: <i>"The head of procurement function shall maintain and continuously update lists of registered suppliers, contractors, and consultants in various specific categories of goods, works or services according to its procurement needs: (4) The lists shall be applied on the alternative procurement methods as specified and appropriate, and the list shall -</i></p> <ul style="list-style-type: none"> <li><i>(a) be generated through portal, websites and people submitting hard copies of their intention to supply.</i></li> <li><i>(d) be generated through market knowledge and survey.</i></li> </ul> <p>Approval was granted for the five firms generated through market knowledge i.e.</p>			
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		<p>-Safaricom Kenya          -Telkom Kenya          -Liquid Telecommunications          -Jamii Telecom Ltd (JTL)          -MTN and on which the Centre acted as per Section 102 (1) (c) of the Act, which states that restricted tender may be used if there is evidence to the effect that there are only few known suppliers of the whole market for the goods, works and services.</p> <p>To enhance the process more and to attract a significant number of suppliers in the market, the Centre also applied Section 102 (1) (d) of the Act states that "an advertisement is placed, where applicable on Procuring Entity website regarding the intention to procure through limited tender. This is evidenced by the Centre's notice of intention to procure through restricted tender as circulated on the NCIA website and on the Public procurement Information Portal (PPIP) and by placement of the said tender documents on the NCIA website and on <a href="http://www.tenders.go.ke">www.tenders.go.ke</a>.</p> <p>Noting the observations of the AOG, the notice of intention to procure through limited tender can be accessed on the Centre's website <a href="http://www.ncia.or.ke">www.ncia.or.ke</a> and on the Government portal</p>			
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		<p><a href="http://www.tenders.go.ke">www.tenders.go.ke</a> together with the tender documents solicited on both website platforms to confirm compliance with Section 102 (1d) of PPADA,2015</p> <p>We note the observation made on professional opinion, however the professional opinion prepared was allotted Professional opinion No. 002, with clear stipulation that that the procurement proceedings under review was for supply, installation &amp; configuration of online enterprise mail system as the subject matter which relates to tender for supply, installation and configuration of online enterprise mail system, tender No. NCIA/RTNDR/SICOEMS/02/2020-20212.</p> <p>Further, the Centre appeared before the National Assembly and Public Investments Committee on Governance and Education on 29<sup>th</sup> November 2023 and was given an opportunity and did provide detailed clarification on this matter.</p>			
	<p>The signed contract agreement dated 21st August 2020 did not indicate the tender or contract number and the terms under which the parties were contracting.</p>	<p>Whereas we note the observations made, the contract signed clearly indicates that the contract agreement is between Nairobi Centre for International Arbitration and M/S Liquid Telecommunications Kenya Limited for supply,</p>	<p>Supply Chain Unit: SSCMO</p>	<p>Resolved 30<sup>th</sup> June 2022</p>	<p>NA</p>

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	<p>Although the Chief Executive Officer signed the contract on 6 August 2020, it was drawn on 21 August 2020 with contract start date of 31 July 2020 and end date of 31 July 2022. However, it was not explained why the contract was signed before the date it was drawn and why the start date was retrospective to the date of contract.</p>	<p>installation &amp; configuration of online enterprise mail system, Contract No. NCIA/CONT/SICOEMS/002/2020-2021 with all clearly stipulating all terms and condition of the contract.</p> <p>For the date discrepancies, the contract was signed by the Accounting Officer immediately after lapse of standstill period i.e., 6<sup>th</sup> August 2020. The service provider signed contract on 25<sup>th</sup> August 2020 due movement restrictions during the Covid-19 era but issued a letter for contract implementation as per the contract date.</p> <p>Noting the observations of the AOG, a letter implying the commencement and implementation of the contract on the date provided in the contract by the service provider M/S Liquid Telecommunication has been provided to be part of the contract.</p> <p>Further, the Centre appeared before the National Assembly and Public Investments Committee on Governance and Education on 29<sup>th</sup> November 2023 and was given an opportunity and did provide detailed clarification on this matter.</p>			
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5.	<p><b>Delays in posting Transactions in the cash Book</b></p> <p>Bank reconciliation statements for Clients Trust Account reflect that the Centre received direct deposits of Kshs 236,000 in October 2020 and Kshs 190,000 in February 2021 from an Agency. However, these two transactions dated October 2020 and February 2021 were posted in the cash book in June 2021. No explanation was provided to support the delays in posting the transactions in the cash book.</p> <p>Consequently, the regularity and fair presentation of the cash and cash equivalents of balance of Kshs.31,277,876 as at 30<sup>th</sup> June, 2021 could not be ascertained.</p>	<p>Whereas we note the observations made by the Auditor, the Centre would like to respond as follows.</p> <p>Sources for these two direct deposits were traced and moving forward, all direct deposits in the bank account will be recorded in the cashbook promptly. These deposits were appropriately recorded in the cash book and cleared in the reconciliation statements as at 30<sup>th</sup> June 2022.</p> <p>This concern was addressed during audit of the Annual Report and Financial Statements for the Year Ended 30<sup>th</sup> June 2022 and 30<sup>th</sup> June 2023. Further, the Centre appeared before the National Assembly and Public Investments Committee on Governance and Education on 29<sup>th</sup> November 2023 and was given an opportunity and did provide detailed clarification on this matter.</p> <p>The Audit team confirmed that all direct deposits in the bank account are recorded in the cashbook promptly and deposits were appropriately recorded and as at year end in the</p>	Finance and Accounts Unit - SFAO	Resolved 30 <sup>th</sup> June 2022	NA
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		Annual Report and Financial Statements for the Year Ended 30 <sup>th</sup> June 2022 and 30 <sup>th</sup> June 2023			
6.	<p><b>Irregular Operation of foreign Currency bank Account and Inter-currency Transfers</b></p> <p>Further, a review of bank statements revealed that the NCIA transferred revenue through an unreferenced transaction dated 30 June 2021 from a Kenyan shillings designated bank account to a USD designated bank account an amount of Kshs 3,156,549 to USD 27,909.36 without prerequisite authority. This is contrary to regulation 64 (3) of the Public Finance Management (National Government) Regulations, 2015 which prohibits a receiver/collector of revenue from converting public moneys received in local currency into foreign currency and vice versa.</p>	<p>We note that the Centre collected Kshs. 3,156,549 in the form of Appropriation in Aid (AIA) from services of Dispute Administration, Accreditation, training of Practitioners and Hire of Hearing rooms. To delineate AIA from operational monies, this amount was transferred to the USD Account at the end of the financial year from the Kenya Shillings Account. To this end, an authority was granted by the National Treasury vide reference number AG.3/86/8/Vol.7/(33) and dated 27<sup>th</sup> November 2023 with an authority to convert and transact funds from USD account to the Kenya Shillings Account in accordance with paragraph 64(83) of Public Finance management (PFM) Regulations.</p> <p>Further, the Centre appeared before the National Assembly and Public Investments Committee on Governance and Education on 29<sup>th</sup> November 2023 and was given an opportunity and did provide detailed clarification on this matter.</p>	Office of the Registrar/CEO	Resolved 27 <sup>th</sup> November 2023	NA

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		Management notes the OAG guidelines regarding regulation 64(3) going forward.			
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**Guidance Notes:**

- (i) Use the same reference numbers as contained in the external audit report.
- (ii) Obtain the "Issue/Observation" and "management comments", required above, from final external audit report that is signed by Management.
- (iii) Before approving the report, discuss the timeframe with the appointed Focal Point persons within your entity responsible for implementation of each issue.
- (iv) Indicate the status of "Resolved" or "Not Resolved" by the date of submitting this report to National Treasury.

L. Muiruri Ngugi  
Registrar/CEO

Signature: .....  .....

Date: 28-09-2023 .....

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**APPENDIX II: INTER-ENTITY TRANSFERS**

<b>ENTITY NAME:</b>		Nairobi Centre for International Arbitration		
<b>Break down of Transfers from the Office of the Attorney General and Department of Justice</b>				
<b>FY 2022/2023</b>				
a.	Recurrent Grants			
		<u>Bank Statement Date</u>	<u>Amount (KShs)</u>	<u>Indicate the FY to which the amounts relate</u>
		17-08-2022	42,460,000.00	2022-2023
		01-11-2022	42,460,000.00	2022-2023
		31-01-2023	42,460,000.00	2022-2023
		26-04-2023	34,460,000.00	2022-2023
		<b>Total</b>	<b>161,840,000.00</b>	
b.	Development Grants			
		<u>Bank Statement Date</u>	<u>Amount (KShs)</u>	<u>Indicate the FY to which the amounts relate</u>
		N/A	0	Nil
		<b>Total</b>	<b>0</b>	<b>Nil</b>
c.	Direct Payments			
		<u>Bank Statement Date</u>	<u>Amount (KShs)</u>	<u>Indicate the FY to which the amounts relate</u>
		N/A	0	Nil
		<b>Total</b>	<b>0</b>	<b>Nil</b>
d.	Donor Receipts			
		<u>Bank Statement Date</u>	<u>Amount (KShs)</u>	<u>Indicate the FY to which the amounts relate</u>
		N/A	0	Nil
		<b>Total</b>	<b>0</b>	<b>Nil</b>

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

Manager, Corporate Support Services  
 NCIA

Sign  -----

Head of Accounting Unit  
 OAG & DOJ

Sign-----

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**APPENDIX III: RECORDING OF TRANSFERS FROM OTHER GOVERNMENT ENTITIES**

Name of the MDA/Donor Transferring the funds	Date received as per bank statement	Nature: Recurrent/Development/Others	Total Amount KES	Where Recorded/recognized					Total Transfers during the Year
				Statement of Financial Performance	Capital Fund	Deferred Income	Receivables	Others - must be specific	
State Law Office	17-08-2022	Recurrent	42,460,000.00	42,460,000.00	Nil	Nil	Nil	Nil	42,460,000.00
State Law Office	01-11-2022	Recurrent	42,460,000.00	42,460,000.00	Nil	Nil	Nil	Nil	42,460,000.00
State Law Office	31-01-2023	Recurrent	42,460,000.00	42,460,000.00	Nil	Nil	Nil	Nil	42,460,000.00
State Law Office	26-04-2023	Recurrent	34,460,000.00	34,460,000.00	Nil	Nil	Nil	Nil	34,460,000.00
<b>Total</b>			<b>161,840,000.00</b>	<b>161,840,000.00</b>					<b>161,840,000.00</b>

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**APPENDIX IV: RECORDING OF BOARD AND COMMITTEE MEETINGS**

Category	Name	Date	Description
REGULAR BOARD	AISHA ABDALLAH	28/7/2022	41ST BOARD MEETING
REGULAR BOARD	JACQUELINE OYUYO GITHINJI	28/7/2022	41ST BOARD MEETING
REGULAR BOARD	JAMES KIHARA MURUTHI	28/7/2022	41ST BOARD MEETING
REGULAR BOARD	KANANU MUTEA	28/7/2022	41ST BOARD MEETING
REGULAR BOARD	LAWRENCE WAIGI KAMAU	28/7/2022	41ST BOARD MEETING
REGULAR BOARD	SAMUEL NDERITU	28/7/2022	41ST BOARD MEETING
Category	Name	Date	Description
REGULAR BOARD	AISHA ABDALLAH	29/9/2022	42nd BOARD MEETING
REGULAR BOARD	CHRISTPHER OMBEGA	29/9/2022	42nd BOARD MEETING
REGULAR BOARD	JACQUELINE OYUYO GITHINJI	29/9/2022	42ND BOARD MEETING
REGULAR BOARD	JAMES KIHARA MURUTHI	29/9/2022	42ND BOARD MEETING
REGULAR BOARD	LAWRENCE WAIGI KAMAU	29/9/2022	42nd BOARD MEETING
REGULAR BOARD	LINNET VITISIA	29/9/2022	42nd BOARD MEETING
REGULAR BOARD	NICHOLAS AWITI	29/9/2022	42nd BOARD MEETING
REGULAR BOARD	SAMUEL NDERITU	29/9/2022	42nd BOARD MEETING
Category	Name	Date	Description
REGULAR BOARD	AISHA ABDALLAH	19/10/2022	43rd BOARD MEETING
REGULAR BOARD	JACQUELINE OYUYO GITHINJI	19/10/2022	43rd BOARD MEETING
REGULAR BOARD	JAMES KIHARA MURUTHI	19/10/2022	43rd BOARD MEETING
REGULAR BOARD	JUDITH OMANGE	19/10/2022	43rd BOARD MEETING
REGULAR BOARD	KANANU MUTEA	19/10/2022	43rd BOARD MEETING
REGULAR BOARD	LAWRENCE WAIGI KAMAU	19/10/2022	43rd BOARD MEETING
REGULAR BOARD	LINNET VITISIA	19/10/2022	43rd BOARD MEETING
REGULAR BOARD	SAMUEL NDERITU	19/10/2022	43rd BOARD MEETING
Category	Name	Date	Description
REGULAR BOARD	AISHA ABDALLAH	27/1/2023	44TH BOARD MEETING
REGULAR BOARD	JACQUELINE OYUYO GITHINJI	27/1/2023	44TH BOARD MEETING
REGULAR BOARD	JUDITH OMANGE	27/1/2023	44TH BOARD MEETING
REGULAR BOARD	KANANU MUTEA	27/1/2023	44TH BOARD MEETING
REGULAR BOARD	LAWRENCE WAIGI KAMAU	27/1/2023	44TH BOARD MEETING
REGULAR BOARD	LINNET VITISIA	27/1/2023	44TH BOARD MEETING
REGULAR BOARD	SAMUEL NDERITU	27/1/2023	44TH BOARD MEETING

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Category	Name	Date	Description
REGULAR BOARD	JACQUELINE OYUYO GITHINJI	27/4/2023	45TH FULL BOARD
REGULAR BOARD	JUDITH OMANGE	27/4/2023	45th FULL BOARD
REGULAR BOARD	LAURA LUSIJI	27/4/2023	45th FULL BOARD
REGULAR BOARD	LAWRENCE WAIGI KAMAU	27/4/2023	45th FULL BOARD
REGULAR BOARD	LINNET VITISIA	27/4/2023	45TH FULL BOARD
REGULAR BOARD	SAMUEL NDERITU	27/4/2023	45th FULL BOARD
Category	Name	Date	Description
ARG COMMITTEE	AISHA ABDALLAH	19/7/2022	14TH ARG
ARG COMMITTEE	KANANU MUTEA	19/7/2022	14TH ARG
ARG COMMITTEE	LAWRENCE WAIGI KAMAU	19/7/2022	14TH ARG
Category	Name	Date	Description
ARG COMMITTEE	AISHA ABDALLAH	6/10/2022	15th ARG
ARG COMMITTEE	KANANU MUTEA	6/10/2022	15th ARG
ARG COMMITTEE	LAWRENCE WAIGI KAMAU	6/10/2022	15TH ARG
Category	Name	Date	Description
ARG COMMITTEE	AISHA ABDALLAH	19/1/2023	16th ARG
ARG COMMITTEE	JUDITH OMANGE	19/1/2023	16th ARG
ARG COMMITTEE	LINNET VITISIA	19/1/2023	16th ARG
Category	Name	Date	Description
ARG COMMITTEE	AISHA ABDALLAH	20/1/2023	SPECIAL ARG
ARG COMMITTEE	JUDITH OMANGE	20/1/2023	SPECIAL ARG
Category	Name	Date	Description
ARG COMMITTEE	AISHA ABDALLAH	6/4/2023	17TH ARG
ARG COMMITTEE	JUDITH OMANGE	6/4/2023	17TH ARG
ARG COMMITTEE	LINNET VITISIA	6/4/2023	17TH ARG
Category	Name	Date	Description
BD COMMITTEE	JAMES KIHARA MURUTHI	10/6/2022	20th BUSINESS DEV
BD COMMITTEE	KANANU MUTEA	10/6/2022	20TH BUSINESS DEV
BD COMMITTEE	LAWRENCE WAIGI KAMAU	10/6/2022	20TH BUSINESS DEV

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Category	Name	Date	Description
BD COMMITTEE	KANANU MUTEA	15/6/2022	BD
BD COMMITTEE	SAMUEL NDERITU	15/6/2022	BD
Category	Name	Date	Description
BD COMMITTEE	JAMES KIHARA MURUTHI	8/9/2022	21ST BDC
BD COMMITTEE	KANANU MUTEA	8/9/2022	21ST BDC
Category	Name	Date	Description
BD COMMITTEE	SAMUEL NDERITU	8/12/2022	22ND BD
BD COMMITTEE	AISHA ABDALLAH	8/12/2022	22ND BD
BD COMMITTEE	KANANU MUTEA	8/12/2022	22ND BD
Category	Name	Date	Description
BD COMMITTEE	AISHA ABDALLAH	30/3/2023	BDD
BD COMMITTEE	SAMUEL NDERITU	30/3/2023	BDD
Category	Name	Date	Description
LRA	AISHA ABDALLAH	2/6/2022	28th LRA
LRA	JAMES KIHARA MURUTHI	2/6/2022	28TH LRA
LRA	SAMUEL NDERITU	2/6/2022	28TH LRA
Category	Name	Date	Description
LRA	JUDITH OMANGE	24/6/2022	LRA
LRA	LAURA LUSIJI	24/6/2022	LRA
LRA	LAWRENCE WAIGI KAMAU	24/6/2022	LRA
LRA	LINNET VITISIA	24/6/2022	LRA
Category	Name	Date	Description
LRA	AISHA ABDALLAH	26/9/2022	29TH LRA
LRA	JAMES KIHARA MURUTHI	26/9/2022	29TH LRA
LRA	SAMUEL NDERITU	26/9/2022	29TH LRA
Category	Name	Date	Description
LRA	JUDITH OMANGE	23/1/2023	LRA COMMITTEE
LRA	LAWRENCE WAIGI KAMAU	23/1/2023	LRA COMMITTEE
LRA	LINNET VITISIA	23/1/2023	LRA COMMITTEE

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Category	Name	Date	Description
LRA	JUDITH OMANGE	12/4/2023	31ST LRA
LRA	LAWRENCE WAIGI KAMAU	12/4/2023	31ST LRA
LRA	LINNET VITISIA	12/4/2023	31ST LRA
Category	Name	Date	Description
F&A COMMITTEE	JUDITH OMANGE	14/7/2022	32ND F&A
F&A COMMITTEE	LAWRENCE WAIGI KAMAU	14/7/2022	32ND F&A
F&A COMMITTEE	SAMUEL NDERITU	14/7/2022	32ND F&A
Category	Name	Date	Description
F&A COMMITTEE	AISHA ABDALLAH	15/9/2022	33RD F&A
F&A COMMITTEE	JUDITH OMANGE	15/9/2022	33RD F&A
F&A COMMITTEE	KANANU MUTEA	15/9/2022	33RD F&A
F&A COMMITTEE	LAWRENCE WAIGI KAMAU	15/9/2022	33RD F&A
F&A COMMITTEE	SAMUEL NDERITU	15/9/2022	33RD F&A
Category	Name	Date	Description
F&A COMMITTEE	AISHA ABDALLAH	23/9/2022	33rd F&A
F&A COMMITTEE	JUDITH OMANGE	23/9/2022	33rd F&A
F&A COMMITTEE	KANANU MUTEA	23/9/2022	33rd F&A
F&A COMMITTEE	LAWRENCE WAIGI KAMAU	23/9/2022	33RD F&A
F&A COMMITTEE	SAMUEL NDERITU	23/9/2022	33RD F&A
Category	Name	Date	Description
F&A COMMITTEE	JUDITH OMANGE	13/10/2022	34th F&A
F&A COMMITTEE	LAWRENCE WAIGI KAMAU	13/10/2022	34TH F&A
F&A COMMITTEE	SAMUEL NDERITU	13/10/2022	34TH F&A
Category	Name	Date	Description
F&A COMMITTEE	KANANU MUTEA	12/1/2023	F&A COMMITTEE
F&A COMMITTEE	LAWRENCE WAIGI KAMAU	12/1/2023	F&A COMMITTEE
F&A COMMITTEE	LINNET VITISIA	12/1/2023	F&A COMMITTEE
Category	Name	Date	Description
F&A COMMITTEE	KANANU MUTEA	13/4/2023	36th F&A
F&A COMMITTEE	LAWRENCE WAIGI KAMAU	13/4/2023	36TH F&A
F&A COMMITTEE	LINNET VITISIA	13/4/2023	36th F&A

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F&A COMMITTEE	SAMUEL NDERITU	13/4/2023	36TH F&A
<b>Category</b>	<b>Name</b>	<b>Date</b>	<b>Description</b>
OTHER MEETING	KANANU MUTEA	22/8/2022	5 JOURNAL EDITORIAL
<b>Category</b>	<b>Name</b>	<b>Date</b>	<b>Description</b>
OTHER MEETING	AISHA ABDALLAH	25/7/2022	BOARD EVALUATION
OTHER MEETING	JACQUELINE OYUYO GITHINJI	25/7/2022	BOARD EVALUATION
OTHER MEETING	JAMES KIHARA MURUTHI	25/7/2022	BOARD EVALUATION
OTHER MEETING	KANANU MUTEA	25/7/2022	BOARD EVALUATION
OTHER MEETING	LAWRENCE WAIGI KAMAU	25/7/2022	BOARD EVALUATION
OTHER MEETING	SAMUEL NDERITU	25/7/2022	BOARD EVALUATION
<b>Category</b>	<b>Name</b>	<b>Date</b>	<b>Description</b>
OTHER MEETING	AISHA ABDALLAH	24/6/2022	CJ VISIT
OTHER MEETING	JACQUELINE OYUYO GITHINJI	24/6/2022	CJ VISIT
OTHER MEETING	JUDITH OMANGE	24/6/2022	CJ VISIT
OTHER MEETING	KANANU MUTEA	24/6/2022	CJ VISIT
<b>Category</b>	<b>Name</b>	<b>Date</b>	<b>Description</b>
OTHER MEETING	AISHA ABDALLAH	6/12/2022	JOURNAL LAUNCH
OTHER MEETING	SAMUEL NDERITU	8/12/2022	JOURNAL LAUNCH
<b>Category</b>	<b>Name</b>	<b>Date</b>	<b>Description</b>
OTHER MEETING	JACQUELINE OYUYO GITHINJI	25/11/2022	LCIA AFRICA USER
OTHER MEETING	LAWRENCE WAIGI KAMAU	25/11/2022	LCIA AFRICA USER
OTHER MEETING	SAMUEL NDERITU	25/11/2022	LCIA AFRICA USER
<b>Category</b>	<b>Name</b>	<b>Date</b>	<b>Description</b>
OTHER MEETING	JACQUELINE OYUYO GITHINJI	20/6/2022	LSK MEETING
OTHER MEETING	JAMES KIHARA MURUTHI	20/6/2022	LSK MEETING
OTHER MEETING	KANANU MUTEA	20/6/2022	LSK MEETING
OTHER MEETING	LAWRENCE WAIGI KAMAU	20/6/2022	LSK MEETING
OTHER MEETING	SAMUEL NDERITU	20/6/2022	LSK MEETING
<b>Category</b>	<b>Name</b>	<b>Date</b>	<b>Description</b>
OTHER MEETING	JACQUELINE OYUYO GITHINJI	31/3/2023	MOU SIGGING

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Category	Name	Date	Description
OTHER MEETING	AISHA ABDALLAH	1/12/2022	NCIA BOARD TRAINING
OTHER MEETING	JACQUELINE OYUYO GITHINJI	1/12/2022	NCIA BOARD TRAINING
OTHER MEETING	JUDITH OMANGE	1/12/2022	NCIA BOARD TRAINING
OTHER MEETING	KANANU MUTEA	1/12/2022	NCIA BOARD TRAINING
OTHER MEETING	LAWRENCE WAIGI KAMAU	1/12/2022	NCIA BOARD TRAINING
OTHER MEETING	LINNET VITISIA	1/12/2022	NCIA BOARD TRAINING
OTHER MEETING	PETER MWANGI	1/12/2022	NCIA BOARD TRAINING
OTHER MEETING	SAMUEL NDERITU	1/12/2022	NCIA BOARD TRAINING
OTHER MEETING	AISHA ABDALLAH	2/12/2022	NCIA BOARD TRAINING
OTHER MEETING	JACQUELINE OYUYO GITHINJI	2/12/2022	NCIA BOARD TRAINING
OTHER MEETING	JUDITH OMANGE	2/12/2022	NCIA BOARD TRAINING
OTHER MEETING	KANANU MUTEA	2/12/2022	NCIA BOARD TRAINING
OTHER MEETING	LAWRENCE WAIGI KAMAU	2/12/2022	NCIA BOARD TRAINING
OTHER MEETING	LINNET VITISIA	2/12/2022	NCIA BOARD TRAINING
OTHER MEETING	PETER MWANGI	2/12/2022	NCIA BOARD TRAINING
OTHER MEETING	SAMUEL NDERITU	2/12/2022	NCIA BOARD TRAINING
Category	Name	Date	Description
OTHER MEETING	AISHA ABDALLAH	30/11/2022	NCIA BOARD TRAINING
OTHER MEETING	KANANU MUTEA	30/11/2022	NCIA BOARD TRAINING
OTHER MEETING	LAWRENCE WAIGI KAMAU	30/11/2022	NCIA BOARD TRAINING
OTHER MEETING	LINNET VITISIA	30/11/2022	NCIA BOARD TRAINING
OTHER MEETING	PETER MWANGI	30/11/2022	NCIA BOARD TRAINING
OTHER MEETING	SAMUEL NDERITU	30/11/2022	NCIA BOARD TRAINING
Category	Name	Date	Description
OTHER MEETING	KANANU MUTEA	29/11/2022	NCIA/KEPSA
Category	Name	Date	Description
OTHER MEETING	JUDITH OMANGE	17/4/2023	SCAC
OTHER MEETING	JUDITH OMANGE	18/4/2023	SCAC
OTHER MEETING	JUDITH OMANGE	19/4/2023	SCAC
Category	Name	Date	Description
OTHER MEETING	JACQUELINE OYUYO GITHINJI	16/11/2022	SP LAUNCH
OTHER MEETING	KANANU MUTEA	16/11/2022	SP LAUNCH
OTHER MEETING	LAWRENCE WAIGI KAMAU	16/11/2022	SP LAUNCH

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OTHER MEETING	LINNET VITISIA	16/11/2022	SP LAUNCH
OTHER MEETING	SAMUEL NDERITU	16/11/2022	SP LAUNCH
Category	Name	Date	Description
OTHER MEETING	JACQUELINE OYUYO GITHINJI	7/9/2022	SP MEETING
OTHER MEETING	KANANU MUTEA	7/9/2022	SP MEETING
OTHER MEETING	JACQUELINE OYUYO GITHINJI	21/9/2022	SP MEETING
OTHER MEETING	KANANU MUTEA	21/9/2022	SP MEETING

