



MARKETING AND NATIONAL IMPORTING BOARD (“MNIB”) INQUIRY TERMS OF REFERENCE

- 1) To determine whether for the purposes of the scope of this inquiry there are breaches of the “MNIB” Act No 40 of 1973 Section 13 (a) to (e), 14, 15, 18, 20, 22 and any other relevant sections.
- 2) To determine the status of the oversight and Management of the Board of MNIB during the years under investigation (2012-2018) subject to the provisions of the MNIB Act and all other applicable legislation including:
 - a) Management Structure of Line Ministries namely Ministry of Agriculture, Ministry of Trade and Ministry of Finance.
 - b) Management / Organization Structure of MNIB namely the Manager/ Chief Executive Officer (“CEO”), accounting officers/ accountable officers.
 - c) To determine whether there was an effective communication system within MNIB in particular between the CEO and Board; and between the Board and Line Minister.
- 3) To determine what are the roles and responsibilities of the Board and Management of the MNIB.
- 4) To determine the circumstances under which there is/was nonpayment / delayed payment to Farmers who supply produce to the MNIB.
- 5)
 - a) To determine the circumstances under which stores and equipment of a public entity (MNIB) were acquired/disposed of by the Board and its Line Minister, pursuant to the Public Procurement and Disposal Act 39 of 2014 Section 55 (4) a) b) c) and (5), (6)
 - b) To inquire into the causes and circumstances of the fires at the offices of the MNIB River Road Building location:
 - (1) Between the days of the 23rd and 24th January 2018
 - (2) The 27th January 2018
- 6) To determine whether there are Conflicts of interest with respect to roles and responsibilities of all past and present accounting, accountable officers and management thereof.

- 7)** a) To determine whether there is compliance / non-compliance at the MNIB, with respect to the generally accepted auditing standards (GAAS) for the period 2012 to 2018.

b) To determine whether audit exercises were conducted on an annual basis and if not, to determine the reasons thereof.

c) To determine whether annual business plans were being prepared in keeping with the MNIB Act.

d) To determine whether statutory payments, fees and taxes were being paid by the MNIB.
- 8)** To investigate the conduct of any person and or entity falling under the purview of the Integrity Commission, in relation to the MNIB and to determine whether the conduct of such person or persons may be considered dishonest or conducive to corruption in accordance with:

 - (1)Section 12 (e) of the Integrity in Public Life Act no.24 2013,
 - (2)The Prevention of Corruption Act no.15 of 2014
 - (3) All other applicable legislation.
- 9)** To examine the practices and procedures of the MNIB in accordance with section 12 (f) of the Integrity in Public Life Act no. 24 2013.
- 10)**In furtherance of the investigation of the MNIB, to make such inquiries as considered necessary in order to verify or determine the accuracy of any declaration(s) filed pursuant to section 12 (c) of the Integrity in Public Life.
- 11)** To determine whether MNIB secured the most favorable arrangement for the purchasing, handling, storage, export, shipping and marketing of produce and, in particular, to assist agricultural and fishery co-operative societies to dispose of their produce to the best advantage.
- 12)** To determine whether the Board kept proper:

 - a) Books of Account of its income and other receipts and expenditures.
 - b) Record of Minutes