



**KENYA PORTS AUTHORITY
PENSION SCHEME (DB)**

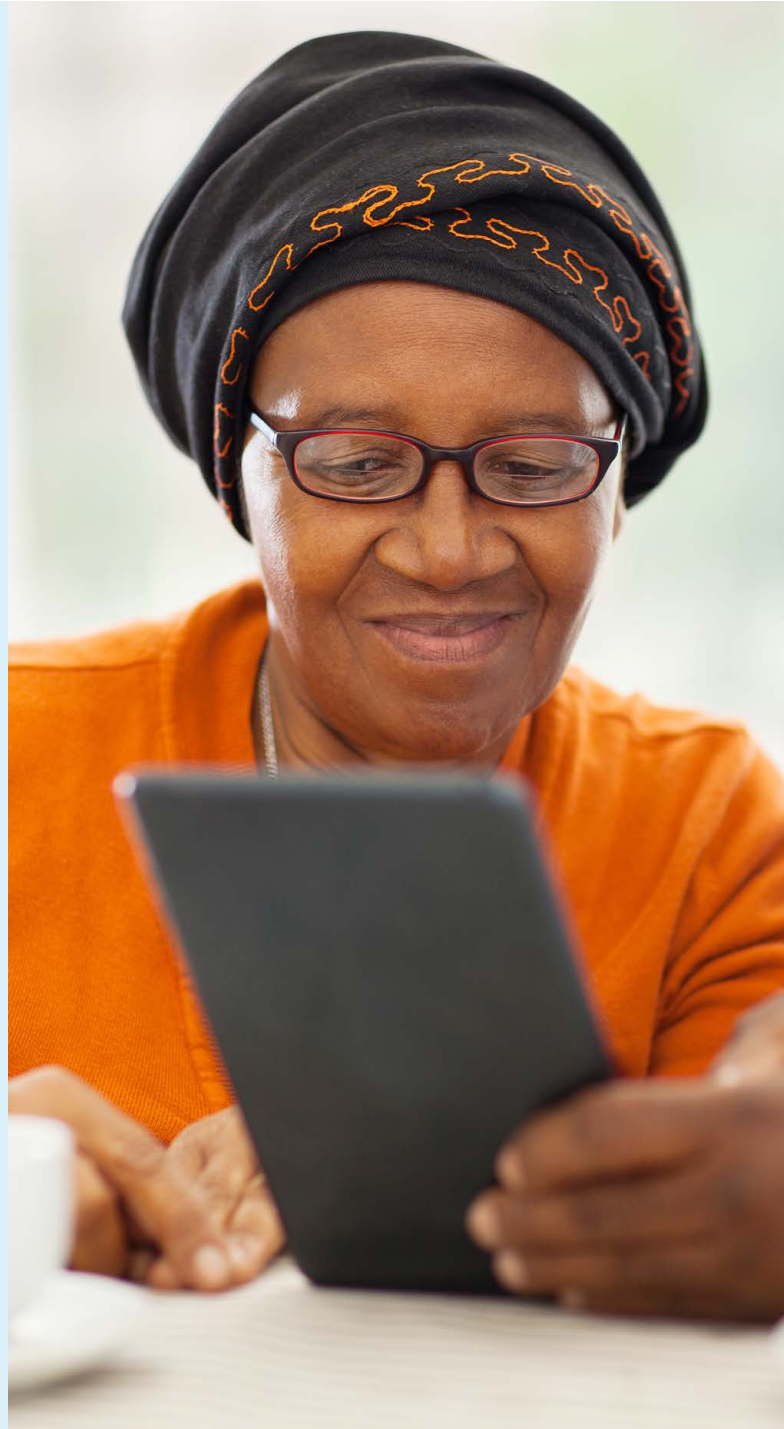


**GROWING STRONG
TOGETHER**

2023 | ANNUAL REPORT &
FINANCIAL STATEMENTS



The Fund is governed by a Trust Deed and Rules which has been approved by the Retirement Benefits Authority (RBA). The main purpose of the Fund is the provision of benefits to the members upon attainment of the retirement age of sixty years, and where applicable, benefits for the dependants of deceased members as provided by the Trust deed and rules of the Scheme.



ABOUT US

Prior to 1998, the history of the Scheme dates to 1932 – 1933 where transport logistics were provided through the Kenya and Uganda Railways and Harbours Corporation.

The Scheme was by then regulated by the Kenya and Uganda Railways and Harbours European Officers Pension Regulations of 1932 which continued to govern the scheme along with subsequent amendments up until the dissolution of the East African Community in 1977.

Over the period 1969 to 1977, the East African Cargo Handlers Corporation handled all cargo related business while Kenya Ports Authority handled the real estate issues. The employees of the EACHC contributed to the scheme while the KPA Scheme was non-contributory.



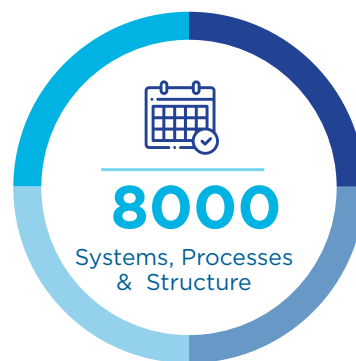
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MISSION, VISION & CORE VALUES



The main purpose of the Scheme is the **provision of cash benefits and pensions to the members** upon attainment of the retirement age, and where applicable, **benefits for dependents** of deceased members.



VISION

To prudently invest scheme assets and optimize on returns to enhance member benefits.



MISSION

A stable and sustainable scheme for generations



CORE VALUES

Teamwork

We collaborate and focus on a common team goal in order to maximize effectiveness. Every team member is a keeper of the other, valuing the common good more than individual interest and supporting one another's efforts with respect.

Excellence

We are committed to being the best in order to deliver the finest and ever improving service to our customers.

Simplicity

We strive for simplicity and clarity in inspiring change and delivering sustainable value.

Integrity

We demonstrate honesty, fairness, truthfulness and openness in all our interactions, behavior and practices within the organization and with our each other, our customers and all our stakeholders.



NOTICE OF THE ANNUAL GENERAL MEETING 2023 (DB SCHEME)

Notice is hereby given that the **17th Annual General Meeting** of Kenya Ports Authority Pension Scheme will be held on **Friday 04th October 2024 at 9.00 am** at **Mbaraki Sports Club**. All contributing/deferred members and pensioners of KPA Pension Scheme (D.B Scheme) are requested to attend the Annual General Meeting to transact the following business.

1. Reading of the notice and Agenda
2. Opening of Meeting and Introductions.
3. Confirmation of the minutes of the 16th Annual General Meeting
4. Report by the Chair of Board of Trustees
5. The Managing Director (Sponsor) Report
6. Presentation of the Scheme's Audited Financial Accounts for the year ended 31st December 2023
7. Presentation of the Fund Investments by the Scheme's Fund Managers
8. Presentation of the Custody report by the Scheme's Fund Custodian.
9. Presentation of the Structure of Benefits by the Scheme Actuary.
10. Presentation of the Retirement Benefits industry Changes by a representative from the Retirement Benefits Authority.
11. Presentation of the Trustee Remuneration Policy for members approval
12. Questions and Answers
13. Vote of Thanks

By Order of the Board,

Bernard K. Kibet

SCHEME ADMINISTRATOR

Date: 19th September 2024

Notes:

1. Members are requested to bring appropriate identification documents and be seated by 8:45 a.m.
2. The proposed Trustee Remuneration rates will be presented for approval by the members on the day of the AGM. Members are encouraged to review the proposed remuneration rates and submit their feedback to the Scheme no later than 27th September 2024. All feedback should be sent through **info@kpapension.co.ke**
3. Copies of the Scheme's Audited Accounts, the draft minutes of the 16th AGM and the proposed Trustee Remuneration rates are available for review at the Scheme's registered offices or can be downloaded from **www.kpapension.co.ke**

Members are politely informed that the cost of travel/attendance are **NON-REFUNDABLE**.

SCHEME INFORMATION

TRUSTEES	: Mr. Justus Omae Nyarandi (Appointed 12 May 2023) : Mr. David Bonyi (Appointed 12 May 2023) : Ms. Catherine Wangari (Appointed 12 May 2023) : Mr. Emmanuel Kibet Kirui (Appointed 12 May 2023) : Ms. Caroline Maina Njoki (Appointed 12 May 2023) : Mr. Francis Tsuma (Appointed 12 May 2023) : Mr. Ferdinand K. Malumbo (Elected 30 November 2023) : Ms. Violet M.O. Mugambi (Elected 30 November 2023) : Ms. Susan W.K. Leli (Elected 30 November 2023) : Mr. Salim Chingabwi (Retired 12 May 2023) : Mr. Alex Ole Leteipan (Retired 12 May 2023) : Mr. Paul Muthwii Mwaka (Retired 18 December 2023) : Mr. Conrad Thorpe (Retired 23 January 2023)
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CUSTODIAN	: Kenya Commercial Bank Nominees Limited : C/O Kenya Commercial Bank Limited : P. O. Box 30664 - 00100 : Nairobi
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EMPLOYER/SPONSOR	: Kenya Ports Authority : P. O. Box 95009 - 80104 : Mombasa
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SCHEME ADMINSTRATOR	: Bernard Kibet : Kenya Ports Authority Pension Scheme : Old Cannon Towers, 7th floor : Moi Avenue : P. O. Box 1019 - 80100 : Mombasa
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SECRETARY	: Vincent Oweya Makaya : Kenya Ports Authority Pension Scheme : P. O. Box 1019 - 80100 : Mombasa
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ACTUARY	: Acturial Services E.A Limited : P. O. Box 10472 - 00100 : Nairobi
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SCHEME INFORMATION (Cont'd)

FUND MANAGERS & PROPERTY ADVISORY

1. Co - op Trust Investment Services Limited
Co - operative House 13th Floor
P.O. Box 48231 - 00100, Nairobi
Telephone: 020 3276416
2. Fusion Investment Management Limited
4th Floor, Ngong Towers
P.O. Box 47538 - 00100, Nairobi
3. GenAfrica Asset Managers Limited
14 Riverside Business Park
P.O. Box 79217 - 00200
GPO Nairobi

INDEPENDENT AUDITORS

- : Obiria & Co.
- : Certified Public Accountants
- : P. O. Box 282 - 80100
- : Mombasa

REGISTERED OFFICE

- : Kenya Ports Authority Pension Scheme
- : Old Cannon Towers, 7th Floor
- : Moi Avenue
- : P. O. Box 1019 - 80100
- : Mombasa

BANKERS

1. Citibank N. A.
P. O. Box 83615 - 80100
Mombasa
2. KCB Bank Kenya Limited
P. O. Box 90254 - 80100
Mombasa
3. Stanbic Bank Kenya Limited
P. O. Box 90131 - 80100
Mombasa

LAWYERS

1. M/s CM Advocates LLP
2. M/s Kittony Maina Karanja & Company
3. M/s Lumatete Muchai & Company
4. M/s Miller and Company Advocates
5. M/s MMC Africa Law
6. M/s Muthee Soni & Associates
7. M/s Munyiya Mutugi Umara & Muzna Advocates
8. M/s Nyiha Mukoma & Company
9. M/s Robson Harris & Company
10. M/s Kaplan & Stratton Advocates
11. M/s M/s J P Ngoya & Associates Advocates
12. M/s Nyachae & Ashitiva Advocates
13. M/s Cootow & Company Advocates



THE PEACE OF MIND
.....
IN YOUR SUNSET YEARS



ABOUT US



HISTORY OF THE SCHEME

Prior to 1998, the history of the Scheme dates to **1932 – 1933** where transport logistics were provided through the Kenya and Uganda Railways and Harbours Corporation.

The Scheme was by then regulated by the Kenya and Uganda Railways and Harbours European Officers Pension Regulations of 1932 which continued to govern the scheme along with subsequent amendments up until the dissolution of the East African Community in 1977.

Over the period 1969 to 1977, the East African Cargo Handlers Corporation handled all cargo related business while Kenya Ports Authority handled the real estate issues. The employees of the EACHC contributed to the scheme while the KPA Scheme was non-contributory.

Kenya Ports Authority was established through an Act of parliament on 20th January 1978 under Act chapter 371 laws of Kenya after the East African Harbours Corporation

ceased following the breakup of the East African Community in 1975. In 1983, the Kenya Ports Authority (Pensions) regulations were gazetted and deemed to have come into force in 1st January 1978. In this period, the Kenya Cargo Handling Services Ltd Staff Pension Scheme was established on 16th March 1981 and commenced on 1st September 1982 as per the published TDR.

In 1986, following the merger of the Kenya Ports Authority and the Kenya Cargo Handling Service Ltd, the employees of KPA were transferred to the Kenya Cargo Handling Services Ltd Staff Pension Scheme and the sponsor, KPA, was deemed to have absorbed all liabilities of the scheme. The later, Kenya Cargo Handling Services Ltd, had a contributory scheme whereas KPA had a non-contributory pension scheme for staff.



OBJECTIVES OF THE SCHEME

The Scheme was established with effect from **1st April 1998** and is governed by a Trust Deed and Rules dated 1st April 1998.

It is a defined benefit scheme and provides, under the rules of the Scheme, retirement benefits for the Employees of Kenya Ports Authority (KPA). It is a tax-exempt approved scheme under the Income Tax Act and is registered with the Retirement Benefits Authority.

Employees contribute to the Scheme at the rate of 7.5% of their respective basic salaries. The employer contributes at rates based on periodic advice of the actuary. The current rate is 14.7% of employees' basic salaries.

The main Purpose of the Scheme is to provide Cash benefits and pensions to the members upon attainment of the retirement age and

where applicable benefits for dependents of deceased members.

In compliance with the Treasury Circular No. 18/2010 dated 24th November 2010, KPA undertook a redesign of the retirement benefits arrangement whereby a new defined contributory (DC) scheme 2012 was established with effect from 1st January 2013. As stipulated in the circular, the members who were below 45 years were required to transfer and join the new DC scheme.

The members who were 45 years and above were given the option to either remain in this scheme or move to the DC Scheme.

DIGITAL TRANSFORMATION IMPACT AND FUTURE ROADMAP

INTRODUCTION

The Scheme's ICT digital transformation strategy has significantly impacted operations, customer experience, because of the maturing ICT infrastructure and eco system the Scheme has introduced measures to reduce exposure to cyber security risk. This report highlights the key achievements, efficiency gains, provide a comprehensive overview of our progress and outlook



Operation Enhancement		
Efficiency Gains	Process Automation:	Automated workflows reduced manual processing time by 70%.
		Aimed at lowering error rates and increasing overall efficiency.
Productivity Improvements	System Uptime:	Achieved an impressive 99.9% system uptime.
		Ensured continuous availability of critical business applications.



Customer Experience		
Mobile App Launch	User Engagement: System Uptime:	The launch of our mobile app led to a 71% increase in user engagement and reach.
		Significant reduction in customer service response times, enhancing overall customer satisfaction.
		Property portal - Our property managers are fully automated their process of tenant management and property maintenance requisition.



Innovation and Technology Adoption		
Cybersecurity Measures & Awareness	Investment:	Conducted a Vulnerability Assessment and Penetration Test on KPA Pension's technology infrastructure.
		Delivered comprehensive cybersecurity training to staff.
	Enhancements:	Implemented multi-factor authentication.
		Enhanced network segregation to minimize exposure and safeguard against cyber threats.

DIGITAL TRANSFORMATION IMPACT AND FUTURE ROADMAP (Cont'd)

CASE STUDIES AND SUCCESS STORIES



Service Improvement:

- The new Member portal implementation has led to a 71% increase in member registration.
- Go Green initiative through paperless trustee meetings – with the full implementation and adoption of E-Board Online trustees meeting, online/ soft copy board packs
- The member portal/app has been integrated into the CRM, allowing issues to be reported, resolved, and communicated to users via email notifications.

FUTURE OUTLOOK



The Scheme plans to Enhance Efficiency by focusing on:

- Streamlining document management and data loss prevention gaining a competitive edge by adopting centralized file and document management.

DIGITIZATION ROADMAP

Quick Wins (2021-2022)

Strength Baseline:

- Installation of firewalls, email setup, website launch, and backup setups.

Medium Term (2022-2023)

Efficiency & Productivity:

- Rollout of ERP systems and standard operating procedures (SOPs).
- Establishment of ICT policies and governance strategies.

Long Term (2023-2024)

Business Process Support:

- Full back-office automation using the ERP system.
- High availability and virtualization.
- CRM system for members, online member portal, IDD System, Trust Fund System, and PRMF system integration.

2024-2025

Continuous Emerging Technology:

- Focus on integration, trend review, reporting (BI), digital rights management, and data loss prevention.
- Implementation of biometrics with face/voice matching.

2025-2026

Data-Driven Adaptation & Continuous Improvement:

- Emphasis on business continuity and disaster recovery, change management, and collaboration.
- Exploration of new opportunities and innovation.

The Scheme is committed to driving further digital transformation initiatives that will enhance operational efficiency, improve customer satisfaction, and ensure robust risk management practices. Our future roadmap outlines a strategic approach to achieving these goals, positioning us for continued success.

FUND HIGHLIGHTS

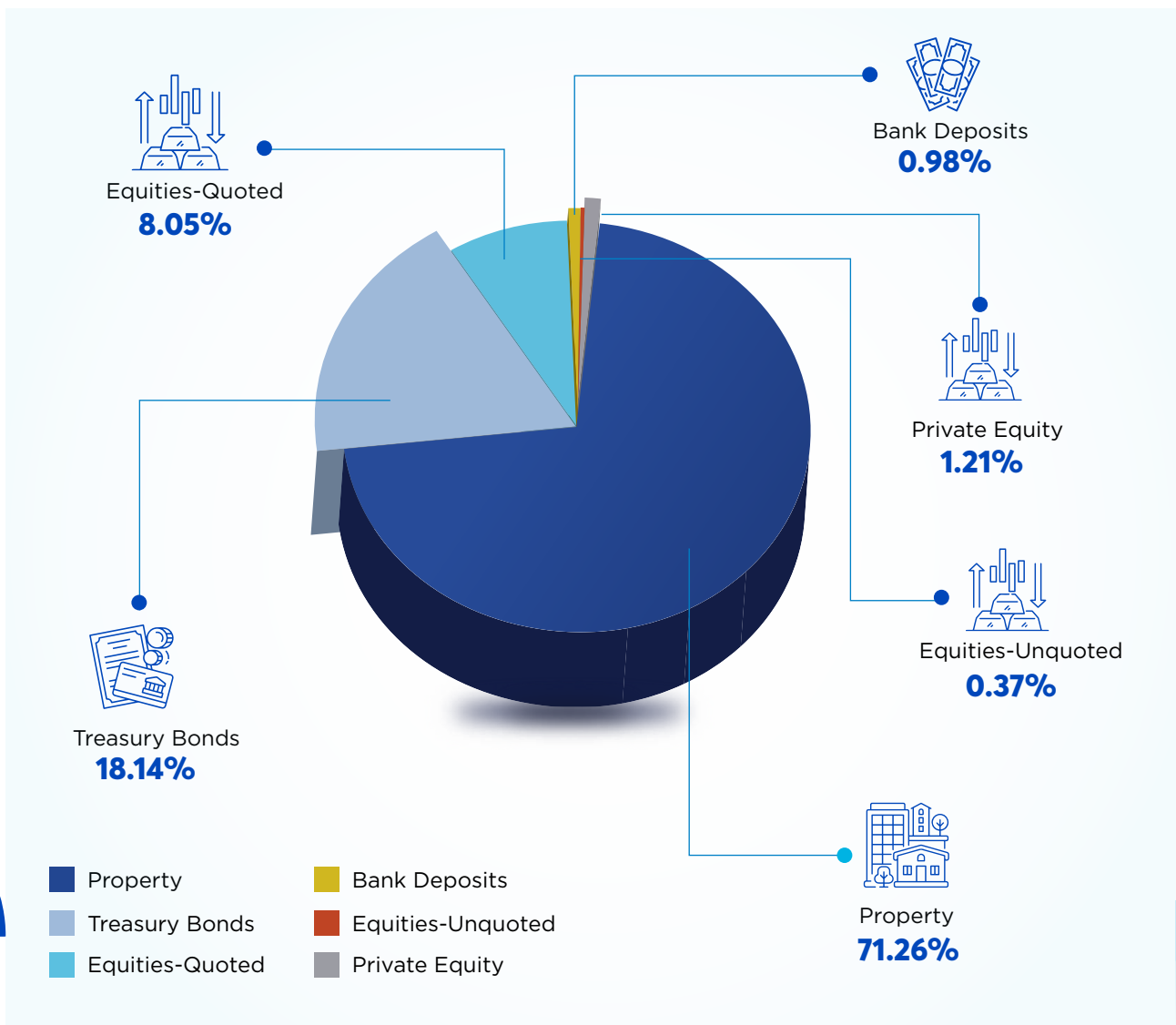
FUNDS INVESTMENTS

Our primary objective is to achieve returns that will meet the Fund's long-term financial obligations. These obligations include providing pension benefits to employees upon retirement or withdrawal, as well as supporting the beneficiaries of deceased members.

The Scheme's investments include:



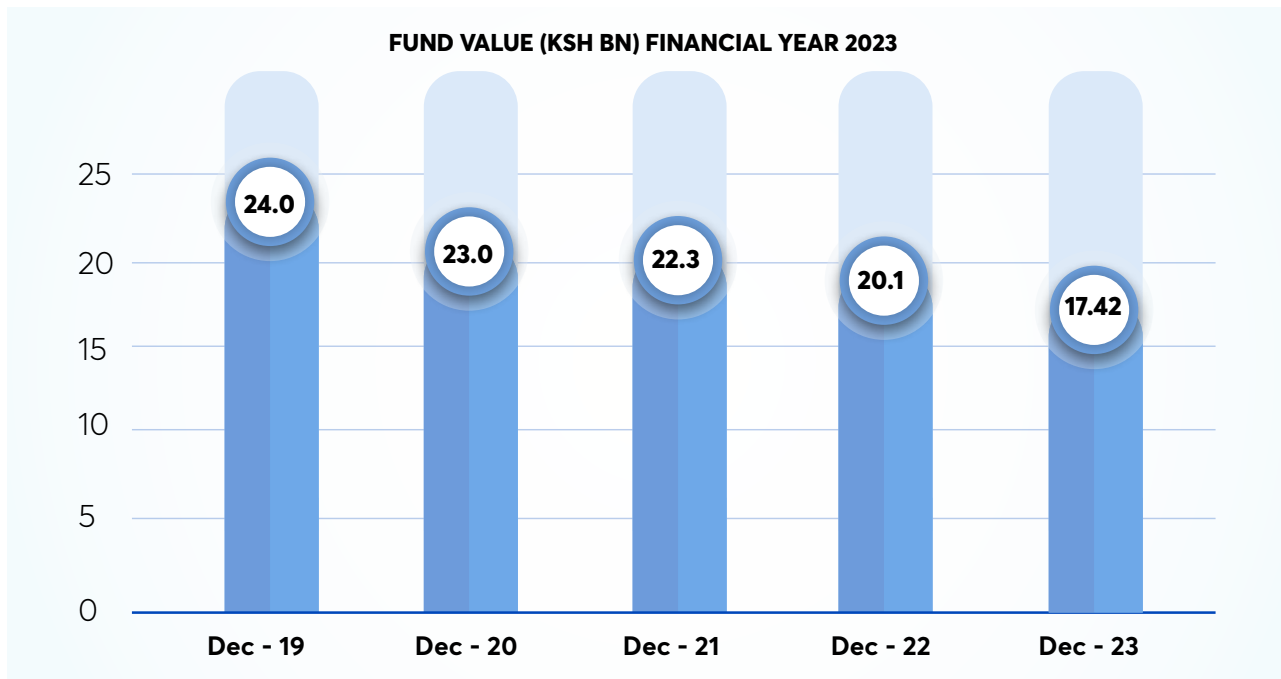
All investments are made in accordance with the guidelines set by the Retirement Benefits Authority (RBA), the Scheme's Investment Policy Statement, and the Strategic Plan.



FUND HIGHLIGHTS

FUND VALUE

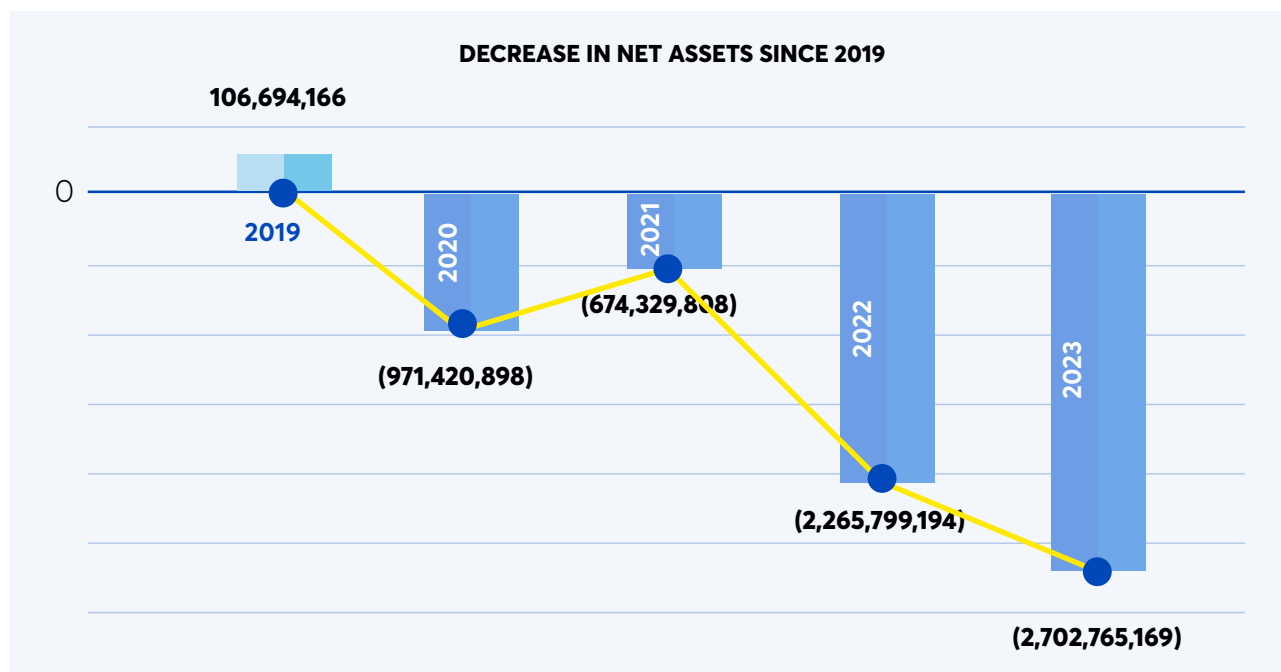
Over the past five years, a decline in growth has been noted, primarily attributed to the rising outflow. The Scheme is no longer open to active members, and there has been a decrease in the number of active contributors, while the count of pensioners and beneficiaries is on the rise.



The scheme fund value as of 31st December is **Kshs.17.42Bn.**

DECREASE IN NET ASSETS

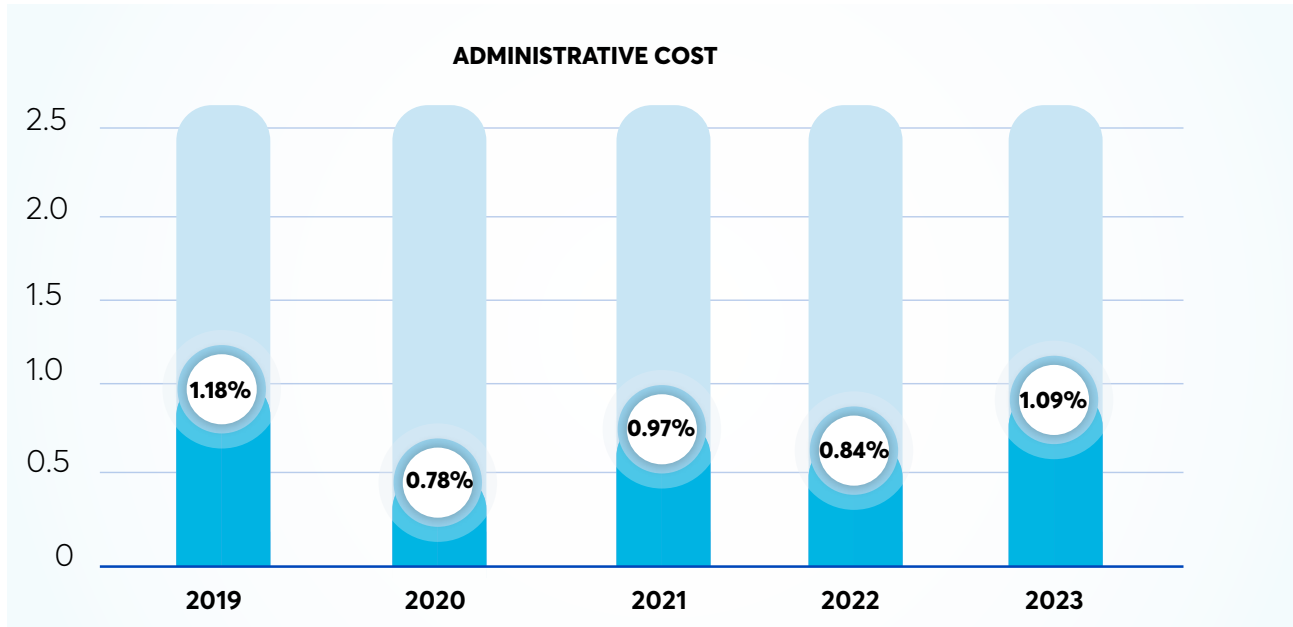
The assets decreased by Kshs.2.7 billion during the year.



FUND HIGHLIGHTS

ADMINISTRATIVE EXPENSES

The fund has consistently kept its administrative costs below 2% over the past five years. In 2023, these costs were 1.09% of the fund's value.



SCHEME INVESTMENTS



Kizingo, Mombasa



Lotus Estate, Mombasa



Rex House, Mombasa



Hurlingham Court, Nairobi



Ganjoni, Mombasa



Nyaku House, Hurlingham, Nairobi

SCHEME INVESTMENTS



Dedan Kimathi Estate, Mombasa



Bellevue Estate, South C Nairobi



Kafoca, Mombasa



Kizingo, Mombasa



Kizingo, Mombasa



Kizingo, Mombasa

CHAIRMAN'S STATEMENT



Throughout 2023, the Fund remained dedicated to its mission of ensuring a stable and sustainable scheme for future generations.



Total assets under pension fund management grew by

9.5 %



Fixed deposits of pension funds nearly doubled to

81.9Bn

Dear Esteemed Members,

On behalf of the Board of Trustees, I warmly welcome you to the 17th Annual General Meeting of the Kenya Ports Authority Pension Scheme. I am pleased to present the Annual Report and Financial Statements for the year ending December 31st, 2023.


Throughout 2023, the Fund remained dedicated to its mission of ensuring a stable and sustainable scheme for future generations. This commitment aligned with both the Scheme's Strategic Goals and the broader Sustainable Development Goals.

Guided by the Board of Trustees' vision of sustainability, the Fund, in its second year of the 2022-2026 Strategic Plan, worked diligently to serve its members and deliver positive returns, despite the challenging global and local business landscape.


MICRO-ECONOMIC OUTLOOK

a) Pension Industry

Total assets under pension fund management grew by 9.5% to Kshs 1,725.4 billion by the end of December 2023. This growth was primarily driven by investments in government securities, which increased in 2023.



Assets under guaranteed funds saw substantial growth.
20.2%



Increase of annual contribution
168M

Similarly, assets under guaranteed funds saw substantial growth, rising by 20.2% to Kshs 358.1 billion as of December 2023. Fixed deposits of pension funds nearly doubled, reaching Kshs 81.9 billion at the end of 2023, compared to Kshs 42.2 billion in December 2022. However, assets held in quoted equities declined by 32.6%, from Kshs 215.2 billion in December 2022 to Kshs 145.1 billion by the end of December 2023.

b) Scheme Funding

Whereas the pension industry expanded, the Scheme's fund stood at Kshs.17.42 billion. This marked a decline of about Kshs. 2.70 billion as the scheme stood at Kshs. 20.12 billion as of 31st December 2022. Equally, the scheme's deficit as of 31st December 2023 was Kshs. 8.72 billion translating to the scheme's funding level of 66.6%. The Board of Trustees have in made rigorous efforts to bridge this actuarial deficit.

These efforts can be summarized as follows:

1. Effective July 2024, the Sponsor has increased the remedial funding to an annual contribution of Kshs. 1.2384 billion. This represents an increment of Kshs. 703.2 million from the previous contribution of Kshs. 535.2 million, which the Sponsor had been remitting initially.
2. The Board of Trustees has adopted an investment strategy which shall see the Scheme reduce its low income earning property and divest in high income investments such as government securities.

3. Managing the administrative costs. The Scheme's administration costs are below the practice standard of 2% of the scheme fund.

The Board of Trustees remains committed to ensure that the scheme's funding levels are improved to not only a sustainable level but also to the standard required by the regulations in place.

SCHEME EVENTS FOR THE YEAR

Biometric Census

In keeping with technological advancements, the Scheme conducted a comprehensive census of all its members, including beneficiaries, using a biometric system. This approach was designed to facilitate future remote registration of Scheme members. The biometric registration incorporated multiple recognition parameters, including fingerprint identification, iris scanning, facial recognition, and voice recognition. The inclusion of these diverse methods was intended to ensure that no member or beneficiary was excluded from the registration process.

Trustee Elections

In accordance with the regulations and the provisions of the Scheme's Trust Deed and Rules, the election for Member Nominated Trustees was successfully conducted on the 30th November 2023. The elections resulted in changes to the composition of the Board of Trustees, with the election of a new member, Ms. Susan Leli. Trustees Ferdinand K. Malumbo and Violet M. Mugambi successfully retained their positions and will continue to serve for a second term. Similarly, the Sponsor nominated Trustees to serve on the Board.

CHAIRMAN'S STATEMENT (Cont'd)

A summary of the Trustees nominated during the year under review is as follows:

NAME	DATE OF ELECTION/ APPOINTMENT	DATE DUE FOR ELECTION/ RE-APPOINTMENT	STATUS
Omae Nyarandi	12-05-2023	12-05-2026	Sponsor Nominated
Catherine Wangari	12-05-2023	12-05-2026	Sponsor Nominated
Emmanuel Kibet	12-05-2023	12-05-2026	Sponsor Nominated
Caroline N Maina	12-05-2023	12-05-2026	Sponsor Nominated
Francis Tsuma	12-05-2023	12-05-2026	Sponsor Nominated
Ferdinand K Malumbo	30-11-2023	Serving 2nd term	Member Elected
Susan Leli	30-11-2023	30-11-2026	Member Elected
David N. Bonyi	01-01-2021	Serving 2nd term	Sponsor Nominated
Violet M. Mugambi	30-11-2023	Serving 2nd term	Member Elected

Board Evaluation

The Board of Trustees conducted a self-evaluation for the year under review, in accordance with the Good Governance Guidelines provided by the Retirement Benefits Authority. This evaluation offers Trustees valuable insights into their strengths and areas for improvement. For the year 2023, the Board achieved an average score of 88%, reflecting the Trustees' confidence.

Property Disposal

The KPA Pension Scheme remains a closed scheme, which means that its liabilities continue to exceed contributions. Additionally, the nature of the scheme necessitates holding assets that can be easily liquidated to ensure timely benefits for our members. In line with strategic objectives, the scheme has undertaken a program to reduce its property portfolio. This effort has involved advertising various properties for sale.

Below is a summary of the proceeds recovered from these sales.

YEAR OF DISPOSAL	DISPOSAL VALUE
2019	968,165,902.99
2021	262,385,000.00
2022	726,550,000.00
TOTAL	1,957,100,902.99

Despite the Scheme's efforts to reduce the property portfolio, it still stands at 59.90%. This is due to the liquidation of other assets to meet the Scheme's obligations for pension payments. As a result, the Scheme remains non-compliant with the property exposure limits of the fund.



88%

Average score achieved by The Board for the year 2023,



Pension Increment

The Board of Trustees remains aware of the rising cost of living and the need to provide adequate support for its members. To this end, the Board has continued to work closely with the Sponsor to ensure that members receive a pension increase. The Board implemented the increment approved by the sponsor and disbursed the payments to members in August 2024.

Closure of the Scheme's Projects

The Scheme has undertaken several projects, including the Bombolulu Project, the South C Project, and the Bandari Apartments Project in Bellevue. In exercising its supervisory powers, the Retirement Benefits Authority commissioned a forensic audit of the Bandari Apartments Project. The Trustees fully cooperated with the appointed forensic auditor to promote transparency in the Scheme's projects. The Board of Trustees is now awaiting the regulator's report.

In addition, the Scheme initiated its own independent audit of the project to ensure that it received value for money. The audit is still ongoing. Meanwhile, the sale of the apartments is ongoing, with the Scheme aiming to complete and exit the project in the near future.

LEGISLATIVE & REGULATORY DEVELOPMENT

During the year, key legislative changes impacted the operations of retirement funds:

a) Trustees' Remuneration and Scheme Expenses Guidelines (May 5, 2023):

Published in Kenya Gazette Notice No. 5796, the Retirement Benefits Authority (RBA) introduced a framework for determining trustees' remuneration and permissible scheme expenses. The guidelines aim to foster prudent fund management, transparency, and accountability.

In compliance with these guidelines, the Trustees have amended the Trustees' Remuneration Policy to align with the requirements. The amended policy has already been approved by the Sponsor, and the only remaining step is the members' approval at the Annual General Meeting. The Trustees will present the remuneration rates to the members at the annual general meeting for their approval.

b) The application of NSSF Act 2013

The NSSF Act 2013 introduced the option to contract out of Tier II contributions. Although the High Court had previously suspended the Act's implementation, the Court of Appeal, in its decision on February 3, 2023, upheld the Act, allowing Tier I and Tier II contributions to proceed. Tier I contributions must be remitted directly to the NSSF; however, this change does not impact the DB Scheme.

A subsequent Supreme Court judgment overturned the Court of Appeal's decision, resulting in the suspension of the application of the NSSF Act, 2013. The matter is still pending in court.

c) Income Drawdown (IDD) Regulations (October 31, 2023):

Through Gazette Notice No. 187, the Regulator introduced the Income Drawdown Regulations which provided the guidelines for set up and administration of the fund. This creates a proper guidance for the scheme which is in the process of setting up the fund.

However, it is important to note that these regulations have no effect on the DB Fund.

d) RBA Notice on Treasury Bonds (Effective December 21, 2023):

Through Legal Notice No. 21 of 2023, the Regulator introduced a new rule which mandates that net returns credited to members' accounts exclude unrealized gains and losses from Treasury Bonds. To avoid valuation losses, funds are encouraged to hold bonds until maturity.

CHAIRMAN'S STATEMENT (Cont'd)



First and foremost, I would like to express my deepest gratitude to God Almighty for allowing us to see the year 2023. Let us take a moment of silence to remember our members and colleagues who did not make it through the year.

However, due to the liquidity needs of the Defined Benefit (DB) Scheme, the mark-to-market approach remains necessary, despite being affected by interest rate fluctuations. The Scheme has aligned its reporting to comply with directive as per the notice.

The Scheme is committed to ensuring full compliance with all regulatory requirements.

THE THREE PAYSPLIT CASE

During the year, milestones were made in the benefits case pitting the Scheme and a section of the membership. In line with the judgment which had been rendered by the Retirement Benefits Appeals Tribunal on 28th April 2022, the scheme had gone ahead to recompute benefits of the affected members.

However, through an application dated 9th January 2023, the Chief Executive Officer of Retirement Benefits Authority filed an application seeking clarification on some aspects of the judgment. Equally, the pensioners also filed another application dated 15th May 2023 seeking among other things to be allowed to appoint an independent actuary.

The application had to be considered before the Trustees' computation could be approved by the Tribunal. The hearing of these applications was done on the 19th October 2023 and a ruling delivered on the 25th January 2024. After the ruling, the Board of Trustees have proceeded with the computations of the benefits and filed the same before the Tribunal.

The Scheme remains committed to ensure that the benefits of the members are accurately computed and remitted to the rightful beneficiaries.

FUTURE ASPIRATIONS

Looking Ahead

According to the Retirement Benefits Authority industry report for 2023, retirement benefits assets are expected to grow in the first half of 2024 due to the economic rebound. Despite the challenges posed by domestic and external shocks, the economy has remained resilient. This anticipated growth is attributed to improved performance in the equities market and continued investments in alternative assets, further supported by the strengthening of the Kenyan shilling against the US dollar.

The Board remains optimistic about the prospects for recovery and growth. We anticipate that 2024 will bring a reduction in interest rates, a strengthening of the Kenyan shilling, and a rebound in the stock market. We assure our members and beneficiaries that we are committed to enhancing our investment performance through our expertise and a proactive approach. Together, we will continue to develop a robust and adaptable investment portfolio that aligns with our members' long-term financial goals. This is in line with our vision of having stable and sustainable scheme for generations.

CHAIRMAN'S STATEMENT (Cont'd)

Appreciation

First and foremost, I would like to express my deepest gratitude to God Almighty for allowing us to see the year 2023. Let us take a moment of silence to remember our members and colleagues who did not make it through the year.

I also wish to extend my appreciation to our members. At our previous Annual General Meeting, we requested that we engage in dialogue, which has significantly reduced the number of litigations faced by the scheme.

On behalf of the Board of Trustees, I would like to express our heartfelt gratitude to the Board of Directors of our sponsor, Kenya Ports Authority, for their unwavering support throughout the year. Their timely remittance of contributions, approval of remedial increments, and pension increases have been invaluable. We also extend our sincere thanks to the Retirement Benefits Authority, as well as our service providers, including the Scheme Administrator and Secretariat, the Auditors, and the Investment Managers.

I would also like to once again thank our esteemed members for their steadfast commitment to the long-term success of our Scheme. Together, we have accomplished a great deal, and I am confident that the future holds even greater promise for our Pension Scheme. Thank you for your trust, and I look forward to continuing our work together to achieve the Scheme's objectives.

Thank you and God bless you all!

CPA. Omae Nyarandi

Chairperson - Board of Trustees

Kenya Ports Authority Pension Scheme



THE HELPING HAND
.....
IN YOUR SUNSET YEARS

BOARD OF TRUSTEES



CPA OMAE NYARANDI
Trustee - Chairman

CPA Nyarandi joined the Scheme on 12 May 2023 as a Sponsor nominated Trustee - KPA Pension Scheme (DB). With over 30 years of experience, he has an MBA (Strategic Management) from the University of Nairobi and a Bachelor of Commerce (Business Administration - UoN). Among his professional qualifications include as a Certified Public Accountant and Certified Secretary and a qualified Procurement Professional.

Nyarandi is currently serving as Chief Executive Officer/Executive Secretary, Northern Corridor Transit & Transport Coordination Authority and Board Chairman, Mombasa Water & Sanitation Company.

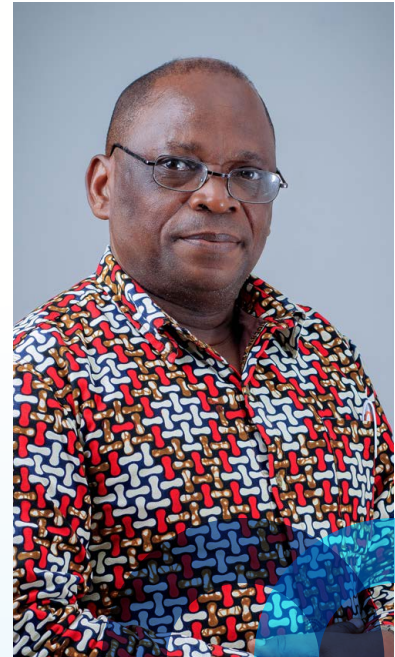


DAVID BONYI
Trustee

David joined the Scheme in January 2021 as sponsor nominated Trustee - KPA Pension Scheme (DB) serving his second term. He has a Bachelor of Laws degree from the University of Nairobi and Master of Laws (LLM) in International Trade and Investments Law. He also holds a post-graduate diploma in Law from the Kenya School of Law.

David is an established advocate well experienced in employment law, financial sector regulation, statutory compliance, legal audit and corporate law. He is an advocate of the High Court of Kenya with over 33 years of experience, a Certified Public Secretary (CS) and a qualified trainer in Corporate Governance. He has served in various capacities at the Retirement Benefits Authority and engaged by the IMF and World Bank to countries within the East African region as an Independent Consultant. David has also been contracted by the Government of Gambia to draft a new Pensions Act to replace the Pensions Act of 1950. He is a Certified Trustee having undertaken the Trustee Development Program of Kenya (TDPK).

Committee Membership - Finance and Investment Committee/Administration and Communication Committee



FERDINAND MALUMBO
Trustee

Ferdinand joined the Scheme in December 2020 as member, elected Trustee - KPA Pension Scheme (DB) serving his second term. He has a diploma in Clinical Medicine & Surgery, Sports Medicine and Higher National Diploma, Clinical Medicine and Surgery (Orthopaedics and trauma) from KMTCC. He is a member of the Kenya Clinical Officer Association and Kenya Clinical Officer Council with 29 years of experience.

Ferdinand has served as Bandari FC medical practitioner and is currently a medical practitioner at Bandari Clinic at the Kenya Ports Authority (KPA). Ferdinand is a Certified Trustee having undertaken the Trustee Development Program of Kenya (TDPK).

Committee Membership - Audit & Risk/Project Implementation Committee (SPV)

BOARD OF TRUSTEES (Cont'd)



VIOLET MUGAMBI
Trustee

Violet joined the Scheme in December 2020 as member, elected Trustee - KPA Pension Scheme (DB) serving her second term. She has a Bachelor's degree in Business Administration (Human Resource) from KEMU, and Higher National Diploma in Human Resource Management from Technical University of Mombasa, Masters in Entrepreneurship from KEMU, Master's in Counselling from Manchester University and a PHD in Arts and Counselling from Washington International University. She is currently pursuing a PhD in Human Resource Management in JKUAT.

With 30 years of experience, she is a Certified Professional Mediator and a Certified Human Resource Professional Trainer. She is a member of IHRM and Kenya Association of Psychological Counsellors.

Violet was formally employed as an Administrator (Container Operations) at Kenya Ports Authority (KPA) and is a Certified Trustee having undertaken the Trustee Development Program of Kenya (TDPK).

Committee Membership - Finance and Investment Committee/ Administration and Communication Committee



FRANCIS TSUMA
Trustee

Francis joined the Scheme in May 2023 as a Sponsor Nominated Trustee - KPA Pension Scheme (DB). He is a dynamic and accomplished Sales and Marketing professional with over 24 years of experience in the manufacturing industry, he holds an Executive MBA in Strategic Management - Maastricht School of Management (MSM), a Bachelor of Science, International Business Administration in Marketing (USIU) and a certification in Program for Management Development PMD (Strathmore Business School).

Committee Membership - Finance and Investment Committee/ Project Implementation Committee (SPV).



CATHERINE WANGARI
Trustee

Catherine joined the Scheme on 12 May 2023 as a Sponsor Nominated Trustee - KPA Pension Scheme (DB). She holds a Bachelor of Commerce (Hons) from the University of Nairobi and a Higher Diploma in HR Management (KNEC). She is currently pursuing a Masters in Human Resource Management (JKUAT). With 25 years of experience, she is a Certified Agile Associate IPMA Level D and holds a Professional Workplace Mediation & Conflict Resolution Certificate from the Mediation Training International, Kenya.

Catherine is a member of the Institute of Human Resource Management (IHRM), has a certificate in Foundations of Industrial Relations and Effective CBA Negotiation Skills from the Federation of Kenya Employers (FKE). Catherine is currently employed at the Kenya Ports Authority (KPA).

Committee Membership - Administration & Communication Committee/ Project Implementation Committee (SPV)

BOARD OF TRUSTEES (Cont'd)



SUSAN LELEI
Trustee

Susan joined the Scheme in November 2023 as member and elected Trustee - KPA Pension Scheme (DB). She holds a Diploma in Leadership Management - African Centre for Professional Development, Advanced Program in Human Resources Management, Eastern & Southern African Management Institute, Certificate in ISO implementation Course and currently undertaking a Degree in Office Management and Administration at Mount Kenya University. With 42 years of experience,

Susan was formally employed at KPA as Human Resource Officer (Overseas Training) and is a certified Trustee having undertaken the Trustee Development Program of Kenya (TDPK).

Committee Membership - Audit & Risk Committee/ Finance & Investment Committee.



KIBET KIRUI EMMANUEL
Trustee

Mr. Kibet is a qualified Lawyer and an Advocate of the High Court of Kenya with notable experience and expertise in Business, Commercial and Dispute Resolution. Mr. Kibet is currently a Partner at the H&K Law Advocates, Nairobi. He is a professional member of the Law Society of Kenya and East Africa Law Society. In recognition of his skillful craft, Kibet was appointed by H.E, President of the Republic of Kenya as a Joint Secretary to an independent Tribunal established under Article 251 of the Constitution of Kenya to investigate the Conduct of four (4) Independent Electoral and Boundaries Commission (IEBC) Commissioners. Kibet presently holds the position of Director, Kenya Ports Authority, appointed by the Cabinet Secretary, Ministry of Roads, and Transport in January 2023. At the Board of Directors, Mr. Kibet Chairs the Finance & Asset Committee. He is also a Sponsor Nominated Trustee to the Kenya Ports Authority Pension Scheme.

Mr. Kibet has been recognized by a merit award for pioneering a legal journal for Moi University, School of Law in 2013, as the Editor-in-Chief. He won the National First Place Award in the Youth for Democracy Innovation Award 2012/2013, by the UNDP. He has also published in esteemed law journals and periodicals.

Committee Membership - Finance and Investment Committee/ Project Implementation Committee (SPV)



CAROLINE NJOKI
Trustee

Caroline joined the Scheme on 12 May 2023 as a Sponsor nominated Trustee - KPA Pension Scheme (DB). With over 2 years of experience.

Caroline has a Bachelor of Science in Human Resource Management from JKUAT. She is currently a Director at SynergySphere Consulting Limited and a Board Director, KPA.

Committee Membership - Audit & Risk/ Administration and Communication Committee



CANNON TOWERS

MOMBASA



SCHEME ADMINISTRATOR'S REPORT



Our members remain a top priority as we refine our strategies to navigate the changing economic landscape and achieve our investment objectives.



A key focus is to enhance the return on investments to a target of

12%

1%

Approved pension increase rate per annum as recommended by the Actuary

Dear Esteemed Members,

It is my utmost pleasure to present the Scheme Administration Report for the year ended 31st December 2023. Our past achievements and ongoing success are driven by our strategic priorities. I would like to extend my heartfelt gratitude to all stakeholders who have contributed to the Fund's progress through various cycles. We are honored to have been entrusted with the responsible administration of your funds. As always, our members remain a top priority as we refine our strategies to navigate the changing economic landscape and achieve our investment objectives.

GOVERNANCE AND SCHEME ADMINISTRATION

Board of Trustees

The Scheme is administered by a Board of Trustees comprising of six (6) sponsor nominated Trustees and three (3) member elected Trustees. In line with the regulations, the Trustees serve a term of three (3) years with an eligibility to serve one (1) additional term of equal number of years. The Board is fully constituted. In addition to the above, the Board operates through four (4) standing committees i.e., the Finance and Investment Committee, the Administration and Communication Committee, the Audit and Risk Committee and the Project Implementation Committee.



For the Board operations, the Scheme is now largely paperless with the advent of a functional e-board system. This has not only enhanced efficiency and confidentiality but also contributes to environmental conservation and sustainability.

Scheme Administration/Secretariat

The Scheme is managed internally under the leadership of a Scheme Administrator, who is supported by a team of staff members. These staff are organized into three departments: Information and Communication Technology, Benefits, and Finance & Investments. Additionally, two key units support these departments: the Legal Unit and the Human Resources & Administration Unit.

Since 2021, in compliance with Treasury Circular No. 18 of 2010, the Scheme has fully delinked from the Sponsor. This separation has provided the Scheme with greater autonomy.

STRATEGIC DIRECTION

The year 2023, marked the second year of implementation of our 2022-2026 strategic plan whose key areas of focus are:

- Focus on funding stability and sustainability
- Member satisfaction
- Operational efficiency
- Capacity development.

Despite challenges, the Scheme is on track toward its funding target, with a strengthened investment strategy aimed at confronting future challenges. The emphasis is on accountability among stakeholders, maintaining high performance standards, and enhancing customer service through better understanding of members' needs, use of digital tools, and process improvements.

MAJOR STRATEGIC ACTIVITIES DURING THE YEAR

• On fund stability and sustainability

The Scheme has consistently implemented prudent investment strategies aimed at ensuring its long-term sustainability, especially in light of the growing deficit. A key focus is to enhance the return on investments to a target of 12%. However, the Scheme faces a challenge due to a significant portion of its portfolio being tied up in properties. In response, property advisors were engaged to develop strategies to optimize the Scheme's assets, particularly within the property portfolio.

On the member engagement front, the adoption of a robust engagement approach and an open-door policy has significantly reduced litigation cases. This, in turn, has cut legal costs by nearly half, a positive trend that the Scheme hopes to maintain for its continued prosperity.

• Member Satisfaction

During the year, the Scheme conducted a biometric census, which also served as a member engagement initiative. This provided an opportunity to gather valuable feedback from members. One of the key concerns raised was the need for a product that would facilitate easier access to medical care post-retirement. The Board of Trustees approved the payment of premiums to an insurance company chosen by the member, with the amount to be deducted from the member's monthly pension over a period of twelve (12) months..

SCHEME ADMINISTRATOR'S REPORT (Cont'd)

Another concern raised by members was the issue of pension increments. The Board of Trustees made recommendations to the Sponsor's Board for an increase in pensions. After thorough consideration and deliberations in 2023, the Sponsor's Board approved a one-off pension increase. The increase, which had been due in January 2021, was approved at a rate of 1% per annum as recommended by the Actuary noting the funding status of the fund. This translates to a 3% increase for those who retired before 2018, 2% for those who retired in 2018, 1% for those who retired in 2019, and no increase for those who retired in 2020. The impact of these decisions will be realized in 2024.

- **Operational Efficiency**

For operational efficiency, the scheme continues to leverage on technology. Presently, the scheme's internal operations have fully migrated to the enterprise resource planning (ERP) which has enhanced accuracy and efficiency. Biometric census and registration of pensioners and beneficiaries has also enhanced the operations. The biometric registration has been able to clean the scheme register and weed out any possibility of having ghost pensioners and beneficiaries.

For the Board operations, the Scheme is now largely paperless with the advent of a functional e-board system. This has not only enhanced efficiency and confidentiality but also contributes to environmental conservation and sustainability.

- **Capacity Development**

To ensure the effective functioning of the Scheme, several key resource requirements had been identified in the Strategic Plan. A primary focus was on training and capacity building, which will equip staff with the necessary skills to enhance their performance.

At the Board level, a Board Evaluation was conducted to assess the effectiveness of the Board in fulfilling its duties and responsibilities.

The Board Evaluation also indicated the training need of the various members of the Board.

LOOKING AHEAD

The Scheme is fully committed to adhering to the Strategic Plan to ensure the highest quality of service for our members. We pledge to rigorously implement the outlined strategies and initiatives, continuously monitoring progress and making necessary adjustments to meet our objectives. Our commitment includes:

1. **Dedicated Oversight:** We will maintain robust oversight through regular evaluations and reviews by the Board of Trustees to ensure that all strategic goals are met effectively and efficiently.
2. **Transparent Reporting:** We will provide transparent and timely updates on our progress and achievements, ensuring that all stakeholders are informed about the Scheme's performance and developments.
3. **Enhanced Member Services:** We will focus on improving service delivery by investing in training, technology, and process enhancements to better meet the needs and expectations of our members.
4. **Continuous Improvement:** We will actively seek feedback from members and stakeholders to identify areas for improvement and implement best practices to enhance overall member satisfaction.
5. **Accountability and Integrity:** We will uphold the highest standards of accountability and integrity in all our operations, ensuring that the Scheme's resources are managed prudently and in the best interest of our members.

By adhering to these commitments, we aim to not only achieve the objectives of our Strategic Plan but also to continuously enhance the value and effectiveness of the Scheme for the benefit of all members.

SCHEME ADMINISTRATOR'S REPORT (Cont'd)

APPRECIATION

On behalf of the Board of Trustees, I would like to express our sincere gratitude to the Board of Directors of Kenya Ports Authority for their steadfast support and timely remittance of contributions throughout the year. We also thank the Retirement Benefits Authority and our service providers, the Auditors, and Investment Managers.

Additionally, I appreciate our members for their dedication to the Scheme's long-term success. We have achieved much together, and I am optimistic about the future prospects of our Pension Scheme. Thank you for your trust, and I look forward to our continued collaboration.

Thank you, and God bless you all!

Bernard K. Kibet
Scheme Administrator
Kenya Ports Authority Pension Scheme



SECRETARIAT STAFF



FRONT ROW L TO R: Zuhura Askari, Bevaline Koech, Susan Ayoyi, Mary Nyambura.



SECOND ROW L TO R: Kazungu Changawa, Padwick Maratani, Solomon Ngei, Bramuel Kedogo, John Ndichu, Michael Kariuki, Stephen Chege, Allan Washiali, Dennis Bebora.



FINANCIAL STATEMENTS



REPORT OF THE TRUSTEES

The trustees present their report together with the audited financial statements for the Kenya Ports Authority Pension Scheme (the “scheme”) for the year ended 31 December 2023.

ESTABLISHMENT, NATURE, AND STATUS OF THE SCHEME

The scheme was established, and is governed by a trust deed with effect from 1 January 1998. It is a defined benefit scheme and provides, under the rules of the scheme, retirements benefits for the staff of Kenya Ports Authority. It is a tax exempt (92291B/1765) approved scheme under the Income Tax Act and is registered with the Retirement Benefits Authority. Employees contribute to the fund at the rate of 7.5% (2022: 7.5%) of their respective pensionable salaries. The employer contributes at rates based on periodic advice of the actuary. The employer’s current contribution rate is 14.7% (2022: 14.7%) of employees’ pensionable salaries.

SCHEME MEMBERSHIP	2023 Number	2022 Number
Total Members		
Contributing members	305	431
Non-contributing members	2,327	2,918
Pensioners	4,430	4,354
Pension beneficiaries	1,702	1,563
	8,764	9,266
Contributing members		
At start of year	431	566
Reinstatements	2	-
Less: Retired with pension	(122)	(104)
Died in service	(3)	(11)
Other secessionists	(3)	(20)
At end of year	305	431
Pensioners and pension beneficiaries		
At start of year	5,917	5,842
Add: Contributing members who retired	209	104
Widows, widowers and dependants pension becoming payable 183		54
Less: Ceased pensions	(326)	(83)
At end of year	5,983	5,917
FINANCIAL REVIEW	2023 Shs	2022 Shs
Net assets		
At start of year	20,121,390,226	22,387,189,460
Prior year adjustment	-	(31,200,000)
Increase / Decrease in net assets during the year	(2,702,765,136)	(2,234,599,241)
At end of year	17,418,625,097	20,121,390,226

REPORT OF THE TRUSTEES (Cont'd)

INVESTMENT OF FUNDS

Under the terms of their appointment the fund managers Co-op Trust Investment Services Limited are responsible for the investment of funds. The overall responsibility for investment and performance of funds lies with the trustees.

ACTUARIAL POSITION

The last actuarial valuation was carried out as at 31 December 2022 in September 2022 by Actuarial Services EA Limited, an independent firm of actuaries, using the attained age method. According to the valuation at that date, the actuarial present value of promised benefits was as follows:

	2022 Shs '000,000	2021 Shs '000,000
Vested benefits	12,161	12,206
Non vested benefits	14,947	15,210
Total	27,108	27,416

The fair value of the net assets available for benefits was Shs 20,121 (2021 :Shs 22,387) billion resulting in a deficit of Shs 6,987 (2021 :Shs 5,329) billion

The sponsor commissions an actuarial valuation on an annual basis as agreed with the Retirement Benefits Authority (RBA) although the RBA requires an actuarial valuation at least once in every three years.

REMEDIAL PLAN

A remedial plan to reduce the actuarial deficit has not been agreed upon between the trustees, the employer and the Retirement Benefits Authority.

REPORT OF THE TRUSTEES (Cont'd)

TRUSTEES

The trustees who held office to the date of this report are shown on page 6.

EXPENSES

The scheme meets all its expenses.

TAXATION

Kenya Ports Authority Pension Scheme has been approved by Kenya Revenue Authority and is exempt from income tax on its investment income.

INDEPENDENT AUDITOR

The scheme's auditor, Obiria & Co. has indicated willingness to continue in office in accordance with Section 34 (3) of the Retirement Benefits Act.

BY ORDER OF THE BOARD OF TRUSTEES



.....
TRUSTEE
MOMBASA

18th March 2024

STATEMENT OF TRUSTEES RESPONSIBILITIES

The Kenyan Retirement Benefits Act requires the Trustees to prepare financial statements for each financial year which show a true and fair view of the financial transactions of the Scheme for the year and of disposition at year end of its assets and liabilities. It also requires the Trustees to ensure that the Scheme keeps proper accounting records which disclose with reasonable accuracy at any time the financial position of the Scheme. They are also responsible for safeguarding the assets of the Scheme.

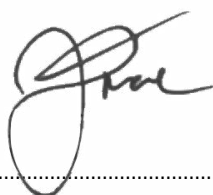
The Trustees are responsible for the preparation and fair presentation of these financial statements in accordance with International Financial Reporting Standards and in the manner required by the Kenyan Retirement Benefits Act, and for such internal controls as Trustees determine is necessary to enable the preparation of financial statements that are free from material misstatements, whether due to fraud or error. They are also obligated to send to the members a summary of its audited financial accounts together with the members' benefits statements.

The Trustees accept responsibility for the annual financial statements, which have been prepared using appropriate accounting policies supported by reasonable and prudent judgments and estimates, in conformity with International Financial Reporting Standards and the Scheme's rules. The Trustees are of the opinion that the financial statements give a true and fair view of the financial affairs of the Scheme and of its operating results. The Trustees further accept responsibility for the maintenance of accounting records which may be relied upon in the preparation of financial statements, as well as adequate systems of internal financial control.

The Trustees certify that, to their best knowledge and belief, the information furnished to the auditor for the purpose of the audit was correct and complete in every respect.

Nothing has come to the attention of the Trustees to indicate that the Scheme will not remain a going concern at least the next twelve months from the date of this statement. The trustees acknowledge that the independent audit of the financial statements does not relieve them of their responsibilities.

Approved by the board of trustees on **18th March 2024** and signed on its behalf by:



TRUSTEE



TRUSTEE

CORPORATE GOVERNANCE STATEMENT

TRUSTEES IN OFFICE

Trustees who were in office during the year were as follows:-

Name of Trustee	Age	Category of Trustee	Gender	Certified	Qualification	Other board membership
David Bonyi	62	Nominated	Male	Yes	Master of Laws (LLM)	None
Salim Chingabwi	69	Nominated	Male	Yes	MSc. Human Resource Management	None
Alex Ole-Leteipan	76	Nominated	Male	Yes	Advanced Accountancy	Chairman Mombasa Club
Ferdinand Malumbo	59	Elected	Male	Yes	HND. Clinical Medicine & Surgery (Orthopaedics & Trauma)	None
Paul Mwaka	52	Elected	Male	Yes	MSc.OSH	None
Violet Mugambi	58	Elected	Female	Yes	PHD. In Arts in Counselling	None
Emmanuel Kibet Kirui	35	Nominated	Male	Yes	Advocate, High Court of Kenya, Bachelor of Laws(LLB)	Joint Secretary to Tribunal, Board Director KPA
Caroline Maina Njoki	26	Nominated	Female	No	Bachelor of Human Resource Management	Board Director, KPA
Francis Tsuma Leli	49	Nominated	Male	Yes	Masters of Business Administration, (Strategic Management)	None
Omae Nyarandi	55	Nominated	Male	Yes	Masters of Business Administration, (Strategic Management)	Chairman Mombasa Water and Sanitation Company
Catherine Wangari	51	Nominated	Female	Yes	MSC Human Resource Management	None
Susan W.K. Leli	65	Elected	Female	Yes	Degree in Office Management and Administration(Ongoing), Diploma in Leadership Management	None

BOARD COMMITTEES

The Scheme has the following sub-committees in place with terms of reference clearly defined to facilitate decision making of the

STANDING COMMITTEES

1. Finance & Investment Committee
2. Audit & Risk Committee
3. Administration & Communication Committee
4. Project Implementation Committee

The above sub-committees meet regularly to deliberate on issues that fall under their mandate.

CORPORATE GOVERNANCE STATEMENT (Cont'd)

MEETINGS HELD

The Board of Trustees held 24 meetings during the year ending the 31st December 2023.

The meetings were held on the dates set out hereunder:-

Type of meeting	Number held	Dates
Regular Board	7	13/04/2023,27/06/2023,15/08/2023,16/08/2023,20/11/2023,21/11,2023/18/12/2023.
Special Board	14	14/02/2023,18/02/2023,16/02/2023,10/03/2023,16/03/2023,17/03/2023,21/03/2023,31/03/2023,20/07/2023,21/07/2023,22/07/2023,14/09/2023,26/10/2023
Joint Board (with DC Scheme)	3	30/01/2023,12/04/2023,21/07/2023

The number of Board and Committee meetings held during the year and attendance by individual Trustees is summarized in the schedule below:

Name of Trustee	Meeting type	Attendance		
		No	Out of	%
David Bonyi	Regular Board	6	7	86%
	Special Board	11	14	79%
	Joint Board	1	3	33%
	Administrative Committee	2	2	100%
	Finance and Investment	1	1	100%
Salim Chingabwi	Regular Board	1	7	14%
	Special Board	9	14	64%
	Joint Board	2	3	67%
Alex Ole-Leteipan	Regular Board	1	7	14%
	Special Board	4	14	29%
	Joint Board	2	3	67%
Ferdinand Malumbo	Regular Board	7	7	100%
	Special Board	12	14	86%
	Joint Board	3	3	100%
	Administrative Committee	1	2	50%
	Project Implementation	1	1	100%
	Tender Committee	12	12	100%

CORPORATE GOVERNANCE STATEMENT (Cont'd)

MEETINGS HELD (cont'd)

Name of Trustee	Meeting type	Attendance		
		No	Out of	%
Paul Mwaka	Regular Board	7	7	100%
	Special Board	11	14	79%
	Joint Board	3	3	100%
	Finance and Investment	1	1	100%
	Tender Committee	12	12	100%
Violet Mugambi	Regular Board	7	7	100%
	Special Board	12	14	86%
	Joint Board	3	3	100%
	Finance and Investment	1	1	100%
	Administrative Committee	2	2	100%
	Tender Committee	12	12	100%
Justus Nyarandi	Regular Board	6	7	86%
	Special Board	2	14	14%
	Joint Board	1	3	33%
Catherine Wangari	Regular Board	4	7	57%
	Special Board	2	14	14%
	Joint Board	1	3	33%
	Project Implementation	1	1	100%
	Administrative Committee	1	2	50%
Francis Tsuma	Regular Board	6	7	86%
	Special Board	2	14	14%
	Joint Board	1	3	33%
	Finance and Investment	1	1	100%
	Project Implementation	1	1	100%
Emmanuel Kibet	Regular Board	6	7	86%
	Special Board	1	14	7%
	Joint Board	1	3	33%
	Finance and Investment	1	1	100%
	Project Implementation	1	1	100%
Caroline Maina	Regular Board	6	7	86%
	Special Board	2	14	14%
	Joint Board	1	3	33%
	Administrative Committee	1	1	100%

CORPORATE GOVERNANCE STATEMENT (Cont'd)

FIDUCIARY RESPONSIBILITY STATEMENT

The Board of Trustees is the governing body of the Kenya Ports Authority Pension Scheme and is responsible for the corporate governance of the scheme.

The Trustees are responsible for ensuring that the administration of the scheme is conducted in the best interests of the scheme's members and the sponsor. To achieve this, the Trustees embraced their fiduciary responsibility by:

- a. Acting honestly and did not improperly use inside information or abuse their position.
- b. Exercising the highest degree of care and diligence in the performance of their duties that a reasonable person in a like position would exercise in the circumstances; and
- c. Performing their duties with the requisite degree of skill.

The scheme has complied with the laws, regulations and guidelines that govern retirement benefits schemes and the scheme's business operations.

The Trustees have ensured that the fund manager has carried out all scheme investments and that all scheme assets and funds are held by the custodian.

RESPONSIBLE CORPORATE CITIZENSHIP

The scheme has participated in socially responsible investments and operations and has not been involved in any activity that may undermine the well-being of the sponsor, members, or the community in which it operates.

KEY OUTCOMES

The Board of Trustees seeks to achieve the following:

- a. Building trust with the members and sponsor of the scheme so that they are satisfied with the administration of the scheme;
- b. Supporting innovation and developing solutions that meet the members' and sponsor's needs;
- c. Ensuring that the scheme's administrative processes remain transparent and accessible to member and the sponsor; and
- d. Ensure that the nomination of Trustees to the Board is staggered to achieve continuity.

The Board of Trustees will measure the progress towards these outcomes through quarterly reports and feedback to the sponsor.

CORPORATE GOVERNANCE STATEMENT (Cont'd)

ANNUAL GENERAL MEETING (AGM)

The Board of Trustees held the annual general meeting on the 27th October 2023, at which 2568 members attended, making up 27.12% of scheme members eligible to attend the meeting. The board adequately addressed the members' concerns.

No.	Number of Attendees	No. of people eligible to attend	Percentage
1	2568	8074	32%

MEMBERS' SENSITIZATION

Activities	Date held	No. of members who attended	Remarks
Annual General Meeting	27/10/2023	2568	Attendance were both Pensioners and Active Members
Retirement Planning Training	28th -30th March 2023, 9th - 14th May 2023,20th -22nd September 2023,27th -29th September3rd-05th May 2023,11th-13th October 2023	717	The training was held jointly with DC Scheme

During the sensitization forums, members were educated on the following: roles and responsibilities of members, complaints portal, changes in Retirement Act & Regulations.

TRUSTEES REMUNERATION

During the year under review, the Trustees were paid a gross sum of Kshs.8,980,000.00. The payments complied with the scheme's Trustees remuneration policy.

BOARD OF TRUSTEES EVALUATION

The board and individual Trustees undertook board evaluation in the year under review. The board review process was facilitated externally, and the process took the form of both interviews and questionnaire. The board was rated 88%.

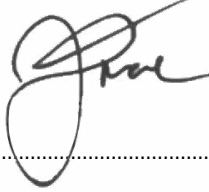
In summary the board as an entity achieved an above average performance characterized by the Trustees promoting a positive image of the Scheme. Factors contributing to the performance include:-

- The Legal Instruments of the Scheme provides the Scheme with an effective process to nominate and select new Board Trustees.
- The Board's composition reflects the diversity of background, expertise, and other resources needed by the Scheme.
- The Scheme's management provides new Board of Trustees with a comprehensive orientation to the Scheme's services.
- The Scheme's establishing Act regarding the length of Board service and rotation of Board trustees ensures necessary leadership and synergy.
- The frequency of Board meetings is appropriate for the responsible discharge of the Board's responsibilities.

CORPORATE GOVERNANCE STATEMENT (Cont'd)

BOARD OF TRUSTEES EVALUATION (cont'd)

- f. The frequency of Board meetings is appropriate for the responsible discharge of the Board's responsibilities.
- g. The size of the Board of Trustees is appropriate for effective governance of the Scheme and most Board of Trustees are actively engaged in work of the Scheme.
- h. Each appointed committee and task force has a stated purpose and work plan. Trustees come to meetings prepared



Signed:.....

Dated: 18th March 2024

JUSTUS OMAE NYARADI
(CHAIRPERSON)

**REPORT OF THE INDEPENDENT AUDITOR
TO THE MEMBERS OF KENYA PORTS AUTHORITY PENSION SCHEME****Opinion**

We have audited the accompanying financial statements of Kenya Ports Authority Pension Scheme set out on pages 50 to 73 which comprise the statement of net assets available for benefits as at 31 December 2023 and the statement of changes in net assets available for benefits, statement of cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies.

In our opinion the accompanying financial statements give a true and fair view of the financial position of the scheme as at 31 December 2023, and of its financial performance and its cash flows for the year then ended in accordance with International Financial Reporting Standards and the requirements of the Retirement Benefits Act, 1997 and the scheme's trust deed.

Basis for Opinion

We conducted our audit in accordance with International Standards on Auditing (ISAs). Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are independent of the company in accordance with the International Ethics Standards Board for Accountants' audit of the financial statements in Kenya, and we have fulfilled our other ethical responsibilities in accordance with these requirements and the IESBA Code. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Emphasis of matter:**a) Project balances**

Included in receivables and payables are amounts of Shs 2,144,794,677 and Shs 48,219,678 respectively relating to completed property development projects undertaken by the scheme.

b) Actuarial deficit

We draw your attention to Note 21 in the notes to the financial statements which indicates that there was an actuarial deficit of Shs 6,987 billion as at 31 December 2022.

A remedial plan to reduce the actuarial deficit has not been agreed upon between the trustees, the employer and the Retirement Benefits Authority.

c) Non-compliance with Retirement Benefits Act investment guidelines

We draw your attention to Note 18 to the financial statements which indicates that investment in investment property is more than that stipulated in the Retirement Benefits Act.

d) Expired lease of leasehold property

We draw your attention to Note 8 to the financial statements which indicates the the value of investment in investment property in a sum of Shs 10,640,151,360. Included in the amount is Shs 142,000,000 relating to Property No. Mombasa/Block/XXI/64 whose lease has expired.

Our opinion is not qualified in respect of this matters.

Other information

The trustees are responsible for the other information. The other information comprises the report of the trustees' but does not include the financial statements and our auditor's report thereon..

Our opinion on the financial statements does not cover the other information and we do not express any form of assurance conclusion thereon.

In connection with our audit of the financial statements, our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or our knowledge obtained in the audit, or otherwise appears to be materially misstated. If, based on the work we have performed, we conclude that there is a material misstatement of this other information, we are required to report that fact. We have nothing to report in this regard.

**REPORT OF THE INDEPENDENT AUDITOR
TO THE MEMBERS OF KENYA PORTS AUTHORITY PENSION SCHEME (CONTINUED)****Responsibilities of Trustees for the Financial Statements**

The trustees are responsible for the preparation of financial statements that give a true and fair view in accordance with 'International Financial Reporting Standards and the Retirement Benefits Act 1997, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error. In preparing the financial statements, the trustees are responsible for assessing the Scheme's ability to continue as a going 'concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless 'the trustees either intend to liquidate the Scheme or to cease operations, or has no realistic alternative.

Those charged with governance are responsible for overseeing the Scheme's financial reporting process..

Auditor's Responsibilities for the Audit of the Financial Statements

Our 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 our opinion. Reasonable assurance 'is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISAs will always detect a 'material misstatement 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.

As part of an audit in accordance with ISAs, we exercise professional judgment and maintain professional skepticism "throughout the audit. We 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 our 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.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the scheme's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made b the trustees.
- Conclude on the appropriateness of the trustee's use of the going concern 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 scheme's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the scheme to cease to continue as a going concern.
- 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.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

We also provide those charged with governance with a statement that we have complied with relevant ethical requirements regarding independence, and to communicate with them all relationships and other matters that may reasonably be thought to bear on our independence, and where applicable, related safeguard

The engagement partner responsible for the audit resulting in this independent auditor's report is CPA Gideon Obiria P/No. 2157

For and on behalf of:
Obiria & Co.
Certified Public Accountants
Mombasa



20th March 2024

STATEMENT OF CHANGES IN NET ASSETS AVAILABLE FOR BENEFITS

	Notes	2023 Kshs	2022 Kshs
Income from dealings with members			
Contributions received in the year	2.	644,903,098	683,956,732
Outgoings from dealings with members			
Benefits payable and paid	3.	(2,799,425,700)	(2,670,019,189)
Net reduction from dealings with members		(2,154,522,602)	(1,986,062,457)
Returns on investments			
Investment income	4.	785,341,828	821,964,954
Gain/(loss) on disposal of financial assets	5.(i)	(151,687,516)	24,500,232
Gain/(loss) on disposal of investment property	5.(ii)	23,250,000	(38,800,000)
Fair value gain / (loss) on investment properties	8	(206,521,360)	-
Changes in fair value of plan assets	11.	(795,400,000)	(867,447,119)
Investment management expenses	6.	(13,609,690)	(19,630,241)
Net return on investments		(358,626,738)	(79,412,174)
Administrative expenses	7.	(189,615,797)	(169,124,610)
(Decrease)/increase in net assets for the year		(2,702,765,136)	(2,234,599,241)
Net assets available for benefits			
At start of year		20,121,390,226	22,387,189,460
Prior year adjustment		-	(31,200,000)
(Decrease)/increase		(2,702,765,136)	(2,234,599,241)
At end of year		17,418,625,097	20,121,390,226


The notes on pages 53 to 73 form an integral part of these financial statements.

Report of the independent auditor - pages 48 to 49.

STATEMENT OF NET ASSETS AVAILABLE FOR BENEFITS

				AS AT 31 DECEMBER		
		Notes	2023 Kshs	2022 Kshs		
Assets						
Investment properties	8.		10,433,630,000	10,640,151,360		
Motor vehicle and equipments	9.		37,536,926	41,854,141		
Assets classified as held for sale	10.		512,900,000	674,700,000		
Plan investments	11.		4,415,820,501	6,833,083,971		
Intangible assets	12.		19,343,067	4,266,510		
Receivables and accrued income	13.		2,293,315,035	2,284,765,277		
Cash and cash equivalents	14.		173,109,498	217,389,908		
Total assets			17,885,655,027	20,696,211,167		
Less: Liabilities						
Payables and accrued expenses	15		467,029,934	574,820,940		
Net assets available for benefits			17,418,625,097	20,121,390,226		

The financial statements on pages 50 to 73 were approved and authorised for issue by the Board of Trustees on 18th March 2024 and were signed on its behalf by:



.....
TRUSTEE



.....
TRUSTEE

The notes on pages 53 to 73 form an integral part of these financial statements.

Report of the independent auditor - pages 48 to 49..

STATEMENT OF CASH FLOWS

	Notes	2023 Kshs	2022 Kshs
Operating activities			
Reconciliation of decrease in net assets to cash from operating activities:			
Decrease in net assets (excluding fair value changes)		(1,540,662,373)	(1,394,098,441)
Adjustments for:			
Depreciation of motor vehicles and equipment	7.	15,558,604	13,941,308
Amortisation of intangible assets		1,716,843	833,464
Gain/(loss) on disposal of investment property		23,250,000	38,800,000
Gain/(loss) on revaluation of investment property		(206,521,360)	-
(Gain)/loss on disposal of financial assets	5.(i)	(151,687,516)	26,946,319
		(1,858,345,802)	(1,313,577,351)
Changes in:			
Receivables and accrued income		(8,549,758)	(303,344,902)
Payables and accrued expenses		(107,791,006)	(152,070,734)
Net cash used in operating activities		(1,974,686,565)	(1,768,992,987)
Investing activities			
Cash paid for purchase of PPE	9.	(11,241,390)	(2,473,900)
Cash paid for purchase of intangible asset	12.	(16,793,400)	-
Purchase of plan assets	11.	(31,946,981)	(478,751,063)
Proceeds from sale of investment property		185,050,000	466,400,000
Proceeds from sale/maturity of financial assets	5.(i)	1,735,674,084	1,802,133,652
Net cash from investing activities		1,860,742,312	1,787,308,689
Decrease in cash and cash equivalents		(113,944,253)	18,315,702
Movement in cash and cash equivalents			
At start of year		437,235,277	418,919,577
Increase (decrease)		(113,944,253)	18,315,702
At end of year	14.	323,291,026	437,235,277

The notes on pages 53 to 73 form an integral part of these financial statements.

Report of the independent auditor - pages 48 to 49.

1. SIGNIFICANT ACCOUNTING POLICIES

The principal accounting policies adopted in the preparation of these financial statements are set out below. These policies have been consistently applied to all the years presented unless otherwise stated.

a) Basis of preparation

The financial statements have been prepared under the historical cost convention, except as indicated otherwise below and are in accordance with International Financial Reporting Standards (IFRS), Retirement Benefits Act, 1997 as amended, and with the Retirement Benefits (Occupational Retirement Benefit Schemes) Regulations, 2000. Historical cost convention is generally based on the fair value of the consideration given in exchange of assets. Fair value is the price to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date, regardless of whether that price is directly observable or estimated using another valuation technique. In estimating the fair value of an asset or liability, the scheme takes into account the characteristics of the asset or liability if market participants would take those characteristics into when pricing the asset or liability at the measurement date.

In addition, for financial reporting purposes, fair value measurements are categorised into level 1, 2 or 3 based on the degree to which the inputs to the fair value measurements are observable and the significance of the inputs to the fair value measurement in its entirety, which are described as follows:

- Level 1 inputs are quoted prices (unadjusted) in active markets for identical assets or liabilities that the entity can access at the measurement date;
- Level 2 inputs are inputs, other than quoted prices included within Level 1, that are observable for the asset or liability, either directly or indirectly; and
- Level 3 inputs are unobservable inputs for the asset or liability.

The financial statements summarise the transactions of the scheme and deal with the net assets available or benefits disposal of the trustees. They do not take account of obligations to pay pensions and benefits that fall due after the end of scheme year.

These financial statements are presented in Kenyan Shillings (Shs), rounded to the nearest thousand. The measurement applied is the historical cost basis, except where otherwise stated in the accounting policies.

Going concern

The financial performance of the scheme is set out in the trustees' report and in the statement of changes in net assets available for benefits. The financial position of the scheme is set out in the statement of net assets available for benefits. Disclosures in respect of risk management are set out in note 23.

Based on the financial performance and position of the scheme and its risk management policies, the trustees are of the opinion that the scheme is well placed to continue in business for the foreseeable future and as a result the financial statements are prepared on a going concern basis.

New and amended standards adopted by the scheme

A number of new and revised Standards and Interpretations have been adopted in the current year. Their adoption has had no material impact on the amounts reported in these financial statements.

NOTES (Cont'd)

1. SIGNIFICANT ACCOUNTING POLICIES

a) Basis of preparation (continued)

New standards, amendments and interpretations issued but not effective

At the date of authorisation of these financial statements the following Standards and Interpretations which have not been applied in these financial statements were in issue but not yet effective for the year presented:

- Amendments to IAS 40 'Transfers of Investment Property' (issued in December 2017) that are effective for annual periods beginning on or after 1 January 2018, clarify that transfers to or from investment property should be made when, and only when, there is evidence that a change in use of property has occurred.
- Amendment to IFRS 1 (Annual Improvements to IFRSs 2014–2016 Cycle, issued in December 2016) that is effective for annual periods beginning on or after 1 January 2018, deletes certain short-term exemptions and removes certain reliefs for first-time adopters.
- IFRS 9 'Financial Instruments' (Issued in July 2014) will replace IAS 39 and will be effective for annual periods beginning on or after 1 January 2018. It contains requirements for the classification and measurement of financial assets and financial liabilities, impairment, hedge accounting and de-recognition.

In respect of financial liabilities, the most significant effect of IFRS 9 where the fair value option is taken will be in respect of the amount of change in fair value of a financial liability designated as at fair value through profit or loss that is attributable to changes in the credit risk of that liability is recognised in other comprehensive income (rather than in profit or loss), unless this creates an accounting mismatch.

In respect of impairment of financial assets, IFRS 9 introduces an "expected credit loss" model based on the concept of providing for expected losses at inception of a contract.

In respect of hedge accounting, IFRS 9 introduces a substantial overhaul allowing financial statements to better reflect how risk management activities are undertaken when hedging financial and non-financial risks.

- IFRS 15 'Revenue from Contracts with Customers' (issued in May 2014) effective for annual periods beginning on or after 1 January 2018, replaces IAS 11 'Construction Contracts', IAS 18 'Revenue' and their interpretations (SIC-31 and IFRIC 13, 15 and 18). It establishes a single and comprehensive framework for revenue recognition based on a five-step model to be applied to all contracts with customers, enhanced disclosures, and new or improved guidance.
- IFRS 16 'Leases' (issued in January 2016) effective for annual periods beginning on or after 1 January 2019, replaces IAS 17 'Leases', IFRIC 4 'Determining whether an Arrangement Contains a Lease' and their interpretations (SIC-15 and SIC-27). IFRS 16 establishes principles for the recognition, measurement, presentation and disclosure of leases, with the objective of ensuring that lessees and lessors provide relevant information that faithfully represents those transactions.
- The trustees expect that the future adoption of IFRS 9 may have a material impact on the amounts reported. However, it is not practicable to provide a reliable estimate of the effects of the above until a detailed review has been completed. The trustees do not expect that adoption of the other standards and interpretations will have a material impact on the financial statements in future periods. The scheme plans to apply the changes above from their effective dates noted above.

1. SIGNIFICANT ACCOUNTING POLICIES

b) Key sources of estimation uncertainty

In the application of the accounting policies, the trustees are required to make the judgments, estimates and assumptions about the carrying amount of assets and liabilities that are not readily apparent from other sources. The estimates and associated assumptions are based on historical experience and other relevant factors. Such estimates and assumptions are reviewed on an ongoing basis. Revisions to estimates are recognised prospectively.

In the application of the accounting policies, the trustees are required to make the judgments, estimates and assumptions about the carrying amount of assets and liabilities that are not readily apparent from other sources. The estimates and associated assumptions are based on historical experience and other relevant factors. Such estimates and assumptions are reviewed on an ongoing basis. Revisions to estimates are recognised prospectively.

The trustees have made the following assumptions that have a significant risk of resulting in a material adjustment to the carrying amounts of assets and liabilities within the next financial year.

- **Impairment of receivables and accrued income-** the scheme reviews their portfolio of receivables on an annual basis. In determining whether receivables are impaired, the management makes judgement as to whether there is any evidence indicating that there is a measurable decrease in the estimated future cashflows expected.
- **Fair value measurement and valuation process -** In estimating the fair value of an asset or a liability, the trustees uses market-observable data to the extent it is available. Where level 1 inputs are not available, the trustees makes use of financial models or engages third party qualified values to perform the valuation and provide inputs to the model.

c) Significant judgements made by management in applying the scheme's accounting policies

Trustees have made the following judgements that are considered to have the most significant effect on the amounts recognised in the financial statements:

- **Held to maturity financial assets -** The trustees have reviewed the scheme's held to maturity financial assets in the light of its capital maintenance and liquidity requirements and have confirmed the scheme's positive intention and ability to hold those assets to maturity.

d) Contributions receivable

Current service and other contributions are accounted for in the period in which they fall due.

e) Benefits payable

Pensions and other benefits payable are accounted for in the period in which they fall due.

f) Income from investments

- i) Interest income is recognised for all interest bearing instruments on a accrual basis. Interest income includes coupons earned on fixed income investments and accrued discounts and premium on treasury bills and other discounted instruments.
- ii) Dividends are recognised as income in the period in which the right to receive payment is established.
- iii) Rental income is recognised in the period in which it is earned.

NOTES (Cont'd)

1. SIGNIFICANT ACCOUNTING POLICIES

g) Translation of foreign currencies

Transactions in foreign currencies during the year are converted into Kenya Shillings (the functional currency), at rates ruling at the transaction dates. At the end of each reporting period, items denominated in foreign currencies are retranslated at the rates prevailing at that date.

Foreign exchange gains and losses resulting from the settlement of such transactions and from the translation at year-end exchange rates of monetary assets and liabilities denominated in foreign currencies are recognised in the statements of changes in net assets available for benefits.

h) Motor vehicle and equipments

All motor vehicle and equipments are initially recorded at cost and thereafter stated at historical cost less depreciation. Historical cost comprises expenditure initially incurred to bring the asset to its location and condition ready for its intended use.

Subsequent costs are included in the asset's carrying amount or recognised as a separate asset, as appropriate, only when it is probable that future economic benefits associated with the item will flow to the company and the cost can be reliably measured. The carrying amount of the replaced part is derecognised. All other repairs and maintenance are charged to the income statement during the financial period in which they are incurred.

Depreciation is calculated on the straight line basis to write down the cost of each asset, to its residual value over its estimated useful life using the following annual rates:

Motor vehicle	-	over 4 years
Computer and equipments	-	over 5 years

The assets residual values and useful lives of the assets are reviewed, and adjusted if appropriate, at the end of each reporting date.

An asset's carrying amount is written down immediately to its recoverable amount if the asset's carrying amount is greater than its estimated recoverable amount.

Gains and losses on disposal of motor vehicles and equipment are determined by reference to their carrying amount and are taken into account in determining net return on investments.

i) Investment property

Investment property is carried at fair value representing open market value. Fair value is determined every three years by external independent valuers as required by the Retirement Benefits Act. Investment properties are not subject to depreciation. Changes in the carrying amount between reporting dates are processed through the statement of changes in net assets.

On disposal of an investment property, the difference between the net disposal proceeds and the carrying amount is charged or credited to the statement of changes in net assets.

Repairs and maintenance expenses in respect of investment property are charged to income in the period in which the expense is incurred.

1. SIGNIFICANT ACCOUNTING POLICIES

j) Financial instruments

Financial assets and financial liabilities are recognised when the scheme becomes a party to the contractual provisions of the instrument. Management determines all classification of financial assets at initial recognition.

- Financial assets

The scheme's financial assets which include quoted shares, government securities and corporate bonds and commercial paper and loans and receivables are carried at fair value and fall into the following categories:

Held-to-maturity: financial assets with fixed or determinable payments and fixed maturity where the management have the positive intent and ability to hold to maturity. Such assets are carried at amortised cost using the effective interest rate method. Changes in the carrying amount are recognised in the statement of changes in net assets available for benefits.

Available-for-sale: financial assets that are held for an indefinite period of time, which may be sold in response to needs for liquidity or changes in interest rate. Such assets are carried at fair value where fair value gains or losses are recognised directly in statement of changes in net assets available for benefits.

Interest on available-for-sale securities is calculated using the effective interest method and is recognised in statement of changes in net assets available for benefits as part of investment income. Dividends on available-for-sale equity instruments are also recognised in statement of changes in net assets available for benefits as part of investment income when the scheme's right to receive payments is established.

Receivables: financial assets that are created by the scheme by providing money directly to a debtor are carried at amortised cost using the effective interest rate method. Changes in the carrying amount are recognised in the statement of changes in net assets available for benefit.

Purchases and sales of financial assets are recognised on the trade date i.e. the date on which the scheme's fund managers commit to purchase or sell the asset.

Financial assets carried at fair value through statement of changes in net assets available for benefits are initially recognised at fair value and transaction costs are expensed in the statement of changes in net assets.

Financial assets are derecognised when the rights to receive cash and cash flows from the investments have expired or have been transferred and the scheme has transferred substantially all risks and rewards of ownership. Available-for-sale financial assets are subsequently carried at fair value.

A financial asset is impaired if its carrying amount is greater than its estimated recoverable amount. Impairment of financial assets is recognised in statement of changes in net assets available for benefits under administrative expenses when there is objective evidence that the company will not be able to collect all amounts due per the original terms of the contract. Significant financial difficulties of the issuer, probability that the issuer will enter bankruptcy or financial reorganisation, default in payments and a prolonged decline in fair value of the asset are considered indicators that the asset is impaired.

The amount of the impairment loss is calculated at the difference between the assets carrying amount and the present values of expected future cash flows, discounted at the financial instrument's effective interest rate. Impairment losses are recognised in statement of changes in net assets available for benefits.

NOTES (Cont'd)

1. SIGNIFICANT ACCOUNTING POLICIES

j) Financial instruments (continued)

- Financial assets (continued)

Subsequent recoveries of amounts previously written off/impaired are credited to changes in net assets available for benefits.

Gains and losses on disposal of assets whose changes in fair value were initially recognised in statement of changes in net assets available for benefits are determined by reference to their carrying amount and are taken into account in determining changes in net assets available for benefits.

Trustees classify investments as follows:

Quoted shares, government securities, corporate bonds and commercial paper are classified as available-for-sale financial instruments. The fair values of quoted shares are based on current bid prices at the reporting date.

Cash with financial institutions are classified as loans and receivables and are carried at amortised cost. Receivables are classified as loans and receivables and are carried at amortised cost.

A financial asset is impaired if its carrying amount is greater than its estimated recoverable amount. The amount of the impairment loss for assets carried at amortised cost is calculated as the difference between the assets carrying amount and the present values of expected future cash flows, discounted at the financial instrument's effective interest rate. Impairment losses are taken into account for determining increase/decrease in net assets for the year.

Trustees classify investments as follows:

Quoted investments are classified as 'available for sale' financial instruments. The fair values of quoted investments are based on current bid prices at the reporting date.

Government securities, corporate bonds and commercial paper are classified as held to maturity as the scheme has the intention and ability to hold these to maturity. These are carried at amortised cost.

Cash with financial institutions are classified as loans and receivables and are carried at amortised cost. Receivables are classified as loans and receivables and are carried at amortised cost.

Management classify the fair values of financial assets based on the qualitative characteristics of the fair valuation as at the financial year end. The three hierarchy levels used by management are:

- **Level 1:** where fair values are based on non-adjusted quoted prices in active markets for identical financial.
- **Level 2:** where fair values are based on adjusted quoted prices and observable prices of similar financial assets.
- **Level 3:** where fair values are not based on observable market data.

- Financial liabilities

The scheme's financial liabilities which includes payables fall into the following category:

Financial liabilities measured at amortised cost: These include payables. These are initially measured at fair value and subsequently measured at amortised cost, using the effective interest rate method.

Payables are initially recognised at fair value and are subsequently stated at amortised cost.

1. SIGNIFICANT ACCOUNTING POLICIES

j) Financial instruments (continued)

- Financial liabilities (continued)

All financial liabilities are classified as current liabilities unless the scheme has an unconditional right to defer settlement of the liability for at least 12 months after the date of the statement of financial position.

Financial liabilities are derecognised when, and only when, the scheme's obligations are discharged, cancelled or expired.

Benefits payable and other liabilities are classified as financial liabilities. Benefits payable to leaving members are taken into account as they fall due for payment.

Offsetting financial instruments

Financial assets and liabilities are offset and the net amount reported in the statement of net assets available for benefits when there is a legally enforceable right to offset the recognised amounts and there is an intention to settle on a net basis, or realise the asset and settle the liability simultaneously.

k) Intangible assets - Software

Computer software is capitalised on the basis of the costs incurred to acquire and bring to use the specific software. These costs are amortised over their estimated useful lives which is estimated to be 5 years.

l) Cash and cash equivalents

For the purposes of the statement of cash flows, cash and cash equivalents comprise cash in hand, deposits held at call with banks and fixed and time deposits maturing within 90 days.

m) Taxation

The scheme is exempt from income tax under the Income Tax (Cap. 470).

n) Comparatives

Where necessary, comparative figures have been reclassified to conform to changes in presentation in the current year.

NOTES (Cont'd)

	2023 Kshs	2022 Kshs
2. Contributions received		
Employer's contributions at 14.7% (2022: 14.7%)	71,843,515	97,992,912
Employees' contributions at 7.5% (2022: 7.5%)	37,859,583	50,763,819
Additional contribution	535,200,000	535,200,000
	644,903,098	683,956,732
There were no unremitted contributions as at 31st December 2023 and no penalty was paid by the sponsor for failure to remit contributions or accrued interest on unpaid benefits.		
3. Benefits payable and paid	2023 Kshs	2022 Kshs
Monthly pensions	1,774,299,093	1,676,015,302
Lump sum	1,023,126,606	986,437,221
Burial allowance	2,000,000	7,566,665
	2,799,425,700	2,670,019,189
4. Income from investment		
Rental income		
Gross rental income	316,416,183	313,588,897
Less: direct rental expenses	(166,302,156)	(302,720,361)
Net rental gain	150,114,027	10,868,535
Plan investment		
Dividends receivable on quoted shares (Kenya and offshore)	94,911,265	111,357,859
Interest and discounts receivable on Kenya Government securities, commercial paper and corporate bonds, and loans and receivables	532,425,664	689,068,411
Miscellaneous income	7,890,872	10,670,150
	785,341,828	821,964,954
5.(i) Gain/(loss) on disposal of plan investments	2023 Kshs	2022 Kshs
Sale proceeds on disposal of financial assets	1,423,965,208	883,804,545
Fair value of financial assets disposed	(1,575,652,724)	(859,304,313)
Net gain	(151,687,516)	24,500,232
5.(ii) Fair value gain/(loss) on investment properties & plan assets		
Fair value gain on investment properties	(206,521,360)	-
Changes in fair value of plan assets	(795,400,000)	(867,447,119)
Gain on disposal of investment property	(23,250,000)	(38,800,000)
	(978,671,360)	(906,247,119)

	2023 Kshs	2022 Kshs
6. Investment management expenses		
Fund managers' fees	10,622,426	15,388,700
Custodian's fees	2,987,264	4,241,541
	13,609,690	19,630,241
7. Administrative expenses		
Trustee meetings and allowances	9,711,400	16,054,618
Trustees' education	6,846,231	6,147,442
Trustee travelling	4,688,000	4,126,820
Trustees expenses	6,185,626	4,940,797
Trustee elections	3,262,202	-
AGM and member education	8,821,936	5,983,095
Census Expenses	17,427,138	-
Staff duty travelling	2,305,522	2,377,939
Administration and processing:		
- printing and stationery, postage, internet and telephone	1,898,376	2,064,131
- pensioners' bank cheques, charges and commissions	4,497,471	4,496,222
- fund master license and system upgrades	-	475,275
Audit fees	2,750,000	4,723,525
Computer server and maintenance	2,081,963	2837,931
Legal and professional fees	7,001,001	15,794,184
Consultancy fees	11,075,744	2,529,022
Tendering expenses	3,104,718	2,901,425
Conference fees	808,845	1,182,283
Office expenses	1,350,867	1,510,740
Staff costs	39,828,758	44,979,764
Staff gratuity earned	7,775,444	8,949,932
Brokerage commission	433,122	196,616
Customer care week expense	350,290	-
Actuarial fees	4,060,000	1,740,000
General provision for bad debts	-	6,435,380
Auctioneer fees	-	300,000
RBA levy	5,000,000	5,000,000
Fines & penalties	15,249	21,697
Depreciation on motor vehicle and equipments	15,558,605	13,941,308
Advertising	1,224,975	1,509,629
Insurance	390,912	-
Subscription fees	1,561,650	1,368,000
Motor vehicle expenses	539,411	474,949
Amortisation of intangible assets	1,716,843	833,464
Internal audit expenses	2,601,874	-
Last expense insurance	14,741,626	5,228,422
	189,615,797	169,124,610

The scheme meets all its expenses.

NOTES (Cont'd)

	2023 Kshs	2022 Kshs
8. Investment properties		
At start of year	10,640,151,360	11,285,851,360
Re-statement	-	99,400,000
Revaluation loss	(206,521,360)	-
Assets held for sale (Note 10)	-	(745,100,000)
At end of year	10,433,630,000	10,640,151,360

Included in the amount is Shs 142,000,000 relating to Property No. Mombasa/Block/XXI/64 whose lease has expired.

Investment properties were professionally valued in November 2023 by Legend Valuers Limited independent valuers. All properties are scheduled for re valuation every three years in compliance with RBA requirements.

The properties were valued on the basis of open market value. The book values of the properties were adjusted to the revaluations and the resultant deficit was debited to the statement of changes in net assets available for benefits.

The fair valuation of property, plant and equipment is considered to represent a level 3 valuation based on significant non-observable inputs being the location and condition of the assets and replacement costs for plant & machinery. Management does not expect there to be a material sensitivity to the fair values arising from the non- observable inputs. There were no transfers between level 1, 2 or 3 fair values during the year

In accordance with the requirements of the Retirement Benefits Act, valuations of investment properties are to be carried out every 3 years. The next valuation will be due in 2026.

Titles to the properties transferred from the sponsor are registered in the scheme's name. All other documents of title are in the name of Kenya Commercial Bank Nominees Limited as custodian trustee of Kenya Cargo Handling Services Limited Staff Pension Scheme and are in the process of being transferred to Kenya Ports Authority Pension Scheme.

There was no existence of restrictions on the realisability of investment properties or the remittance of income and proceeds of disposal of investment properties. There were no contractual obligations to purchase or for repairs, maintenance or enhancements

Amounts included under the statement of changes in net amounts available for benefits which comprise gross rental income less direct rental expenses in respect of the investment properties are disclosed in Note 4.

The scheme leases out all its investment property under operating leases.

9. Motor vehicles and equipment

Year ended 31 December 2023

	Computers Shs	Equipment Shs	Motor vehicle Shs	Total Shs
Cost				
At start of year	9,933,835	71,202,602	4,947,158	86,083,595
Disposals	-	-	-	-
Additions	6,645,790	4,595,600	-	11,241,390
At end of year	16,579,625	75,798,202	4,947,158	97,324,985
Depreciation				
At start of year	5,572,625	36,564,113	2,092,716	44,229,454
Disposals	-	-	-	-
Charge for the year	1,909,435	12,659,738	989,432	15,558,605
At end of year	7,482,060	49,223,851	3,082,148	59,788,059
Net book value	9,097,565	26,574,350	1,865,011	37,536,926

Year ended 31 December 2022

	Computers Shs	Equipment Shs	Motor vehicle Shs	Total Shs
Cost				
At start of year	7,459,935	71,202,602	7,997,796	86,660,333
Disposals	-	-	(3,050,638)	(3,050,638)
Additions	2,473,900	-	-	2,473,900
At end of year	9,933,835	71,202,602	4,947,158	86,083,595
Depreciation				
At start of year	4,862,324	24,322,538	4,153,922	33,338,784
Disposals	-	-	(3,050,638)	(3,050,638)
Charge for the year	710,301	12,241,576	989,432	13,941,308
At end of year	5,572,625	36,564,113	2,092,716	44,229,454
Net book value	4,361,210	34,638,488	2,854,443	41,854,141

10. Assets classified as held for sale

Some Scheme's investment property are held for sale following approval by the board of trustee.

	2023 Shs	2022 Shs
Property held for sale (Note 8)		
At start of year	674,700,000	565,400,000
Additions	-	457,900,000
Reclassification	-	(65,000,000)
Disposals	(161,800,000)	(283,600,000)
At end of year	512,900,000	674,700,000

NOTES (Cont'd)

	2023 Kshs	2022 Kshs
11. Plan investments		
Shares	1,293,082,611	1,912,309,797
Kenya government securities	2,786,712,993	4,547,032,418
Commercial paper and corporate bonds	-	-
Reits	185,843,368	153,896,386
Fixed term bank deposits (Note 14)	150,181,528	219,845,369
	4,415,820,501	6,833,083,971

NOTES (Cont'd)

The following table analyses the movement of plan investments during the year.

11. Plain investments (continued)

Year ended	31 December	As previously reported		Restatement adjustment		Restated		Purchases at cost		Disposals/maturity		Gain on disposal		Change in fair value		Fair value gain		Loss on disposal		Value at end of year		
		Kshs	Kshs	Kshs	Kshs	Kshs	Kshs	Kshs	Kshs	Kshs	Kshs	Kshs	Kshs	Kshs	Kshs	Kshs	Kshs	Kshs	Kshs	Kshs	Kshs	Kshs
Shares																						
- unquoted investments		256,692,800	-	-	256,692,800	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	256,692,800	
- quoted shares (Kenya and Uganda)		1,655,616,997	-	(93,429,808)	1,655,616,997	(93,429,808)	2,231,023,337	-	-	(37,963,327)	(2,446,088)	(535,793,689)	796,765	796,765	(526,943,523)	(526,943,523)					1,036,389,811	
Kenya government securities		4,547,032,418	-	-	4,547,032,418	-	6,228,602,583	100,274,929	100,274,929	(1,476,341,218)	26,946,319	(410,764,095)	78,313,900	78,313,900	(160,426,573)	(160,426,573)					2,786,712,993	
Commercial paper and corporate bonds																					-	
Private equity		153,896,386	-	-	153,896,386	-	153,896,386	31,946,981	31,946,981	-	-	-	-	-	-	-	-	-	-	-	185,843,368	
		6,613,238,602	-	-	6,613,238,602	-	6,613,238,602	31,946,981	31,946,981	(1,415,226,151)	(160,426,573)	(803,893,887)	-	-	-	-	-	-	-	-	4,265,638,972	
Year ended 31 December 2022																						
Shares																						
- Unquoted investments		256,692,800	-	-	256,692,800	-	256,692,800	-	-	-	-	-	-	-	-	-	-	-	-	-	256,692,800	
- Quoted shares (Kenya and Uganda)		2,324,453,145	(93,429,808)	(93,429,808)	2,231,023,337	(93,429,808)	2,231,023,337	-	-	(37,963,327)	(2,446,088)	(535,793,689)	796,765	796,765	(526,943,523)	(526,943,523)					1,655,616,997	
Kenya government securities		6,228,602,583	-	-	6,228,602,583	-	6,228,602,583	100,274,929	100,274,929	(1,476,341,218)	26,946,319	(410,764,095)	78,313,900	78,313,900	(160,426,573)	(160,426,573)					4,547,032,418	
Commercial paper and corporate bonds																					-	
Private equity																					185,843,368	
		8,809,748,528	-	-	8,809,748,528	-	8,809,748,528	148,751,063	148,751,063	(1,514,304,545)	24,500,231	(934,567,340)	79,110,665	79,110,665	-	-	-	-	-	-	6,613,238,972	

In the opinion of the trustees, the carrying value of plan investments are carried at ultimate redemption value

Included in unquoted investments is an amount of Shs 200,000,000 in respect of investment Bellevue development project. The agreement was to charge interest at 8%, no interest has been accrued.

The Scheme does not hold more than 10% equity in any one company or related companies.

NOTES (Cont'd)

11. Plain investments (continued)

The following table analyses financial assets other than shares (which have no fixed maturity) into relevant maturity groupings based on the remaining period at 31 December 2023 to the contractual maturity date.

	Up to 1 year Kshs	1-5 years Kshs	Over 5years Kshs	Total Kshs
Kenya government securities	9,193,703	1,588,983,078	1,188,536,213	2,786,712,993
Commercial paper and corporate bonds	-	-	-	-
	9,193,703	1,588,983,078	1,188,536,213	2,786,712,993

12. Intangible assets

	2023 Kshs	2022 Kshs
Software costs		
Cost		
At start of year	8,334,637	8,004,000
Additions	16,793,400	330,637
At end of year	25,128,037	8,334,637
Amortisation		
At start of year	4,068,127	3,234,664
Charge for the year	1,716,843	833,464
At end of year	5,784,970	4,068,127
Net book value	19,343,067	4,266,510

The software relates to electronic document management system.

13. Receivables and accrued income

	2023 Kshs	2022 Kshs
Rent receivable	137,390,380	138,927,541
Less: provision for bad debts	(97,534,606)	(103,970,218)
Net rent receivable	39,855,774	34,957,324
Other rent receivables	12,983,759	12,983,759
Service charge receivables	33,140,458	28,593,282
Receivables under development projects	2,144,794,677	2,144,686,115
Utilities deposits	3,310,302	3,310,302
Prepayments	17,627,614	26,001,562
Related parties	11,002,005	12,652,223
Dividends receivable	370,424	8,632,499
WHT On Investment Income-Claimable	12,105,885	-
ERP System Implementation-W.I.P.	18,124,136	12,948,213
	2,293,315,035	2,284,765,277
Movement in impairment provision		
At start of year	103,970,218	97,534,838
Additions	(6,435,612)	6,435,380
Recoveries	-	-
	97,534,606	103,970,218

13. Receivables and accrued income (continued)

In the opinion of the trustees, the carrying amounts of receivables and accrued income approximate to their value

The carrying amounts of scheme's other receivables and accrued income are denominated in Kenya

The trustees have identified certain specific bad debts from the property managers' reports and have made specific provisions against these balances. The trustees have also deemed it prudent to maintain a general provision for bad debts

Trustees have made a provision for all receivables above 90 days and those receivables whose recovery in doubt.

Bellevue project balance relates to various expenditure incurred by the Scheme on the projects. The amounts will be repaid when the projects are completed.

Receivables under development properties relates to parcels of land previously owned by the scheme transferred to property developers under a special purpose vehicle agreement with the objective of building housing units. Upon completion of the housing units, the scheme would be compensated the value of land at a premium.

The parcels of land under development is analysed as follows:

Project	Land Reference Number	Cost Kshs
Bombolulu	MSA/123/MN/1	31,400,000
Bellevue phase 1	LR/209/10479	98,800,000
Bellevue phase 2	LR/209/10478	116,091,253
Bellevue phase 3	LR/209/10477	59,300,000
		305,591,253

The maximum exposure to credit risk at the reporting date is the fair value of each class of receivable mentioned above. The scheme does not hold any collateral as security.

14. Cash and cash equivalents

	2023 Kshs	2022 Kshs
Cash at bank	173,109,498	217,389,908

For the purposes of statement of cash flows, the year-end cash and fixed term bank deposits comprise the following:

Cash and bank	173,109,498	217,389,908
Fixed term bank deposits (Note 11)	150,181,528	219,845,369
	323,291,026	437,235,277

The scheme's cash and bank balances are held with major Kenyan financial institutions and, in so far as the trustees are able to measure any credit risk to these assets, it is deemed to be limited.

NOTES (Cont'd)

15. Payables and accrued expenses

	2023 Kshs	2022 Kshs
Rent deposits	68,235,123	58,963,399
Due to Domestic Taxes Department	9,058,072	47,384,310
Accrued expenses	106,758,999	119,803,968
Staff gratuity	23,374,554	17,502,508
Accrued pension liability	22,293,508	23,445,497
RBA levy	5,000,000	5,000,000
Investment property sale deposit	184,090,000	253,890,000
Motor vehicle disposal proceeds	-	611,580
Bombolulu project	48,219,678	48,219,678
Total other payables and accrued expenses	467,029,934	574,820,940

Nairobi South C project and Bombolulu project relates to money deposited in the scheme's bank account by some third parties who purchased housing units.

In the opinion of the trustees, the carrying amounts of payables and accrued expenses approximate to their fair value.

The maturity analysis of other payables and accrued expenses is as follows:

Year ended 31 December 2023			
	3 to 12 months Kshs	Over 1 year Kshs	Total Kshs
Rent deposits	9,271,725	58,963,399	68,235,123
Due to Domestic Taxes Department	9,278,388	-	9,278,388
Accrued expenses	73,604,139	33,154,861	106,758,999
Staff gratuity	7,775,444	15,599,109	23,374,554
Accrued pension liability	-	22,293,508	22,293,508
RBA levy	5,000,000	-	5,000,000
Investment property sale deposits	2,500,000	181,590,000	184,090,000
Motor vehicle disposal proceeds	-	-	-
Bombolulu project	-	48,219,678	48,219,678
	107,429,696	359,820,554	467,250,250
Year ended 31 December 2022			
	3 to 12 months Kshs	Over 1 year Kshs	Total Kshs
Rent deposits	11,704,222	47,259,177	58,963,399
Due to Domestic Taxes Department	26,438,602	20,945,708	47,384,310
Accrued expenses	70,126,392	49,677,575	119,803,968
Staff gratuity	8,949,933	8,552,575	17,502,508
Accrued pension liability	-	23,445,497	23,445,497
RBA levy	5,000,000	-	5,000,000
Investment property sale deposits	141,770,000	112,120,000	253,890,000
Motor vehicle disposal proceeds	611,580	-	611,580
Bombolulu project	-	48,219,678	48,219,678
	264,600,729	310,220,211	574,820,940

16. Related party transactions and balances

Related parties comprise the trustees, the administrator and the sponsor.

The following transactions were carried out with related parties during the year:

(i)- Kenya Ports Authority-outstanding staff costs refunds	-	-
(ii)- KPARBS 2012-Outstanding expenses refund	11,002,005	12,652,223

ii) Key management compensation

Meetings and allowances	8,980,000	13,020,000
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Key management are the board of Trustees who are entitled to a sitting allowance for Board meetings attendance.

17. Investments guidelines

The Retirement Benefits Authority has issued guidelines stating the maximum amount of investment that the scheme can invest in a particular asset as a percentage of the aggregate market value of net assets of scheme. The table below shows the current investment in assets compared to the investment guidelines issued by the Retirement Benefits Authority.

	2023	2022	Maximum investment as per RBA
	%	%	%
Cash and demand deposits	1.2%	1.2%	5
Fixed and time deposits	1.0%	1.2%	30
Commercial paper and corporate bonds	0.0%	0.0%	20
Kenya Government securities	18.6%	25.7%	90
Shares - Kenya	6.9%	9.4%	70
Private equity	1.2%	0.9%	10
Shares - unquoted	1.7%	1.5%	5
Reits	0.0%	0.0%	30
Immovable properties	68.5%	59.1%	30

The trustees are aware that investment in investment property is more than that stipulated in the Retirement Benefits Act and are working towards restructuring the scheme's investments portfolio to ensure that it complies with the Retirement Benefits Act.

18. Tax status of the scheme

Kenya Ports Authority Pension Scheme has been approved by the Kenya Revenue Authority and is exempt from income tax on its investment income.

19. Contingent liabilities

Other than the liability to pay future pensions and other benefits, there were no contingent liabilities of the scheme at 31 December 2023, except as disclosed below:

The scheme is a defendant/plaintiff in various legal actions. Although there can be no absolute assurances, the trustees believe, based on information currently available, that the ultimate resolution of these legal proceedings is not likely to have a material adverse effect on the results of its operations, financial position or liquidity.

NOTES (Cont'd)

20. Actuarial position

The last actuarial valuation was carried out as at 31 December 2022 in June 2023 by Actuarial Services EA Limited, an independent firm of actuaries, using the attained age method. According to the valuation as at that date, the actuarial present value of promised benefits was as follows:

	2022 Kshs	2021 Kshs
Vested benefits	12,161,000,000	12,206,000,000
Non vested benefits	14,947,000,000	15,210,000,000
Total	27,108,000,000	27,416,000,000

The fair value of the net assets available for benefits was Kshs 20,121,000,000 (2021 : Kshs 22,387,000,000) resulting deficit of Kshs 6,987,000,000 (2021 : Kshs 5,329,000,000)

A remedial plan to reduce the actuarial deficit has not been agreed upon between the trustees, the employer and the Retirement Benefits Authority.

21. Risk management objectives and policies

Financial risk management

The scheme's activities expose it to a variety of financial risks: market risk (including foreign exchange risk, interest rate risk and price risk), credit risk and liquidity risk.

The scheme's overall risk management programme focuses on the unpredictability of financial markets and seeks to minimise potential adverse effects on the scheme's financial performance.

Risk management is carried out by the fund managers appointed by the trustees. The trustees and fund managers identify, evaluate and hedge financial risks.

a) Market risk

Foreign exchange risk

A proportion of the scheme's financial assets are held in foreign currency. These comprise quoted shares held offshore as disclosed in Note 10.

At 31 December 2023, if the Kenya Shilling had weakened 10 per cent against the US dollar and the Uganda Shilling with all other variables held constant, the increase in net assets available for benefits for the year would have been Kshs nil (2022: nil) higher/lower.

Interest rate risk

A proportion of the scheme's financial assets which include Kenya Government securities, commercial papers and corporate bonds, and fixed and time deposits are interest earning assets.

At 31 December 2023, an increase/decrease in interest rates of 100 basis points with all other variables held constant would have resulted in a decrease/ increase in the increase in net assets available for benefits of Kshs 27,867,129 (2022: Kshs 45,470,324) arising substantially from the change in market value of debt securities.

21. Risk management objectives and policies (continued)

b) Price risk

The Scheme is exposed to equity price risk in respect of its investments in quoted shares. The exposure to price risk is managed primarily by setting limits on the percentage of the net assets available for benefits that may be invested in equity and by ensuring sufficient diversity of the investment portfolio.

At 31 December 2023, if the prices of all equity investments had increased/decreased by 1% with all other variables held constant, the increase in net assets available for benefits for the year would have been Kshs 17,887,252 (2022: 20,696,211) higher/lower.

c) Credit risk

Credit risk arises from investments other than equity investments, contributions due, other receivables and cash and cash equivalents. The scheme does not have any significant concentrations of credit risk. The investment manager assesses the credit quality for each investment, taking into account its age and liability profile, past experience and other factors.

d) Liquidity risk

Prudent liquidity risk management implies maintaining sufficient cash and marketable securities.

The scheme maintains adequate amounts of cash and cash equivalents to pay off liabilities (except for pension liabilities falling due after the balance sheet date) as they fall due. The actuarial position of the scheme which deals with the actuarial present value of promised benefits is disclosed in Note 22.

e) Fair value measurements

The carrying amounts of all financial assets and liabilities at the reporting date approximate their fair values. The table below shows an analysis of all assets and liabilities for which fair value is measured or disclosed in the financial statements by level hierarchy. The fair values are grouped into three levels as mentioned in Note 1 of these financials, based on the degree to which the fair value is observable. The table below gives information about how the fair values of these assets and liabilities are determined.

NOTES (Cont'd)

21. Risk management objectives and policies (continued)

e) Fair value measurements (continued)

Year ended 31 December 2023	Level 1 Kshs	Level 2 Kshs	Level 3 Kshs	Totals Kshs
Financial assets				
Shares				
- unquoted investments	-	-	256,692,800	256,692,800
- quoted shares (Kenya)	1,036,389,811	-	-	1,036,389,811
Kenya government securities	-	2,786,712,993	-	2,786,712,993
Commercial paper and corporate bonds	-	-	-	-
	1,036,389,811	2,786,712,993	256,692,800	4,079,795,604

Year ended 31 December 2022

	Level 1 Kshs	Level 2 Kshs	Level 3 Kshs	Totals Kshs
Financial assets				
Shares				
- unquoted investments	-	-	256,692,800	256,692,800
- quoted shares (Kenya)	1,655,616,997	-	-	1,655,616,997
Kenya government securities	-	4,547,032,418	-	4,547,032,418
Commercial paper and corporate bonds	-	-	-	-
	1,655,616,997	4,547,032,418	256,692,800	6,459,342,215

The different level of fair value measurement hierarchy is described as follows:

- Quoted prices (unadjusted) in active markets for identical assets (level 1)
- Inputs other than quoted prices included within level 1 that are observable for the asset, either directly (that is, as prices) or indirectly (that is, derived from prices) (level 2)
- Inputs for the asset that are not based on observable market data (that is, unobservable data) (level 3).

The fair value of financial instruments traded in active markets is based on quoted market prices at their reporting date. A market is regarded as active if quoted prices are readily and regularly available from an exchange, dealer, broker, industry group and those prices represent actual and regularly occurring market transactions on an arm's length basis. The quoted market prices used for financial assets held by the Scheme is the current market price. These instruments are included in level 1.

The fair value of financial instruments that are not traded in an active market is determined by using valuation techniques such as discounted cashflow analysis. These valuation techniques maximise the use of observable market data where it is available and rely as little as possible on entity specific estimates. If all significant inputs required to fair value an instrument are observable, the instrument is included in level 2.

If one or more of the significant inputs is not based on observable market data, the instrument is included in level 3.

22. Commitments

There were no contractual obligations to purchase or for repairs, maintenance or enhancements.

23. Fund management

The scheme's objectives when managing fund are:

- to comply with The Retirement Benefit (Occupational Retirement Benefit Schemes) Regulations, 2000 made under Retirement Benefit Act, 1997.

- to safeguard the scheme's ability to continue as a going concern, so that it can continue to provide returns for members and benefits for other stakeholders

The Retirement Benefits Act requires the scheme's trustees to invest members' funds using prudent investment policies that will get the members market rates on their investments. The scheme's compliance with this requirement has been disclosed in Note 18.

The scheme sets the amount of the fund in proportion to risk. The scheme manages the fundstructure and makes adjustments to it in the light of changes in economic conditions and the risk characteristics of the underlying assets. The fund comprises members' funds.

24. Presentation currency

The financial statements are presented in Kenya Shillings (Shs), except where indicated otherwise.

25. Events after the reporting period

The Trustees are not aware of events after the reporting date that require disclosure in or adjustments to the financial statements as at the date of this report

26. General information

The Kenya Ports Authority Pension Scheme was established by an original Trust Deed which became operational on 1 January 1998. The original Trust deed was amended effective from 1 July 2002. The scheme which is registered under the Income Tax (Retirement Benefits) Rules incorporates predecessor schemes, namely the East Africa Cargo Handling Services Limited Staff Pension Scheme and the Kenya Cargo Handling Services Limited Staff Pension Scheme in whose books of account, the assets and liabilities are maintained by the trustees. The trustees are in the process of effecting the necessary legal transfers of the assets and liabilities.

LISTING OF INVESTMENT PROPERTIES

	PROPERTY	LOCATION	2023 Shs	2022 Shs
1	MN/Sec 1/1662	Mombasa - Mbuni Road-Nyali	81,000,000	72,400,000
2	MN/Sec 1/2505	Mombasa - Kittaruni Road-Nyali	24,800,000	21,500,000
3	MN/Sec 1/2512	Mombasa - Kittaruni Road-Nyali	36,000,000	29,800,000
4	MN/Sec 1/2511	Mombasa - Kittaruni Road-Nyali	22,900,000	21,600,000
5	MN/Sec 1/1605	Mombasa - Kasuku Road-Nyali	80,000,000	72,000,000
6	MN/Sec 1/1604	Mombasa - Kasuku Road-Nyali	80,000,000	72,000,000
7	MN/Sec 1/1339	Mombasa - Off Bandari-Nyali	70,300,000	72,400,000
8	MN/Sec 1/1332	Mombasa - Mukoma Road off Kongoni Road-Nyali	65,700,000	61,000,000
9	MN/Sec 1/1334	Mombasa - Off Kongoni Road-Nyali	71,000,000	75,800,000
10	MN/Sec 1/1352	Mombasa - Off Makongeni Road-Nyali	70,000,000	64,600,000
11	MN/Sec 1/1350	Mombasa - Off Makongeni Road-Nyali	70,000,000	64,800,000
12	MN/Sec 1/1345	Mombasa - Off Makongeni Road-Nyali	67,600,000	62,400,000
13	MN/ Sec 1/2513	Mombasa - Kittaruni Road-Nyali	39,200,000	30,700,000
14	MN/Sec 1/3188	Mombasa - 5th Avenue-Nyali	69,100,000	72,500,000
15	MN/Sec 1/3185	Mombasa - 5th Avenue-Nyali	65,200,000	72,500,000
16	MN/Sec 1/3184	Mombasa - 5th Avenue-Nyali	60,600,000	71,600,000
17	MN/Sec 1/2523	Mombasa - Kittaruni Road-Nyali	30,000,000	24,400,000
18	M/B XXI/542,545 & 546	Mombasa - Off Archbishop Makarios Road-Ganjoni	102,600,000	106,800,000
19	MN/Sec 1/1286	Mombasa - Links Road-Nyali	106,000,000	110,000,000
20	MN/Sec 1/534	Mombasa - Off Jamhuri Road-Nyali	159,000,000	162,600,000
21	M/B XXV/119	Mombasa - Dedan Kimathi Estate Road	1,295,700,000	1,295,400,000
22	M/B XXVI/1000	Mombasa - Kaunda Street-Kizingo	312,000,000	340,200,000
23	M/B XXVI/328	Mombasa - Margaret Avenue-Kizingo	173,800,000	182,600,000
24	M/B XXVI/53	Mombasa - Tritton Road-Kizingo	260,000,000	252,300,000
25	L.R.No 1870/IX/118	Nairobi - Bandari Plaza-Westlands	850,000,000	932,000,000
26	M/B XXI/435,436,437 & 508	Mombasa - Cannon House 1 & 2-Moi avenue	852,830,000	880,000,000
27	L.R.No 209/384/4	Nairobi - Nyaku House-Hurlingham	550,000,000	706,000,000
28	M/B XXI/64	Mombasa - Rex House-Moi avenue	128,700,000	142,000,000
29	M/B XX/149	Mombasa - Motor Mart Building-Moi avenue	70,000,000	78,000,000
30	M/B XX/150	Mombasa - Motor Mart Building-Moi avenue	70,000,000	78,000,000
31	M/B XX/151	Mombasa - Motor Mart Building-Moi avenue	70,000,000	78,000,000
32	M/B XXV/86	Mombasa - NSSF Plots-Off Security lane	160,000,000	162,000,000
33	M/B XXV/93	Mombasa - NSSF Plots-Off Security lane	152,000,000	158,000,000
34	L.R. Number 209/378/10	Nairobi - Hurlingham Court-Hurlingham	520,000,000	724,000,000
35	M/B XI/582	Mombasa - Wakauma Avenue-Tudor area	20,000,000	23,400,000
36	M/B XI/579	Mombasa - Wakauma /Msaada Avenue-Tudor area	26,600,000	27,800,000

LISTING OF INVESTMENT PROPERTIES (Cont'd)

	PROPERTY	LOCATION	2023 Shs	2022 Shs
37	M/B XI/578	Mombasa - Wakauma Avenue-Tudor area	26,600,000	27,800,000
38	M/B XI/581	Mombasa - Wakauma /Msaada Avenue-Tudor area	20,000,000	23,400,000
39	M/B XXVI/30	Mombasa - Kaunda Avenue-Kizingo	106,000,000	102,300,000
40	M/B XXVI/50	Mombasa - Kaunda Avenue-Kizingo	190,000,000	198,500,000
41	M/B XXIII/217	Mombasa - Off Mbaraki Road-Mbaraki	76,000,000	68,200,000
42	M/B XXIII/219	Mombasa - Off Mbaraki Road-Mbaraki	67,200,000	61,200,000
43	M/B XXIII/223	Mombasa - Off Mbaraki Road-Mbaraki	62,400,000	60,600,000
44	M/B XXIII/224	Mombasa - Off Mbaraki Road-Mbaraki	59,600,000	56,500,000
45	M/B XXIII/221	Mombasa - Off Mbaraki Road-Mbaraki	58,700,000	56,400,000
46	M/B XXIII/220	Mombasa - Off Mbaraki Road-Mbaraki	69,800,000	62,600,000
47	M/B XXIII/218	Mombasa - Off Mbaraki Road-Mbaraki	77,900,000	69,700,000
48	M/B XXIII/222	Mombasa - Off Mbaraki Road-Mbaraki	56,400,000	53,800,000
49	M/B XI/474	Mombasa - Tom Mboya/Wajir Road-Tudor area	52,700,000	58,000,000
50	M/B XI/475	Mombasa - Tom Mboya/Wajir Road-Tudor area	52,700,000	58,000,000
51	L.R.No 209/10216	Nairobi - KPA Bellevue Estate-Off Popo Road South	1,800,000,000	1,616,800,000
52	L.R.No 10530/34	Nairobi - Siwaka Estate-Off Ole Sangare Road	17,000,000	15,600,000
53	L.R.No 10530/80	Nairobi - Siwaka Estate-Off Ole Sangare Road	17,000,000	15,600,000
54	L.R.No 10530/60	Nairobi - Siwaka Estate-Off Ole Sangare Road	17,000,000	15,600,000
55	L.R.No 10530/56	Nairobi - Siwaka Estate-Off Ole Sangare Road	17,000,000	15,600,000
56	L.R.No 10530/50	Nairobi - Siwaka Estate-Off Ole Sangare Road	17,000,000	15,600,000
57	L.R.No 10530/38	Nairobi - Siwaka Estate-Off Ole Sangare Road	17,000,000	15,600,000
58	L.R.No 10530/26	Nairobi - Siwaka Estate-Off Ole Sangare Road	17,000,000	15,600,000
59	L.R.No 10530/30	Nairobi - Siwaka Estate-Off Ole Sangare Road	17,000,000	15,600,000
60	MSA/BLOCK 1/2262 FMR BLK 49	Mombasa - Makande, Mombasa	277,000,000	232,551,360
61	L.R.NO.MN/1/ 3153***	Mombasa - Mnazi Moja, Nyali	45,000,000	45,000,000
62	L.R. NO. 209/12015	Nairobi - Off Kaunda Street Nairobi	224,000,000	163,500,000
63	L.wR.No MSA/XVIII/335	Mombasa - Msanifu Kombo Road, Mwembe Tayari	55,000,000	65,000,000
64	L.R.No 10530/86	Nairobi - Siwaka Estate-Off Ole Sangare Road	19,000,000	17,200,000
65	L.R.No 10530/89	Nairobi - Siwaka Estate-Off Ole Sangare Road	19,000,000	17,200,000
			10,433,630,000	10,640,151,360

LISTING OF ASSETS HELD FOR SALE

	PROPERTY	LOCATION	2023 Shs	2022 Shs
1	M/B XXIII/214	Mombasa - Off Mbaraki Road-Mbaraki	-	38,000,000
2	MN/Sec 1/3960	Mombasa - Off Mt. Kenya Road-Nyali	55,000,000	55,000,000
3	MN/Sec 1/1353	Mombasa - Off Mt. Kenya Road-Nyali	45,000,000	45,000,000
4	L.R.No 10530/151	Nairobi - Siwaka Estate-Off Ole Sangare Road	16,500,000	16,500,000
5	L.R.No 10530/130	Nairobi - Siwaka Estate-Off Ole Sangare Road	15,600,000	15,600,000
6	L.R.No 10530/47	Nairobi - Siwaka Estate-Off Ole Sangare Road	-	15,600,000
7	L.R.No 10530/61	Nairobi - Siwaka Estate-Off Ole Sangare Road	15,600,000	15,600,000
8	L R.No 10530/132	Nairobi - Siwaka Estate-Off Ole Sangare Road	15,500,000	15,500,000
9	L.R.No 10530/149	Nairobi - Siwaka Estate-Off Ole Sangare Road	17,200,000	17,200,000
10	L.R.No 10530/68	Nairobi - Siwaka Estate-Off Ole Sangare Road	15,600,000	15,600,000
11	L.R.No 10530/69	Nairobi - Siwaka Estate-Off Ole Sangare Road	15,600,000	15,600,000
12	L.R.No 10530/53	Nairobi - Siwaka Estate-Off Ole Sangare Road	15,600,000	15,600,000
13	MN/Sec 1/724	Mombasa - Links Road-Nyali	-	108,200,000
14	MN/Sec 1/533	Mombasa - Jamhuri Road-Nyali	148,800,000	148,800,000
15	MN/Sec 1/1660	Mombasa - Mbuni Road-Nyali	72,400,000	72,400,000
16	MN/Sec 1/1351	Mombasa - Off Makongeni Road-Nyali	64,500,000	64,500,000
			512,900,000	674,700,000



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