



REPUBLIC OF KENYA

PAPER LEIS
25/3/20



**MINISTRY OF INFORMATION, COMMUNICATIONS AND
TECHNOLOGY**

HALFYEAR REPORT FOR THE PERIOD – JULY-DECEMBER, 2013

1.0 PREAMBLE

1.1 Vision

The Vision of the Ministry of Information Communications and Technology is:

Kenya as a globally competitive knowledge-based economy

1.2 Mission

The Mission of the Ministry is:

To improve the quality of life of Kenyans by ensuring the availability of accessible, universal, affordable, modern and high quality ICT facilities and services within the Country

1.3 Mandate

The Mandate includes,

- Language Policy Management
- Information Communication Technology
- Broadcasting Policy
- Public Communications
- Promotion of E-government
- ICT Training Standards Development and Administration
- Promotion of E-government
- Development of National Communications Capacity and Infrastructure
- Provision of the Public Relations Services
- Promotion of Software Development Industry
- Management
- Policy on Software Licensing Regime
- ICT Agency (E-Government, Kenya ICT Board and Government Information Communication Technology Services
- Provision of ICT consulting services on acquisition of ICT and telecommunication services and equipment to Government Ministries and Departments
- Telecommunication Services
- Development of National Communication Capacity and Infrastructure
- Dissemination of Public Information

This report for the period July to December, 2013 concentrates on two major developments in the Ministry for the period under review and the projects being implemented by the various Departments/State Corporations under the Ministry.

2.0 MIGRATION FROM ANALOGUE TO DIGITAL TELEVISION BROADCASTING

2.1 Introduction

Kenya is implementing the Analogue Digital TV Broadcast Migration project in accordance with the International Telecommunication Union (ITU) Regional Radio Communication Conference 2006 (RRC-06) which resolved that member states migrate from analogue to digital TV broadcasting by 17th June 2015. A Multi-stakeholder Task Force with representatives from both public and private sector representative provided a framework for digital migration that established a Digital Television Committee (DTC) to oversee the implementation of the digital migration process.

The DTC, chaired by the Principal Secretary Ministry of Information, Communications and Technology, comprises representatives from Media Owners Association, MoICT, Communications Commission of Kenya (CCK), National Communications Secretariat (NCS), Kenya Broadcasting Corporation (KBC), Signal Distributors, Digital Decoders Dealers Association, Consumer Groups, Digital Broadcasters Association, and Pay TV service providers.

The CCK hosts the secretariat in order to provide both technical and secretarial support to the DTC. The Commission also provides budget to cater for the expenses related to operation of the secretariat office, salaries of the seconded staff as well as DTC members sitting allowances and consumer awareness campaign.

2.2 Digital Signal Coverage

The signal distributors have rolled out DTT in the following major towns and their environs since 2012: Nairobi, Mombasa, Kisumu, Nakuru, Webuye, Malindi, Meru, Nakuru, Nyeri, and Kisii.

In the recent past, one of the signal distributors has rolled out digital signal in the following new areas: Machakos, Narok, Nyahururu, Nanyuki, Murang'a and Kericho.

In preparations to the Nairobi Analogue Switch Off (ASO), the Government carried out digital signal measurements in Nairobi and environs to confirm digital signal coverage. The findings revealed that all areas currently covered by analogue TV signal were receiving good quality digital signal. In view of the fact that the signal distributors had introduced gap fillers in some areas, it was confirmed that the DTT coverage was better than the analogue coverage.

2.3 Digital Platform Tariffs

During the month of December 2013, the Communications Commission of Kenya issued determination on the tariffs to be charged by signal distributors for implementation ahead of the ASO deadline. The rates were much lower than what had been proposed by both signal distributors.

2.4 Set Top Boxes

The Government has waived import duty on set top boxes. Treasury has clarified to the Ministry of Information Communications and Technology that it will not be able to set aside the taxes (Value Added Tax and Railway Levy) that are currently imposed on the set top boxes. The Free to Air (FTA) Set Top Boxes will therefore remain at market prices which current range from approximately KShs. 4,000 to KShs. 7,000. The lowest FTA STB retails at KShs. 3,850.

The number of TV Households in targeted Nairobi & environs area is 1,261,235. The returns received from set top box vendors by end of end of January 2014 indicates that over 1,500,000 set top boxes (both FTA and Pay TV) had been sold by vendors.

As at the end of December, 2013, the total number of type approved FTA decoder models was over 50, 3 Pay TV STBs and 4 Integrated Digital TVs.

2.5 Analogue Switch Off Datelines

Analogue switch off had been planned to take place earlier, preferably 1 year, in advance of the international deadline to give sufficient time to handle challenges that may arise. In this regard this process was structured to take place systematically in three phases.

The DTC has in the past set analogue switch-off dates which have since not been implemented as a result of the following:-

2.6 Analogue switch-off of 30th June 2012

The switch-off could not be implemented due to

- (i) Lack of sufficient stocks of DVB-T2 STBs in the market as vendors refrained from importing until duty waiver for the gadgets was implemented by government.
- (ii) Retail prices of STBs were relatively high since duty was being levied on their importation
- (iii) The digital broadcasting signal was only available in Nairobi.
- (iv) In May 2012, the EACO member states resolved to have a harmonized switch-off deadline of 31st December 2012. In this regard, the DTC set a new ASO date of 31st December 2013

2.7 Analogue Switch-Off (ASO) of 31st December 2012

The preparations for phased analogue switch-off starting with Nairobi were in place preceded by consumer awareness campaign and publicity across different platforms. With duty waiver in place and increased number of approved STBs, retail prices had drastically come down. However, the switch off was not realized after COFEK went to

court in December 2012 to restrain the Government and CCK from going ahead with the plan to switch off analogue TV broadcasting on 31st December date claiming that it was ill timed. COFEK alleged the consumer will be disadvantaged given the unavailability and unaffordable costs of the STBs. It also contented the switch-off has been planned at the wrong time when the country is facing a general election and consumers will be denied the opportunity follow campaigns of their leaders. This was also compounded by withdrawal of the TV signal from the digital platform by some of the local TV stations.

2.8 Analogue Switch-Off of 13th December 2013

The 65th DTC agreed on this analogue switch-off date for Nairobi & environs, together with other dates for the rest of the country ending in June 2014. The dates were gazzetted on 18th October 2013 by the Ministry and the Commission sent the requisite statutory notices to affected analogue TV broadcasters requiring them to switch off on 13th December 2013. However, weeks to this deadline, three media houses namely Royal Media Services, The Standard Group and Nation Media Services filed a Petition in the High Court(HC Petition 557 of 2013) seeking to stop the analogue switch-off.

In view of the fact that the matter came up for hearing on 11th December 2013, the Judge issued interim orders restraining the Communications Commission of Kenya and MoICT from effecting ASO to give time for the ruling to be made on 23rd December, 2013. In complying with the court orders, the Commission sent notices to broadcasters requesting them not to switch off.

2.9 Analogue Switch-Off of 26th December, 2013

Following the favorable ruling in High Court Petition 557 of 2013 on 23rd December 2013, the 74th DTC meeting held on 24th December, 2013 agreed that the Analogue Switch-Off date for Nairobi and environs be effected on the midnight of 26th December 2013. On the same date, the Commission sent statutory notices to all affected analogue TV broadcasters informing them of this new analogue switch off date. In parallel, the Commission took measures to put in place a team to undertake enforcement action against any broadcaster who did not comply with the statutory notice to switch off.

On the stroke of midnight of 26th December 2013, all the 11 analogue TV channels in Nairobi were switched off by the respective broadcasters. With this compliance with ASO, plans for enforcement action were shelved.

However, this Analogue Switch-Off was reversed on 27th December 2013 following issuance of restraining orders by the Court of Appeal pursuant to an Appeal No. 341 of 2013 filed by the three media houses. The matter is pending before the Court of Appeal until the final determination on 24th March, 2014.

With these developments, Tanzania still remains the only EAC country that has successfully commenced ASO.

2.10 MOA Attempts to Frustrate Analogue Switch Off

The MOA has on several occasions frustrated the implementation of the analogue switch off, with the latest one being the Nairobi ASO deadline of 13th December 2013 (changed to 26th December 2013). In spite of them being members of the DTC which set the said ASO dates, they petitioned the Cabinet Secretary to postpone the ASO to 30th June 2014. Their demands included assurance of availability of adequate set top boxes, being issued with a third signal distribution license, among others. Their main concern was that the number of set top boxes will not be adequate, resulting in loss in the number of viewers and the associated advertising revenue. Whereas the DTC comprises of many stakeholders who are equally affected by the digital migration, the MOA always want to project themselves as the biggest losers hence should be the party to be consulted before DTC makes any decision. However, it is apparent that their Commercial interests and desire to block competitors is the main driving force for their behaviour.

In an effort to reach out to them, a consultative meeting was held on 4th November 2013 between Cabinet Secretary, Ministry of Information Communications and Technology, CCK, MOA, Digital Decoders Association, and Digital broadcasters. The meeting decided that it was necessary to give the consumer awareness campaign a chance in order to increase the uptake of set top boxes. In that regard, the meeting decided that it will monitor the uptake of set top boxes on a weekly basis and review the situation in a meeting to be held on 30th November 2013 where a decision will be made on whether to retain or extend the analogue switch off dates.

The MOA were however categorical that they would not support 13th December 2013 date and will explore litigation and counter awareness campaigns if the said date is retained. True to their threats, they have mounted negative publicity against digital migration and also proceeded to court to stop analogue switch-off. This is despite the fact that statistics of set top box imports showed there were sufficient STBs in the country.

Following the ruling in HC Petition 557 of 2013 on 23rd December 2013, the three media houses interrupted their normal programming countrywide from the evening of 23rd December 2013 for about 24 hours, and transmitted a consistent alarming text message purporting to inform consumers that they had gone off air in order to comply with the High Court ruling. This was despite the fact that the Commission had not sent them statutory notice to switch off. In view of this development, the Commission wrote to the three media houses on 24th December 2013 to show because why regulatory action should not be taken against them for transmitting misleading information and interrupting normal programming without authority of the Commission. In addition, the Commission directed the signal distributors and pays TV

providers to withdraw the three media houses TV channels from their platforms/bouquets until they resumed normal programming.

With these new developments, the three media houses resumed normal programming on the evening of 24th December 2013.

2.11 Consumer Awareness Campaign

The consumer awareness campaign for digital migration was launched on 23rd October 2013. The Consumer awareness was aimed to achieve the desired result of successful switch over, with the first phase focused on ASO for Nairobi and environs. This campaign is aimed at communicating the switch-off dates; creating the desire to migrate and subsequent purchase of set top boxes; and eliciting buy-in from all stakeholders so as to reduce the possibility of resistance.

2.12 Planned activities at the time of launch

Activities for the campaign were planned following advice from the Advertising Agency on the reach and affinity of the proposed platforms. These included:

- (i) Television commercials on KTN; NTV; QTV, NTV, K24, KBC, and Family TV
- (ii) Radio Advertisements on Maisha FM, East FM, QFM, Hope FM, and Classic FM
- (iii) Press Adverts in the Nation, Standard, Taifa Leo, The Star and The People
- (iv) Open Day on Digital Migration on 29th and 30th November 2013
- (v) Mobile Clinics around Nairobi for 14 days ahead of the switch off
- (vi) Public Relations activities in the media

2.13 Status of the Campaign

At the launch of the consumer awareness campaign, it was expected that wide media coverage would be obtained. However, the coverage was not granted by the media houses. In cases where the launch event and migration issues were mentioned, minimal coverage was given. It was noted that the media blackout was deliberate given the refusal of the media houses to accept the paid advertisements scheduled from 24th October 2013. Specifically, the following media houses refused to take the paid advertisements:

- (i) Nation Media Group
- (ii) Standard Group
- (iii) Radio Africa

It is noted that Royal Media Services had been earlier excluded from the media plan given the Board decision stopping the placement of adverts on its platforms due its illegal acquisition and use of frequencies.

The defiance of the Media Houses is attributed to their view that Kenya is not ready for migration and their subsequent demand to have their concerns addressed. The concerns are being addressed through consultations with the Ministry of Information,

Communications and Technology, the Commission and the Digital Television Committee.

The Ministry of Information, Communications and Technology has already filed a complaint with Media Council of Kenya to seek redress for the unethical behavior of the media with respect to coverage of the migration issues and placement of advertisements.

Given the need to continue with the campaign and provide information to the public, a choice was made to have the advertisements placed with the stations that exhibited willingness.

In this regard, the media schedule was revised as follows:

- (i) Television commercials on friendly media houses K24, KBC, and Family TV
- (ii) Radio Advertisements on Radio Taifa, QFM, Hope FM, Milele FM, and Capital FM
- (iii) Press Adverts in The People and the Asian Weekly
- (iv) Open Day on Digital Migration on 29th and 30th November 2013
- (v) Mobile Clinics around Nairobi for 14 days ahead of the switch off
- (vi) Public Relations activities in the media

In addition, the use of social media was increased with setting up of Digital TV Kenya face book page which has over 60,000 likes and 233 ratings, over 2,000 talking about the page. With regard to Twitter @ digital TV Kenya, the number of hits exceeded 300,000. The Commission is also exploring the use of mobile short code and call center for both voice and SMS in order to ease consumer enquires.

2.14 Contingency Plans for the Campaign

The established media houses have wider reach, listenership and readership. This in effect is also cheaper for mass communication. However, given the unwillingness of media houses to carry the messages, alternative outreach activity plans have been discussed with the Agency in order to boost the effectiveness of the campaign. The change in strategy involved carrying out the following activities:

- (i) Home to home activations for 5 days. This activity targeted formal estate set ups within Nairobi and its environment. The selected teams were tasked with moving from one residence to the other, to share information and distribute fliers.
- (ii) Roundabouts/Street activations for 2 days. The activity targeted busy traffic intersections, with the team distributing fliers to oncoming vehicles and pedestrians crossing the roads. Populated areas like meet-up sites and fast food streets were also targeted.
- (iii) Bus stop activations for 2 days. This targeted the general public, especially during rush hour as people queue for transportation to residences.

- (iv) Increase number of Road shows for 6 days. The duration of the road shows was increased in order to reach out to more consumers. The route planning was done with the target for market days and busy days in the respective locations.

Going forward, prior to the court of Appeal ruling, consumer awareness activities will concentrate on informing Kenyans on the need and where to get set top boxes in readiness for a future ASO.

2.15 Other Activities to Create Awareness

- participation in KU cultural festival and talk show on digital migration
- digital migration golf tournament at Kiambu Golf club,
- Breakfast meeting on 7th November 2013 for Senate and Parliamentary ICT Committees to brief them on digital migration
- Several interviews and talk shows on FM radio and TV by the project manager on digital migration during the rundown to ASO

3.0 THE KENYA INFORMATION COMMUNICATIONS (AMENDMENT ACT) 2013 AND THE KENYA MEDIA COUNCIL ACT, 2013

1. The Ministry drafted the Kenya Information and Communications (Amendment) Bill, 2013 and the Media Council Bill, 2013 that were consistent with the letter and spirit of the constitution as envisaged by Article 34 of the Constitution and the resultant laws, through the due procedures of enacting legislation of laws under PART 4 of the Constitution of Kenya 2010. They are also within the Constitutional limitations under Articles 24, 33 and 34.
2. In addition, the Kenya Information and Communications (Amendment) Bill 2013 WAS a Bill whose Implementation is for National Government functions under the Fourth Schedule, which include;
 - a) Postal services;
 - b) Telecommunications; and
 - c) Radio and television broadcasting
3. The Ministry is cognizant of the procedures for enacting legislation is exercised by Parliament and assented to by the President. The National Assembly passed the reservations and recommendations of His Excellency the President as put in the referral back to the National Assembly. These Constitutional powers were exercised by the appropriate State Offices and Organs for the Kenya Information and Communications (Amendment) Bill, 2013 and the Media Council 2013 Bill. The two Bills were assented to by His Excellency the President on 11th December, 2013 and 24th December, 2013 respectively.

4. Further to the foregoing, the Kenya Information and Communications (Amendment) Act (KICA), 2013 and the Media Council Act (MCA), 2013 were to commence on 2nd January, 2014 and 10th January 2014 respectively, thus setting in motion the timelines for specified activities under the two Acts that the Ministry was to undertake.
5. Therefore, the Acts gave NO DISCRETION on the part of the President or the Cabinet Secretary, to implement provisions of these laws. Therefore, VERY strict timelines stipulated in the Acts were to be adhered to, thereby leading to the Ministry commencing forthwith the appointment procedures of members to the different bodies established under the Acts.
6. However, in line with the Constitutional rights of every Kenyan, Petition No. 30 of 2014 NATIONAL MEDIA GROUP and 2 OTHERS versus THE ATTORNEY GENERAL and 3 OTHERS were lodged in the High Court. This Petition has since been consolidated with Judicial Review No. 30 of 2014 and Petition N o. 31 of 2014.
7. The Petition is basically challenging the constitutionality of KICA, 2013 and MCA, 2013. On 31st January, 2014, the court issued orders halting further processes in the implementation of KICA, 2013 and MCA, 2013 until the petition is heard and determined.
8. In conclusion, the Constitution under Article 24 outlines instances under which the rights guaranteed in Chapter 4 can be limited. Article 24 states that the limitation has to be reasonable and justifiable in an open and democratic society and (d) this enjoyment does not prejudice the rights and fundamental freedoms of others. Section 6 (3) of the MCA, 2013 necessitates that in as much as the journalists exercise their freedom of expression, they shall ensure to respect the rights and reputation of others. This is in keeping with the express limitations under Article 33 (2) and 33(3) of the Constitution. The functions and exercise of powers granted to the Communications Authority of Kenya, the Communications and Multimedia Appeals Tribunal, the Media Council of Kenya and the Complaints Commission are complementary and proportionate and in compliance with Articles 24, 33 and 34 of the Constitution. There is, thus no double jeopardy likely to be occasioned to the media fraternity as the bodies have licensing and professional media standards and mandates that are complementary and proportionate.
9. **PROGRAMMES AND PROJECTS IMPLEMENTATION STATUS REPORT AS AT 31ST DECEMBER 2013**

Attached to this report as Annex I is the status report on implementation of programmes/Projects by various agencies in the Ministry

| S/N | Project Name | Budget Allocation (Ksh) | Budget Utilized (Ksh) | Status of Implementation % | Current Status of Implementation | Completion Date | Challenges |
|---|-------------------------------|-------------------------|-----------------------|----------------------------|---|-----------------|---|
| IMPLEMENTING AGENCY | | | | | | | |
| 1 | Konza Techno City Phase I | 487.5 Million | 65,750,000 | | <p>Approved Konza phase I Implementation Work Plan in place.</p> <p>Draft KOTDA Bill submitted to Attorney General office</p> <p>Master Delivery Partner 2 Procured but Contract Not Signed.</p> <p>Konza Strategic Environmental Assessment Report Submitted to NEMA for Approval.</p> <p>Approved Local Physical Development Plan.</p> <p>Construction Designs for Sales Pavilion submitted to Directorate of Public Works and Approved.</p> <p>Seven (7) Boreholes drilled.</p> <p>Four (4) Technical and Two (2) support staff seconded to KOTDA.</p> | 2018 | <ol style="list-style-type: none"> 1. Inadequate Recurrent and Development Funding. 2. Sub-optimal Staff Complement due to inadequate funding. 3. Contract for engagement of Master Delivery Partner 2 not signed due to lack of adequate funds to pay for the first instalment. 4. Delay in getting approvals from NEMA and Public Works. 5. KOTDA Bill yet to be passed by Parliament. 6. Boundaries disputes involving the three counties neighbouring Konza Project site. |
| IMPLEMENTING AGENCY | | | | | | | |
| 2 | Driver's License Registration | 42.5 Million | 0 | | <p>Bids Advertised and the Contractor is set to begin work by March 2014</p> | December, | None |
| INFORMATION COMMUNICATION TECHNOLOGY AUTHORITY (ICT BOARD) | | | | | | | |

| S/N | Project Name | Budget Allocation (Ksh) | Budget Utilized (Ksh) | Status of Implementation % | Current Status of Implementation | Completion Date | Challenges |
|-----|---|-------------------------|-----------------------|----------------------------|---|-----------------|---|
| | Transport Information System | | | | | 2016 | |
| 3 | Digitization of Birth and Death Registry- Civil Registration Department (CRD) | 202.8 Million | 168.5 Million | 80 | On-going (80% complete) | August 2014 | The Implementing Partner (CRD) doesn't have counterpart funds to support the project logistics thus slowing the pace of implementation. |
| 4 | Cyber Security Development and Implementation | 49.3 Million | 49.3 Million | 90 | (90% Complete) Cyber Security Master Plan developed awaiting validation by Stakeholders | November, 2012 | None |
| 5 | Open Data | 20.8 Million | 15.9 Million | 76% | The open data system has 436 out of targeted 500 data sets | December 2014 | 1. Getting real data from Ministries, departments and agencies is a challenge 2. Failure to update data by data providers. |
| 6 | NOFBI Phase II | 2.6 Billion | 0 | 0% | (20% Complete) Equipment delivered to various sites | December, 2017 | High Wayleave charges |
| 7 | Lands Registry Project | | | | | | |
| 8 | National Data Centre | | | | | | |
| 9 | Kenya Spatial Data Infrastructure | | | | | | |
| 10 | County Incubation Hubs | | | | | | |
| 11 | IBM | | | | | | |

| S/N | Project Name | Budget Allocation (ksh) | Budget Utilized (ksh) | Status of Implementation % | Current Status of Implementation | Completion Date | Challenges |
|----------------------------|---|-------------------------|-----------------------|----------------------------|--|--------------------------------|---|
| IMPLEMENTING AGENCY | | | | | | | |
| E-GOVERNMENT | | | | | | | |
| 12 | Government Data Centre | 408.9 | | 80 % | (80%Complete) Project in Maintenance and support phase | 15 th February 2014 | No budget for maintenance and support after the end of the Contract |
| 13 | County Connectivity Project Phase 1 | 800 Million | 700 Million | 95 | (95% Complete) Installation and commissioning completed in all targeted 29 counties Local Training and Commissioning of three sites outstanding | November, 2014 | None provision of Government counterpart funding |
| 14 | EMACS II (Government Unified Messaging System) | 388 Million | 388 Million | 85 | (85% Complete) Provisional Acceptance Certificate awarded awaiting full commissioning | April 2014 | Lack of provision of Government counterpart funding |

| S/N | Project Name | Budget Allocation (Ksh) | Budget Utilized (Ksh) | Status of Implementation % | Current Status of Implementation | Completion Date | Challenges |
|---|---|-------------------------|-----------------------|----------------------------|--|---------------------------------|-----------------------------|
| IMPLEMENTING AGENCY | | | | | | | |
| KENYA BROADCASTING CORPORATION (KBC) | | | | | | | |
| Government Funded programmes | | | | | | | |
| 15 | Digital Television Terrestrial Migration | | | | | | |
| | • Installation of Digital TV Transmitter at Limuru | 55.2 Million | 55.2 Million | 100% | (100 % Complete) Transmitter installed and operational | 23 rd December, 2013 | None |
| | • Installation of Digital TV Transmission Network at Machakos | 2.9 Million | 2.9 Million | 100% | Construction of Building complete Transfer of equipment on going | February 2014 | Delay in funds disbursement |
| | • Installation of Digital TV Transmission Network at Malindi | 56 Million | 16.8 Million | 60% | Tender Advertised and Contract Signed. Factory Commissioning done | April 2014 | Delay in funds disbursement |
| | • Installation of Digital TV Transmission Network at Vuria | 55.5 | 16.7 Million | 65% | Contract down payment done Tender Advertised and Contract Signed. Factory Commissioning done Contract down payment done | April 2014 | Delay in funds disbursement |
| | • Modernisation of TV Studios at BH | 42.7 Million | 18.8 | 44% | (60% Complete) awaiting delivery of graphics system and digital TV switch /mixer Tender Advertised and Contract Signed. Factory Commissioning done Contract down payment done | April 2014 | Delay in funds disbursement |

| S/N | Project Name | Budget Allocation (ksh) | Budget Utilized (ksh) | Status of Implementation % | Current Status of Implementation | Completion Date | Challenges |
|-----|---|-------------------------|-----------------------|----------------------------|--|-----------------|---|
| 16 | SPANISH AND KENYA GOVERNMENT FUNDED PROJECT | | | | | | |
| | Installation of Digital TV Transmission Network at Kitui | 103 Million | 0 | 10 | Discussion for land acquisition on going | April 2014 | Delay in signing of contractual requirements and disbursement of funds for civil works. |
| | Installation of Digital TV Transmission Network at Kibwezi | 103 Million | 0 | 10 | Discussion for land acquisition on going | April 2014 | Delay in signing of contractual requirements and disbursement of funds for civil works |
| | Installation of Digital TV Transmission Network at Lamu | 103 Million | 0 | 10 | Discussion for land acquisition on going | April 2014 | Delay in signing of contractual requirements and disbursement of funds for civil works |
| | Installation of Digital TV Transmission Network at Maralal | 103 Million | 0 | 10 | Discussion for land acquisition on going | April 2014 | Delay in signing of contractual requirements and disbursement of funds for civil works |
| | Installation of Digital TV Transmission Network at Marsabit | 103 Million | 0 | 10 | Discussion for land acquisition on going | April 2014 | Delay in signing of contractual requirements and disbursement of funds for civil works |
| | Installation of Digital TV Transmission Network at Garissa | 103 Million | 0 | 20 | Site available | April 2014 | Delay in signing of contractual requirements and disbursement of funds for civil works |

| S/N | Project Name | Budget Allocation (Ksh) | Budget Utilized (Ksh) | Status of Implementation % | Current Status of Implementation | Completion Date | Challenges |
|-----|---|-------------------------|-----------------------|----------------------------|--|-----------------|--|
| | | | | | | | works |
| | Installation of Digital TV Transmission Network at Wajir | 103 Million | 0 | 20 | Site available | April 2014 | Delay in signing of contractual requirements and disbursement of funds for civil works |
| | Installation of Digital TV Transmission Network at Narok | 103 Million | 0 | 20 | Site available | April 2014 | Delay in signing of contractual requirements and disbursement of funds for civil works |
| | Installation of Digital TV Transmission Network at Lodwar | 103 Million | 0 | 10 | Discussion for land acquisition on going | April 2014 | Delay in signing of contractual requirements and disbursement of funds for civil works |
| | Installation of Digital TV Transmission Network at Lokichogio | 103 Million | 0 | 5 | Discussion for land acquisition on going | April 2014 | Delay in signing of contractual requirements and disbursement of funds for civil works |
| | Restructuring of KBC | | | | | | |

| S/N | Project Name | Budget Allocation (Ksh) | Budget Utilized (Ksh) | Status of Implementation % | Current Status of Implementation | Completion Date | Challenges |
|----------------------------|--|-------------------------|-----------------------|----------------------------|---|-----------------------------|--|
| IMPLEMENTING AGENCY | | | | | BRAND KENYA BOARD | | |
| 17 | Mark of Identity Campaign | 5.3 Million | 0 | 20 | 6 Companies have adopted the Mark of Identity. Approved Terms of Reference in place for procurement of campaign materials. | 30 th June 2014 | low Public Acceptance |
| 18 | Development of Public Service Branding Strategy | 11 Million | 0 | 20 | Draft Report in place | 30 th April 2014 | Inadequate technical capacity in the local market. Uncoordinated initiatives of similar nature in the other arms of government. |
| IMPLEMENTING AGENCY | | | | | COMMUNICATION AUTHORITY OF KENYA | | |
| 19 | Expansion of CCTV to Radio Station Monitoring | 2.3 Million | 1.6 Million | | A Consultant engaged to design the technical specifications. RFP for installation of the CCTV will close 5 th March 2014 | June 2014 | None |
| 20 | Installation of New Radio Spectrum Monitoring System. The project involves procurement of new (RSMS) and will be implemented in four phases at an estimated cost of Ksh. 381, 980, 000 | 6.2 Million | 0 | 0 | The EOI was tendered, evaluated and RFP tender document issued to the prequalified firms. The RFP is closing on 31 st January 2014. An evaluation committee has been set up. | June 2016 | None |

| S/N | Project Name | Budget Allocation (Ksh) | Budget Utilized (Ksh) | Status of Implementation % | Current Status of Implementation | Completion Date | Challenges |
|------------------------------------|--|-------------------------|-----------------------|----------------------------|---|-----------------|---|
| 21 | Open Two (2) Regional offices— Eldoret and Mombasa | | | 45% | Identified suitable office accommodation and signed lease offers -Designs(BQs) and Tender docs for partitioning, fittings and furnitures done | | Limited suitable office space of 3000sq ft- with 24hrs security and secure parking for equipped fitted vehicles |
| IMPLEMENTING AGENCY | | | | | | | |
| MEDIA COUNCIL OF KENYA | | | | | | | |
| 22 | Annual Media Awards | 5 Million | 4.7 Million | | (10% complete) | March 2014 | None |
| 23 | Training of Journalist | 0.5 Million | 0.488 Million | | (30% Complete) 600 Journalist Trained | August 2014 | None |
| 24 | Curriculum Development | 2 Million | 1.9 Million | | (80% Complete) | November, 2014 | Legal challenge on Curriculum Development |
| 25 | Resource Centre | 2 Million | 0.18 Million | | (92% Complete) | December, 2014 | None |
| IMPLEMENTING AGENCY | | | | | | | |
| POSTAL CORPORATION OF KENYA | | | | | | | |
| 26 | PostaPesa Phase (Agency Banking Government Agency | Kshs 85 Million | 15 million | 40% | PCK switch integration to Bank User Acceptance Testing (UAT) Facilitate the payment solution's | June, 2014 | None |

| S/N | Project Name | Budget Allocation (Ksh) | Budget Utilized (Ksh) | Status of Implementation % | Current Status of Implementation | Completion Date | Challenges |
|-----------------------------|--|-------------------------|-----------------------|----------------------------|--|-----------------|---|
| | Huduma services : OVC etc Card Management) | | | | integration on Huduma expansion plan country wide Bank Integration: In progress with CO-OP Bank, ABC Bank, National Bank and Credit Bank Government Agencies: Renewal of driving licenses countrywide to be rolled out by country headquarters | March,2014 | |
| 27 | Enterprise Resource Planning (ERP) | 150 Million | 0 | 10% | Tender awarded and contract drawn Implementation/Activation | December 2014 | None |
| IMPLEMENTING AGENCY | | | | | | | |
| KENYA YEARBOOK BOARD | | | | | | | |
| 28 | Kenya Yearbook 2013/14 | 19 Million | 19 Million | 99% | (100% complete) awaiting launch. | Dec 12, 2013 | None |
| 29 | Higher Education yearbook | 8.4 Million | 4 Million | 80% | (80% complete) Publication art work ready, awaiting approval from the board. | March 2014 | None |
| 30 | Investment Opportunities Counties | 12.95 Million | 5.285 Million | 50% | 1 st draft submitted to Council of Governors for comment. | June 2014 | Delay in getting feedback from Counties |



MINISTRY OF DEVOLUTION AND PLANNING
DIVISION OF PERFORMANCE CONTRACTING
MONITORING TEMPLATE FOR PERFORMANCE INDICATORS FOR MID YEAR REVIEW REPORT AS AT
31ST DECEMBER 2013

Name of Institution: _____

COMMUNICATIONS

 AND TECHNOLOGY

| NO. | CRITERIA | PERFORMANCE INDICATOR | UNIT OF MEASURE | ANNUAL TARGET | CUMULATIVE TARGET (1 ST + 2 ND QUARTER) | CUMULATIVE ACTUAL ACHIEVEMENT (1 ST + 2 ND QUARTER) | ASSESSED ACHIEVEMENT | CUMULATIVE VARIANCE AS AT END OF 2 ND QUARTER | VARIANCE FROM ANNUAL TARGET | ASSESSOR'S REMARKS |
|-----|------------------------------------|--|-----------------|---------------|---|---|----------------------|--|--------------------------------------|---|
| | | | | (A) | (B) | (C) | (C-B) | (C-A) | | |
| 1 | Finance and stewardship | Compliance with set budgetary levels | % | 100 | 50 | 37.85 | 37.85 | 12.15 | 62.15 | - Late release of Budgetary control under expenditure |
| 2 | Service Delivery | Access to information | % | 100 | 50 | 50 | 50 | 0 | -50 | - DA waiting list of activities |
| | | Access to efficient and quality public services | % | 100 | 50 | 0 | 0 | -50 | -100 | - Baseline survey not done |
| | | Service delivery improvements | % | 100 | 50 | 33.3 | 33.3 | 16.7 | -66.7 | - On-line tendering system & SMS ready not done |
| | | Resolution of public complaints | % | 100 | 50 | 50 | 50 | 0 | -50 | - Received 1/2 of the |
| 3 | Non-financial | Youth and women empowerment: | % | 100 | 50 | 174 | 174 | +124 | +24 | 60 girls trained |
| | | • Provide Internship programmes for youth | } | | | | | | | Intensify again a target of 50. |
| | | • Transfer of skills | | | | | | | | 548 students with |
| | | • Allocation of 30% of ministry's tenders to youth and women | | | | | | | | |
| | Disability mainstreaming | % | 100 | 50 | 64.3 | 64.3 | +14.3 | -35.7 | Achieved more than the actual | |
| | Implementation of the Constitution | % | 100 | 50 | 52.6 | 52.6 | +2.6 | -47.4 | Fact structured. M Oct 2013, 16 days | |

Communication

| NO. | CRITERIA | PERFORMANCE INDICATOR | UNIT OF MEASURE | ANNUAL TARGET | CUMULATIVE TARGET (1 ST + 2 ND QUARTER) | CUMULATIVE ACTUAL ACHIEVEMENT (1 ST + 2 ND QUARTER) | ASSESSED ACHIEVEMENT | CUMULATIVE VARIANCE AS AT END OF 2 ND QUARTER | VARIANCE FROM ANNUAL TARGET | ASSESSOR'S REMARKS |
|-----|------------------------|---|-----------------|---------------|---|---|----------------------|--|-----------------------------|---|
| | | | | (A) | (B) | (C) | (C) | (C-B) | (C-A) | |
| 4 | Operations | 1. Increased ICT Innovations 2. Increased Access to ICTs | % % | 100 100 | 50 50 | 50 31.1 | 50 31.1 | 0 -18.9 | -50 -68.9 | one of the 2 activities performed partially or not complete |
| 5 | Corruption Eradication | Corruption Eradication | % | 30 | 2 | 15 | 2 | -13 | -28 | The Ministry only forwarded 8 notices of HODs to EACC out of the 8 activities with the PC |

NB: Assessor's remarks/Observations should capture success, challenges, best practices and any lessons learnt that may inform policy decision.

6. MDA's contribution to National values and national cohesion: ^IThe Ministry has developed and disseminated a handbook containing 100 National Values to promote national values and cohesion. Copies of the handbook have been distributed in various parts of the country. Challenges in the implementation of the PC are hereby attached.

Team Leader: Peter Ambrose Date: 18.02.2014

CEO/ALTERNATE HENRY MUNGASIA Date: 18.02.2014
(Official Stamp)

For: Principal Secretary
Ministry Of Information, Communications
& Technology
P.O. Box: 30425 - 00100, Nairobi
Tel: 251152

7. PROJECTS IMPLEMENTATION

Name of Institution: MINISTRY OF INFORMATION, COMMUNICATIONS AND TECHNOLOGY

| Project Implementation Status | | Number |
|--|--|--------|
| Total number of projects for implementation during the contract period | | 6 |
| Total number of projects initiated | | 6 |
| Variance | | 0 |

The table below to be completed by the assessor upon physical inspection of the project(s) where necessary

| S/NO. | PROJECT NAME | PERFORMANCE SUB-INDICATORS | TARGET | ACTUAL ACHIEVEMENT AS AT 2 ND QUARTER | ASSESSOR'S SCORE | ASSESSOR'S REMARKS |
|-------|--------------|----------------------------|--------|--|------------------|---|
| | | | | | | |
| | | | 100 | 40.5 | 40.5 | Overall project implementation is less than 50%. Reasons given include delay in start-up of projects, approval from other departments, agencies of Ministry of Information and Communication. |
| | | | 100 | 100 | 100 | |
| | | | 100 | 100 | 100 | |
| | | | 100 | 40.5 | 40.5 | |
| | | | 100 | 100 | 100 | |

TEAM LEADER:

Peter A. [Signature]

DATE: 18.02.2014

CEO/ALTERNATE: HENRY MURGHISIA [Signature]
(Official stamp)

For: Principal Secretary
Ministry Of Information, Communications & Technology

DATE: 18.02.2014

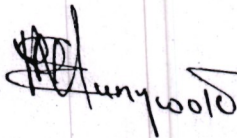


3.0 CHALLENGES

- Enactment of the Special Economic Zones laws
- Public Private Partnership Procedures
- Cable vandalism posing danger to infrastructure development
- Cyber Security and lack of data protection policy
- Systems incompatibility within government agencies
- User resistance and cultural mind sets
- Counterfeit in both electronic/computer hardware and software
- Lack of institutional and legal frame work to implement automated services including electronic transactions.
- Limited country- wide ICT awareness that hinders cultural and attitudinal change;
- Financial and Human Resource Constraints
- High costs of ICT utilization and maintenance
- Analogue to digital Broadcasting migration.
- Extensive promotion of the use of ICT as a key to environmental and social improvement;
- Extending access to ICT services through extensive partnership between private and public sectors.



Peter Ahubale 18/02/2014



18/02/2014

For: Principal Secretary
Ministry Of Information, Communications
& Technology
P.O. Box 30025 - 00100, Nairobi
Tel: 2251152

