National Aquaculture Development Authority - 2020

1. Financial Statements

1.1 Qualified Opinion

The audit of the financial statements of the National Aquaculture Development Authorityfor the year ended 31 December 2020 comprising the statement of financial position as at 31 December 2020 and the statement of financial performance, statement of changes in equity and cash flow statement for the year then ended, and notes to the financial statements, including a summary of significant accounting policies, was carried out under my direction in pursuance of provisions in Article 154 (1) of the Constitution of the Democratic Socialist Republic of Sri Lanka read in conjunction with provisions of the National Audit Act No. 19 of 2018 and the Financial Act No. 38 of 1971. My comments and observations which I consider should be report to Parliament appear in this report.

In my opinion, except for the effects of the matters described in Paragraph 1.5 of this report, the accompanying financial statements give a true and fair view of the financial position of the Authority as at 31 December 2020 and of its financial performance and its cash flows for the year then ended in accordance with Sri Lanka Public Sector Accounting Standards.

1.2 Basis for Qualified Opinion

My opinion is qualified based on the matters described in Paragraph 1.5 of this report.

I conducted my audit in accordance with Sri Lanka Auditing Standards (SLAuSs). My responsibility, under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statementssection of my report. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my qualified opinion.

1.3 Responsibilities of Management and Those Charged with Governance for the Financial Statements

Management is responsible for the preparation of financial statements that give a true and fair view in accordance with Sri Lanka Public Sector Accounting Standards, and for such internal control as management determine 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, management is responsible for assessing the Authority'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 management either intend to liquidate the Authority or to cease operations, or has no realistic alternative but to do so.

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

As per Section 16 (1) of the National Audit Act No. 19 of 2018, the Authority is required to maintain proper books and records of all its income, expenditure, assets and liabilities, to enable annual and periodic financial statements to be prepared.

1.4 Audit Scope (Auditor's Responsibility on the Audit of Financial Statements)

My objective is to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Sri Lanka Auditing Standards 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 Sri Lanka Auditing Standards, I exercise professional judgment and maintain professional skepticism throughout the audit. I also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtained 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 internal control.
- Evaluated the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the management.
- Concluded on the appropriateness of the Management'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 Authority's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. However, future events or conditions may cause to cease to continue as a going concern.

• Evaluated the 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.

The scope of the audit also extended to examine as far as possible, and as far as necessary the following.

- Whether the organization, systems, procedures, books, records and other documents have been properly and adequately designed from the point of view of the presentation of information to enable a continuous evaluation of the activities of the Authorityand whether such systems, procedures, books, records and other documents are in effective operation;
- Whether the Authorityhas complied with applicable written law, or other general or special directions issued by the governing body of the Agency;
- Whether it has performed according to its powers, functions and duties; and
- Whether the resources had been procured and utilized economically, efficiently and effectively within the time frames and in compliance with the applicable laws.

1.5 Audit Observations on Preparation of Financial Statement

1.5.1 Non – compliance with Sri Lanka Public Sector Accounting Standards

Non-compliance Reference to the Standard	with Relevant	Comments of the Management	Recommendation

(a) Even though the Rekawa Crab Project. which City was constructed under the grants of the Ministry and was capitalized at a of cost Rs. 183,691,999 had been specified under the noncurrent assetsrecognizing as a long-term investment, actions had not been taken to amortize as per the useful life time of the assets belonging to that Project in terms of Section 69 of Sri Lanka Public Sector Accounting Standards No. 07.

This has been clearly stated in the balance sheet not as fixed assets but as other non - current assets. Although it has been expected to select an investor in the year 2020 under a public - private partnership, no action whatsoever had been commenced for that. Accordingly, account adjustments in this regard cannot be made and it has been revealed by a Note to account.

Actions should be taken to amortize the assets as per Section 69of Government Accounting Standards 07 of Sri Lanka.

- Although the valuation should **(b)** be carried out every 03 years or every 05 years, when the fair value of the property, plant, equipment and materially differs from its carrying valueas per Section 47 of the Sri Lanka Public Sector Accounting Standards No. 07, as a result of failure to revalue all the fixed assets after the year 1998, the reasonable value of breeding assetscost centre at Rs. 1,702,306,274 and property plant equipment cost at Rs. 894,757,806 had not been the adjusted to financial statements . Further, actions had not been taken to assess the value of 14 plots of land with 109.7597 hectares currently in use by the Authority and to enter into the accounts.
- 1.5.2 Accounting Policies

Audit Observation

The accounting policy for valuation of biological stock maintained by the Authorityhad not been disclosed in the financial statements and the physical stock remained in 18 centres as at the balance sheet day had been stated in the financial statements at its cost of Rs. 37.781.566 without calculation.

The Department of Valuation did not function properly in respect of the previousvaluations conducted . Although this task is very complex according to the amount of assets available in the Authority, it is concerned to make arrangements in connection with this.

Values of Properties should be assessed as much as possible and included in the accountsin terms of Section 47 of the Sri Lanka Public Sector Accounting Standards No. 07 of .

Comments of the Management

The stock transactions of this year are recorded and presented in the financial statement as pointed out by the audit in previous years. Further, a Note to account has also been submitted in this regard.

Recommendation

The accounting policy on valuation of biological stock should be disclosed in the financial statements

1.5.3 Accounting Deficiencies

Audit Observation

(a) The amount used for capital payments under investment activities had beenoverstated by Rs. 108,697,995 in the cash flow statement submitted with the financial statements.

- **(b)** A sum Rs. 4,060,518 paid to contractor for the а construction of Welikanda Breeding Centre during the year under reviewhad been deducted from the balance of creditorswithout other debiting to the relevant contract account. Therefore, the value of work-inprogress during the year under review and the other creditor valuewas understated in the financial statements by that amount.
- (c) As a result of the balance brought forward in the contract account payable in the preceding year had been transferred to capital grant accountby deducting Rs.5,969,686 from the contract account payable as a correction, the capital grant

Comments of the Management

The value clearly stated as Capitalized Assets and Other Projects - Ministry in the Cash Flow Statement is not only a construction related value and all the project expenses carried out through the Ministries are included therein. Any of the capital allocations of the Authority does not include in it.

Payments made in connection with contracts are accounted for in the accounts opened for the expenditure objects of the Ministry. Subsequently, capitalization is then done through the schedules. This has been accurately noted.

Some of the assets that need to be capitalized after completing the construction of the previous year and the bills due in the year 2019 have been identified as payables and those bill payments had

Recommendation

Arrangements should be made to adjust the amount paid for capital payments.

Credit balances should be properly adjusted accurately in the financial statements.

Actions should be taken to adjust the capital grant account and to submit the relevant details to audit.

balance had account increased and the relevant adjustment details were also not submitted to the audit. Similarly, the details pertaining to the prior year contract bills payable adjustment amounting to Rs. 4,184,416 that had been written off to aquaculture development expenditure account were also not furnished to audit.

Six payable balances which (**d**) had to be paid totalled to Rs. 7,853,430 31 December of the year under review, had not been entered in the financial statements. As a result, the current liabilities for the year under review had been understated by that amount in the financial statements.

(e) The balance of Rs. 64,576,327 as at 31 December of the Revolving Fund established for the welfare of fishermen with the provisions of the been recorded in another account in the year 2020 and it is a correction. This is an accurate entry in accounts.

Even though it could be able to note recurrent expenses as payable, taking down of capital expenditure as such is problematic. That is why, even though it was identified as payable, it is to suitable make payments in the coming year from the relevant expense account and it is unable to make payments from the account payable. This is because of the transactions that took place in the last days of the preceding year and these machines since were not in use that vearthe impact on financial statement is not material.

A Fund should be a debit balance andas this is an account where the amount charged for this was noted and also this is a credit balance The balance payables should be included as liabilities in financial statements.

It should be mentioned in the financial statements as a Revolving Fund. Ministryhad been shown in the financial statements as a balance to be paid without commitment any to repayinstead of indicating it in the financial statements as Revolving Fund.As a a result, the current year liabilities for the year under review were overstated by that amount in the financial statements.

- The total assest value of 04 **(f)** lands amounting to Rs. not been 23,271,000had entered in the financial statementsas per the land valuation reports submitted by the Authority. Similarly, the Land which was in extent of 01 acre and leased out for 30 years by the Authority with an estimated value of Rs. 800,000, and currently being used for the construction of sea cucumber hatcheries at Olaythuduvai in the Mannar District had not been included in the financial statements as а leased property.
- (g) Since the liquidity damage values of contracts applied for arbitrationhad been debited to the contract account the contract cost had been overstated by Rs. 14,173,684.

account this has been indicated correctly under other payments.

Because of the accurate value should be identified separately to calculate depreciation in accountingwhen the assessed value of land and buildings has been given by the Department of Valuation as a single value,it was not accounted for ...

Land valuation amount and leased property should be entered in the financial statements.

Here, since this value was specifically identified and recovered on the instructions given to be recovered through the relevant contracting companies and since there was no enough time to identify that amount as a definite income, this has been identified as a Since it has been sent to the Arbitration Council, the liquidity damages cannot be charged for contract accounts. balance to be paid. This is not a provision and the amount recovered has been temporarily recorded in a separate account.

1.5.4 Lack of Evidence for Audit

	Item	Amount	Unavailable Audit Evidence	Comments of the Management	Recommendation
(a)	Deducting of the Sundara Thotupola Project constructed by the capital grants from assets and transfer to the Fisheries Societies	Rs.27,659,046	Approval of the Board of Directors, Board Paper, transfer documents to relevant Fisheries Societies	Letters handed over in writing to the Fisheries Societies of this Project have been attached to the relevant journal entry.	Nosource documents whatsoever related to write off the Beautiful Ferry Project through assets had not been received to audit. Source documents relating to the writing off of assets should be submitted to the Audit.
(b)	Debtor Balance	Rs.19,292,045	Balance confirmation letters for 28 debtor balances	Our debtors are ordinary fishermen and because they have less understanding of this, answers may not be provided.	A formal system should be formulate to obtain material debt balance confirmations.

1.6 Non-compliance with Laws, Rules, Regulations and Management Decisions etc.

Re	ference levantLaws, Ri gulations	to ules,	Non- compliance	Comments of Management	the	Recommendation
(අ)	Financial Regulation the Democratic Soci Republic of Sri Lank	ialist	A sum of Rs. 463,589 had not been paid as special and fuel advances and it was observed that, a sum	Arrangements being made for settlement of unsettled advance	all	Actions should be taken in terms of Financial Regulations.

i) 371 (c)	of Rs. 98,640 from that had remained for more than 02 years.	the year 2021.	
ii) 395 (c)	Bank reconciliation statements had not been prepared and submitted for audit after the month of April 2020 for the current account wherethe balance of Rs. 1,649,263 had remained as at 31 December 2020.	The bank reconciliations related to this bank account have been prepared and completed by now.	Actions should be taken in terms of Financial Regulations.
(b) Section 30 (3) of the National Aquaculture Development Authority of Sri Lanka Act No. 53 of 1998 dated 27 November 1998	Even though the budget allocations have been made for the Ambalantota Crab City Project as a private-public partnership, the 89 hectares of land allotted to the Authority for the projecthad not yet been properly acquired under the Act.	This land has been allotted to the Ministry of Fisheries and Aquatic Resources by the Letter No. DSAM/LMN/07/03/27 2 dated 16 June 2017 of the Ambalantota Divisional Secretary for carrying out this Project.	Action should be taken to formally take over the lands allotted to the Authority in terms of the Sections of the Act.
(c) Public Asset Management Circular No. 02/2017 dated 21 December 2017	Three tractors and 05 bicycles provided to the Authority by the Ministry of Fisheries and Aquatic Resources had not been registered and the ownership of them had not been transferred to the Authority.	Actions are being taken with the Ministry to take over the ownership of these 03 tractors and 05 bicycles.These vehicles are more than 10 years old and handed over to the Authority by the projects. Therefore, it takes time to find the documents of those vehicles.	Actions should be taken in terms of the Circular.
(d) Assets Management Circular No. 05/2020 dated 02 October 2020	Necessary actions had not been taken to dispose of 04 pool vehicle which were in non-running	Out of these 04 vehicles, two vehicles have been completely repaired. Due to the	Actions should be taken in terms of the Circular.

condition .

(e) Sections 2.8.4 and
2.14.1 of the
Procurement
Guidelines of the
Democratic Socialist
Republic of Sri Lanka

Although Technical а Evaluation Committee consisting of 03 members including a subject expert should be appointedfor procurements carry out under the Department Procurement Committee, a sum of Rs. 822,000 had been spent for the repair of a lorry. A Technical Evaluation Committee had not been appointed and recommendations had not been obtained. Likewise, the above amount had been paid to a private institution obtaining only 02 bids for this repair.

lack of spare parts for the other two vehicles, it is informed that the repair has delayed.

The Technical Evaluation Committee was consisted with the Foreman, Assistant Director with Procurement Expertise and a Management Assistant in charge of Transport of the Authority and it is kindly informed that the purchase has been made subject to the purchase approval given under the Shopping Procedure Price System. The the approval of Secretary is not under required the Shopping Procedure Procurement Scheme. Purchasing of the crew cab, cabin and rear trailer required for this lorry was a difficult task due to the Corona situation.As a result of the company that sells spare parts has been closed down due to the Corona epidemic, it is kindly informed that, only 2 bids had to be evaluated. However, this lorry is

currently being used for the transportation at the Sevanapitiya Centre. The Authority should act in accordance with the applicable provisions of the Procurement Guidelines.

(f)	Section 5 (a) of the Motor Traffic (Amendment) Act No. 08 of 2009	Even though the above lorry has been renovated and converted to a water bowser, the approval of the Commissioner General of Motor Traffic had not been obtained for that change.	This has been done with the approval of the Chairman under the Shopping Procedure and if necessary, it is kindly informed that this procurement would be carried out in future with the approval of the Secretary to the Ministry.	The Authority should act in terms of Section 05 (a) of the Motor Traffic (Amendment) Act No. 08 of 2009.
(g)	Circular No. 2/2015 dated 10 July 2015 on Vehicle Disposal	Due to delays in the sale of a cab belonging to the Authority, it was rapidly becoming unusable after being dormant for 2 years.	It is kindly informed that the arrangements have been made to repair and use these vehicles again based on stopping of importing cars by the government as a matter of policy, due to the corona situation at that time andthe shortage of motor vehicles in this Authority.	Vehicles should be disposed of in accordance with circulars.

2. Financial Review

2.1 Financial Result

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The operating result for the year under review was a deficit of Rs. 43.169,337 and the corresponding deficit for the preceding year was Rs. 55.413,960. Accordingly, a growth of Rs. 12.244,623 was observed in the financial result. The increase in income by Rs. 12,259,911 an decrease in distribution expenses by Rs. 12,259,911 had mainly attributed to this improvement

3. Operating Review

3.1 Management Inefficiencies

Audit Observation

- Issuance of new licenses for (a) prawn farming in British Water had decreased by 22 licenses that is 62 per cent in the year under review as compared to 2019 and renewal of old licenses had also reduced by 41 per cent 2019.The compared to Authority had not make arrangements to review the situation and take appropriate actions. Similarly, there was а decrease observed in the Fin Fisheries Cultivation in the Seasonal Tanks reservoirs performed by the Extension Division as compared to the year 2019.
- **(b)** The Environment Protection License should be obtained before the expiry of the first 06 months of the issued license.in accordance with Schedule II of the Extraordinary Gazette Notification No. 1736/21 dated 13 December 2011 .Although it was observed that out of the 16 files examined by the audit, none the cultivators of had

Comments of the Management

Only the number of licenses issued in respect of Class C ii a and Class D a and up to the year 2019 and up to August 2020 were submitted to the Audit Division with regard to the Shrimp Farming inPonds and a number of 188 licenses have been issued for the cultivation of prawns from August to the end of December. Accordingly, a number of 310 licenses have been issued Class C ii a and Class D a for the entire year 2020 . Further, our Division issued has Management Aquaculture License as 35 new licenses and 506 renewals in 2019 and 13 new licenses and 297 renewals by 2020.

Necessary steps have been taken to carry out the relevant approvals.

Recommendation

The Management should take necessary steps to issue new licenses.

The relevant cultivation environmental permits should be obtained within the periods specified in the Act. submitted Environment Protection License , the Authority had not taken the necessary actions in this regard.

- (c) When planning the construction of the Fin Fish Breeding Centre in Batticaloa annual production was planned to produce 5,000,000 fish and the annual production target had been reduced to 100,000 and 200,000 in the years 2019 and 2020 respectively. The actual annual fish production of the production centre in the years 2019 and 2020 was 88,050 and 57,700 respectively and it was 88 per cent and 29 per cent of production, targeted fish respectively. Further there was a 59 per cent of decrease in 2020 observed as 2019. compared to Nevertheless, the necessary steps to achieve the production target of this Project, which was launched to reduce poverty in the area, had not been taken.
- The Top Management had (**d**) not taken actions to take disciplinary action in accordance with Chapter XXVIII of the II Volume of the Establishments Code against the officers who had involved in the payment of advance from the fake Performance Bond valued at Rs. 42,572,925 on 13 July

Although fish production commenced 15 months after completion of the the construction work of the Batticaloa Fin Fish Breeding Centre in the first quarter of 2017due to the handing over of the Breeding Centre before the completion of the initial construction workand due to the time taken to complete the construction work required to bring the Breeding Centre to production condition, since it is a newly started centre under new technology and as a result of the lack of formal technical knowledge acquired in practice at the beginning due to the fact that it takes time, the production targets set for the breeding centre could not be able to meet.

The Authority has conducted an investigation in this regard and if further investigation is required, it has been referred to the Ministry for further investigation.It is expected to act on the decisions given by the Ministry. This company has already been black listed. In addition, it is

It should act as contained in the basic plan, in the completion of basic construction of fish hatchery centres, and conduct feasibility study on the use of new technology. Actions should be taken as required to reach the right goals in a formal manner.

Disciplinary actions should be taken under Section II of the Establishments Code against the officers who had involved in the payment of advances on the fake bond.

2018 and	no legal	action			
whatsoever	had been	taken			
against the supplier.					

informed that in addition to the money we spent on the performance bond issued by this company, we have also deducted the amount of the loss incurred by the government as an opportunity cost as we are unable to purchase these machines.

3.2 Delays in Projects or Capital Works

Audit Observation

(a) As а result of the construction work of the Welikanda Breeding Centre Construction Project which had been commenced on 25 May 2017 and had been terminated from 15 September 2020, there is a risk that the amount incurred for that valued at Rs. 158,487,599 would become a futile expenditure.

Comments of the Management

When carrying out Termination Bill of this construction contract a sum of Rs. 7.196.563.45 as liquidated damages and Rs. 7,181,872.77 as retention feeshad been deducted from Termination the Bill.Although items 13.8.1 13.8.2 and have been completed and are currently being utilized by the Centre and the contractor had not requested it by the Bill . Accordingly, since a case is pending in the District Court regarding the adjudication and bond in this regard, it is kindly informed that the actions will be taken to be deducted the money if there is a balance to be paid to the contractor and paid from the above Rs. 14 Million in with accordance its judgement and orders of Conciliation.

Recommendation

The Management should take steps to avoid interruptions as much as possibleto minimize potential losses after extending the contract for a longer period of time and significant incurring costs.

3.3 **Deficiencies in Contract Administration**

Audit Observation

Comments of the Management -----

Recommendation

After 06 months of (a) the issuance of Advance Bonds amounting to Rs. 4,000,000 and Performance Bondsamounting to Rs. 1,806,768 for a contract valued at Rs. 30,112,800 for construction the of 05 Aquatic Ponds it was revealed that they were fraudulent Bonds.Although the bank had later reissued the bonds, the Authority had not taken no action whatsoever had been taken even by 18 February 2021 against the company which had issued fraudulent bonds and actions had not been taken to make a complaint with the Construction Industry Development Authority (CIDA).

(b) Proposals for Construction Proposed Aquaculture of Industrial Park on 1491 hectares including the Vedithaltivu Sanctuary which was published by the Extraordinary Gazette Notification No. 956/13 dated 01 March 2016was rejected by an expert evaluation committeeand decided to release only 165 hectares as per the NARA Environmental Report . The Since a circular to confirm performance guarantees and advance guarantees had not been issued up to that period. it is acknowledged that such a confirmation has not been made. But, when extending the term of the relevant bonds. the bank was informed after proving fraudulent and the advice of the Attorney General has been requested on how to proceed at this instance furthermore. Here. after informing the bank regarding the fraudulent the relevant nature of bondsThe bank has reissued the bonds.

The accuracy and the validity of the bonds should be verified by the Authority at the commencement of the contract.

Actions should be taken to lodge a complaint with CIDA institution the regarding the issuance of fraudulent bonds and to enter the relevant contractor in the black list.

Since the Environmental Assessment Study had to be carried out as per the Decision of the Cabinet of Ministers, the study was conducted by NARA and the relevant amount for the study has been paid by the Aquaculture Development Authority.

Necessary reports should be obtained and properly acted upon in allocating lands for proposed aquaculture projects and in project construction activities.

expenditure made on project Plan, product Plan, consulting services and carried surveying out covering an area of 1491 hectares in a nature reserve without proper supervision amounting to Rs. 19,442,652had become a futile expense.

- (c) Although a Crab Cultivation Project had been commenced Rekawa in the year in 2017 at a cost of Rs. 190 Million, due to the lack of adequate salinity level, the concept of crab cultivation which was the main objective of the Project could not be implemented. This was due to the fact that no formal feasibility study had been conducted prior to the commencement of the Project. Similarly, although initial approval is the required for projects over 100 million of initial cost approval of the that is. Cabinet of Ministers should be obtained in principle in terms of Financial Regulation 3 (b) III,the Project had been initiated only with the approval of the Board of Directors.
- (d) Due to the failure of the above Project, although try party agreement had been entered into on 02 December 2021 private landowners who provided land for the project and the Authority for

Sending Project Submission Form of the National Planning Department to the above Department by the National Aquaculture Development Authority of Sri Lanka through the Ministry of Fisheries and Aquatic Resources and allocations has been made and the approval of the Board of Directors of the Aquaculture National Development Authority of Sri Lanka has also been obtained for the above Project.

A formal agreement had been entered into in between the Land Owners and the Authority of Rekawa Crab Breeding Organization on 19 May 2017 and they have agreed Actions should be taken to conduct a formal feasibility study at the commencement of the Project and to obtain the relevant approvals.

Arrangements should be madein terms of Procurement Guidelines for Public Private Investment Projects. the breeding of prawns changing the objectives of the Project actions had not been taken in accordance with Supplementary 23 Of Procurement Guidelines for Public Private Investment Projects to be followed when leasing directly to a private investor. to take ownership of the acreage they own, which will be allocate anywhere in the Crab City Project.