



# WORKING POLICY FRAMEWORK TOWARDS MSME DEVELOPMENT IN OIL & GAS COUNTIES



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The discovery of Oil & Gas resources in Kenya has opened up an unprecedented opportunity to accelerate poverty alleviation initiatives and economic development in previously marginalised areas of the country. These resources not only offer additional sources of revenue for development spending but provide opportunities to cultivate business models across the value chain. Unlocking the potential of the private sector will be a key determinant of carrying out rigorous economic growth and development at the county level. Micro, Small and Medium Enterprise (MSME) Development in the Oil & Gas Sector must therefore become a key priority for resource-rich counties. Adequate policy, regulatory and governance structures must be put in place to foster county-level MSME development within these emerging economic sectors.

This document seeks to provide a guiding framework outlining the types of targeted policy interventions that County Governments can adopt to facilitate the development of MSMEs supporting the oil & gas sector. Using lessons from across the world, case studies, academic theory and expert input, this guide transposes practical examples for MSME development in the Oil & Gas sector into a Kenya-specific working policy framework for County Governments. The framework not only succinctly describes potential policy interventions needed but also provides comments on the opportunities and challenges policymakers may face in their execution. It is envisaged that this guide will provide a holistic overview of MSME development in the Oil & Gas sector for County Governments.

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# Foreword ●●●

The role of Micro, Small and Medium Enterprises (MSMEs) in the effective functioning of an economy is a phenomenon evident across the World. Indeed, MSMEs have been recognized as the backbone of the many industrialized nations and have been feted for driving innovation and export competitiveness in an increasingly globalized World.

In Kenya, a great majority of businesses fall under the MSME category and these establishments provide the largest source of employment. Despite their prevalence, the impact of MSMEs on the Kenyan economy has been muted and significantly held back by structural constraints. The majority of MSMEs in Kenya operate informally and find it difficult to expand and grow beyond the 'micro' classification. In order to reap the holistic potential of MSMEs for both economic growth and job creation, these establishments must be encouraged to expand, innovate, effectively participate and access markets beyond the borders of Kenya.

The Kenya National Chamber of Commerce and Industry (KNCCI) is at the vanguard of championing the transformative potential of MSMEs for inclusive and sustainable economic development in Kenya. With full cognizance of the existing importance of these establishments in providing a livelihood for millions of Kenyans, the KNCCI has been developing a working policy framework that seeks to outline and address key issues facing MSME development in the country. While the working policy framework provides a generic approach to enterprise development, it shall be translated into specific, sector focused guides to enhance its utility to various actors across the entire policy process.

It is with great pleasure, therefore, that we introduce this first working policy framework for County-Level MSME development with a focus on the nascent Oil & Gas sector in Kenya. As the sector begins to take full stride, it is imperative that strategic policy interventions are introduced by County Governments to improve prospects for local value capture of opportunities by MSMEs. This will go a long way in accelerating socio-economic transformation and wealth creation in regions of Kenya long disconnected from the national

economy. This guide will provide a series of policy options available to County Governments in order to fully reap the transformative potential of MSME development in the Oil & Gas sector.

The KNCCI has been arduously developing the working policy framework for enterprise development and this specific guide through a broad-based process of research, stakeholder engagement and expert input and we would like to greatly thank all involved in the project. Particular thanks to the Kenya Extractives Programme (K-EXPRO) for their support and Sahil S.R Shah who was the lead consultant in the development of both the working policy framework and this specific publication. We are further grateful to all our members for their continued support and engagement without which all our work would be for naught.

We have all the potential to transform Kenya into a prosperous and inclusive nation. KNCCI hopes to continue playing our role in helping achieve this vision through the production of value-driven content such as this guide.

**ANGELA NDAMBUKI**  
CEO, Kenya National Chamber  
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Chamber of Commerce and Industry



# Introduction ●●●

Micro, Small and Medium Enterprises (MSMEs) have been recognised across the world by governments, multilateral institutions and development organisations alike as a key pillar of economic growth and development. Indeed, a fundamental strategy employed by most countries to promote economic growth over the past thirty years has been trying to expand the number, scope and reach of MSMEs (Audrestch & Thurik, 2001).

Emerging out of the pressures of globalisation and increasing need for nimble enterprises, these businesses have become the principal drivers of sectoral competitiveness and innovation and provide a sustainable avenue of job creation across the economy. In many advanced nations, the contemporary economy revolves not around large conglomerates or multinationals but rather the MSMEs who service them, collectively employing and generating most of the country's Gross Domestic Product (Audrestch & Thurik, 2001). MSME development is therefore a crucial and unavoidable policy priority for any country seeking to foster greater economic growth and wealth creation.

In Kenya, MSME development has been an evident policy priority since the 1980s with numerous strategy and sessional papers authored with the aim of fast-tracking its progress. The importance of the sector for Kenya's economy is unquestionable, MSMEs currently employ close to 14.9 million Kenyans and represent 33.8% of national output. More than 80% of all businesses in Kenya fall under the MSME category and are estimated to be 7.41 million in number (KNBS, 2016). Despite these impressive statistics, the MSME sector faces numerous challenges, manifesting itself in a majority of businesses unable to grow out of only employing one or two people

and operating within the informal economy as unlicensed enterprises.

Another manifestation of the challenges facing MSME development in Kenya is in the geographic concentration of these businesses. Close to 50% of all MSMEs in Kenya are located in Nairobi County and neighbouring counties within a 100 kilometre radius of the capital. In sharp contrast, periphery counties such as Turkana, Elgeyo Marakwet, West Pokot, Marsabit and Baringo collectively host less than 5% of all MSMEs in Kenya (See Figure 1). This significant divergence can predominantly be attributed to geographical and historical factors. The periphery counties identified are located within arid and semi-arid lands where

Kenya's traditional sectors such as agriculture or tourism have not touched. Kenya, since the colonial era, has principally revolved around an agricultural economy concentrated within the 100 Km radius aforementioned. Government economic policy focus for the greater part of Kenya's history has thus been on developing agriculture and the associated regions viable for this sector. Due to these reasons, periphery counties have been isolated from the national economy for decades.

This situation, however, is being turned on its head due to devolution and the discovery of seemingly commercial quantities of oil & gas. The intersection of these two recent milestones now provides an unprecedented opportunity to foster economic growth and wealth creation in periphery counties. The previously isolated regions now have both significant natural endowments and institutions mandated with developing tailored interventions to ensure that the full economic potential of these resources are realised. The oil & gas sector thus

MSMES  
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NATIONAL  
OUTPUT.



provides a ripe avenue for MSME development at the county level through leveraging business opportunities across the industry's value chain.

Policy conversations and formal initiatives around these opportunities have already begun at the national stage. A Local Content Bill was proposed to the Senate of Kenya in 2016 and a year prior to this the Ministry of Industrialisation, Trade and Cooperatives had identified local content in the oil & gas sector as a key pillar of the Kenya Industrial Transformation Programme (KITP).

A primary goal of both is to foster more local value addition from the oil & gas industry through direct employment, preferred access to procurement and the formation of local businesses to serve the sectors needs. Local content policy and

legislation at the national level is the first step towards leveraging business opportunities across the oil & gas value chain. Across the world, local content policy and legislation has been used to ensure the creation and capture of value in various extractives industries, crucially extending benefits beyond revenues to leave a lasting industrial legacy.

However, local content is also highly subjective and dependent on country context. Whereas some countries have used local content to build on existing capacity and capabilities and develop cross-sectoral enterprises, this is not possible everywhere. An important consideration, therefore, is the need for discussions around the implementation and operationalization of these policy positions.

Local content legislation and strategy

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#### LOCAL CONTENT POLICY AND LEGISLATION AT THE NATIONAL LEVEL IS THE FIRST STEP TOWARDS LEVERAGING BUSINESS OPPORTUNITIES ACROSS THE OIL & GAS VALUE CHAIN.

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documents in Kenya certainly lay the foundation for the emergence of local value capture around the oil & gas sector, but the formation of MSMEs at a county level is dependent on a multitude of other factors as well. The mere emergence of national legislation and strategy papers trying to augment local content opportunities is unlikely to guarantee an immediate market response, especially at the county level where the need is greatest.

Due to the highly specialised nature of the oil & gas industry, as well as limited knowledge about this new sector, the organic growth of MSMEs around it is highly unlikely. This is particularly the case for the counties in Kenya that host oil & gas reserves as there is next to no existing capacity to immediately seize the emerging opportunities.

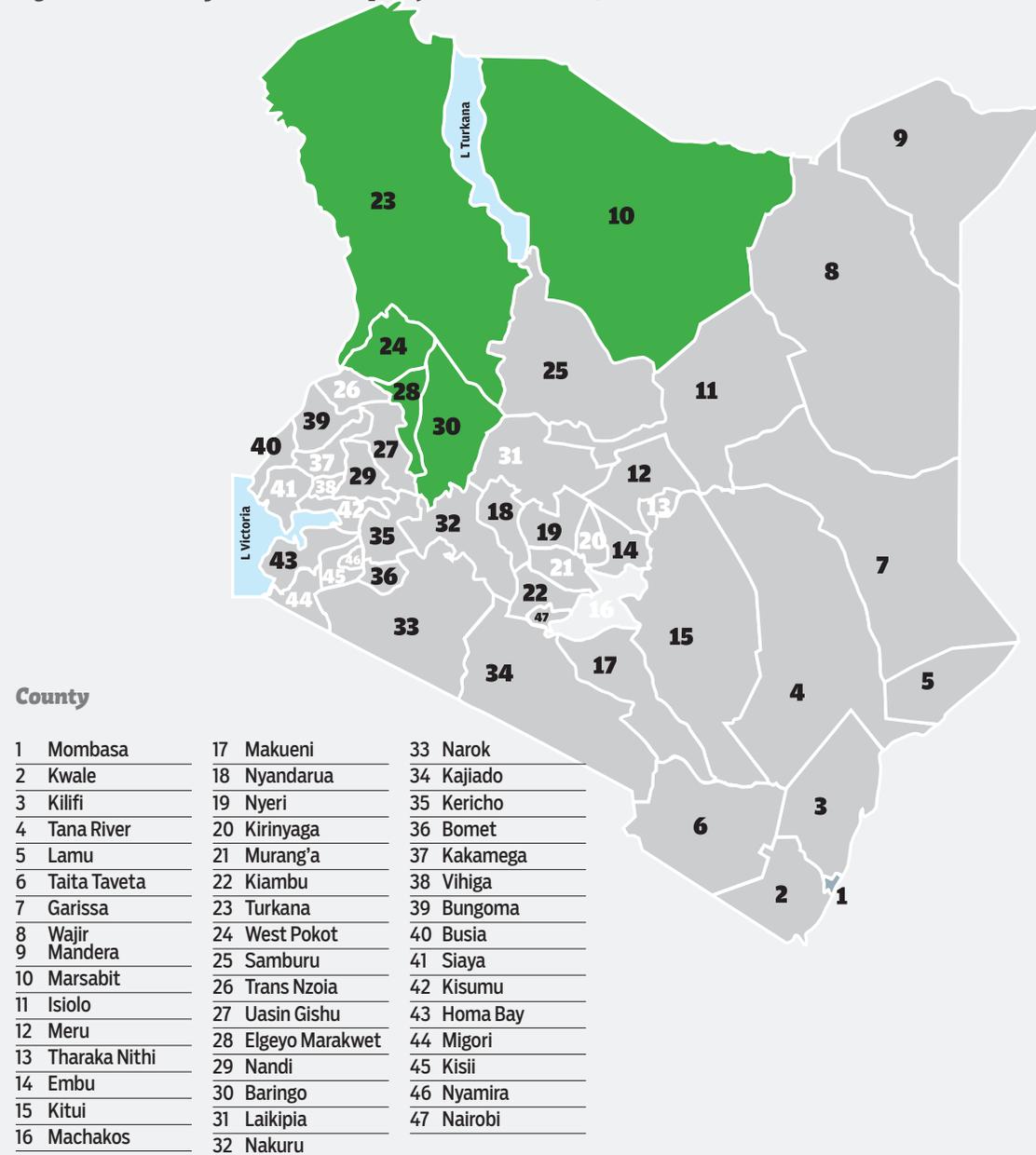
Therefore, even before the national level debates and decisions on local content are finalised, a concerted effort to put in place measures that foster a conducive business environment around the oil & gas sector in

these counties needs to be adopted. Targeted policy interventions to ensure that businesses can access and profit from the oil & gas sector is critical and County governments must take steps in preparing for this emerging sector. They can put in place the requisite policies, structures and institutions needed to ensure its holistic development beyond the receipt of resource revenue.

This document seeks to provide a guiding framework outlining the types of targeted policy interventions that County Governments can adopt to facilitate the development of MSMEs supporting the oil & gas sector. The framework not only succinctly describes key policy interventions needed but also provides comments on the potential opportunities and challenges policymakers may face in their execution.

It is envisaged that this guide will provide a holistic overview of MSME development in the oil & gas sector for County Governments.

Figure 1 Number of MSMEs in Periphery Counties (KNBS, 2016)



County	Licensed MSMEs ('000)	Unlicensed MSMEs ('000)	Total MSMEs in the County ('000)	% of Total MSMEs in Kenya (7.4 million)
Turkana	7.3	108.8	116.1	1.57%
Elgeyo Marakwet	5.6	21.8	27.4	0.37%
West Pokot	3.1	64.4	67.5	0.91%
Marsabit	2.2	37.9	40.1	0.54%
Baringo	16.9	84.1	101	1.36%
<b>TOTAL</b>	<b>35.1</b>	<b>317</b>	<b>352.1</b>	<b>4.75%</b>

## The Oil & Gas Sector ●●●

This section seeks to provide a brief overview of the salient characteristics of the oil & gas industry with particular references to the key stages of the sector's value chain. The section will further highlight Kenya's current position within this value chain and its projected trajectory and timelines.

### Hydrocarbons

Oil & gas reserves are formed over thousands of years through the integration of organic material (remains of plants and animals) with forming rock. The exposure of this mix to high temperatures and pressures deep with the earth's crust produces the chemical compound known as hydrocarbons, the core component of oil & gas.

### Upstream Activity

These hydrocarbons are brought up to the surface through the process of drilling into a reservoir. Once the reservoir is tapped, and commercially viable quantities of hydrocarbons are found, it can be pumped to the surface. This entire process if referred to as upstream oil & gas activity and is carried out by Exploration and Production (E&P) companies. These companies focus on sourcing reservoirs, drilling wells, and producing and selling these materials for further processing into products such as petrol (Harman, 2016). E&P companies generally do not have in-house drilling equipment or a drill team, they hire companies to carry out the work of drilling wells. Referred to as oilfield/gas field service companies, they provide the infrastructure, equipment and services required to extract the resources. This includes seismic testing, transporting and building rigs as well as the actual drilling process. Once a well is drilled, many other activities are involved in generating and maintaining its production over time. These activities include well logging, cementing, casing, perforating, fracturing and are collectively referred to as well servicing. These are sometimes undertaken by oilfield service companies but can be outsourced to further companies (Harman, 2016).

### Midstream Activity

Once the hydrocarbons are extracted from the res-

ervoirs and brought up to the surface, they must be appropriately stored and transported for processing. This activity is carried out in varied ways depending on the country-specific situation. Pipelines, rail, barge, oil tankers or trucks are all modes of transport used across the World.

### Downstream Activity

The processing of hydrocarbons through the refining of crude oil and purifying of natural gas into numerous consumer products constitutes one segment of downstream activity. This segment is mainly carried out by refining companies who operate large-scale industrial processing plants that transform the hydrocarbons into more useful products such as kerosene, gasoline and diesel fuel. The other segment of downstream activity involves the marketing and retail distribution of the products all the way down to the point of sale. A number of large oil companies are vertically integrated across both the upstream and downstream sectors but a significant portion of the latter activities are carried out by smaller companies who deal directly with end-user consumers. are carried out by smaller companies who deal directly with end-user consumers.

### Kenya's Oil & Gas Sector

The first recoverable oil resources in Kenya were discovered in the Lokichar Basin of Turkana County in 2012. Since then, an accelerated exploration and appraisal campaign has been completed in the basin and initial assessments indicate recoverable resources of up to 750 million barrels of oil. While these may seem to be significant, put into context, the proven reserves in Kenya are a mere 2% of Nigeria's proven reserves of 37.2 billion barrels and just 1.6% of Libya's proven 46.4 billion barrels. Kenya will not therefore become a leading producer or exporter of oil on the global stage.

Nevertheless, the sector provides an unprecedented opportunity to foster economic development in periphery counties through augmented fiscal revenues for socioeconomic spending and local content opportunities. Due to large-scale infrastructural necessities of the industry and the geographic location of the

deposits, it will take a number of years to optimally develop the fields and begin production. It is estimated that oil production will begin sometime between the years 2020 – 2022. The production of natural gas, on the other hand, is expected to begin in 2025 and peak by 2033 (World Bank, 2016).

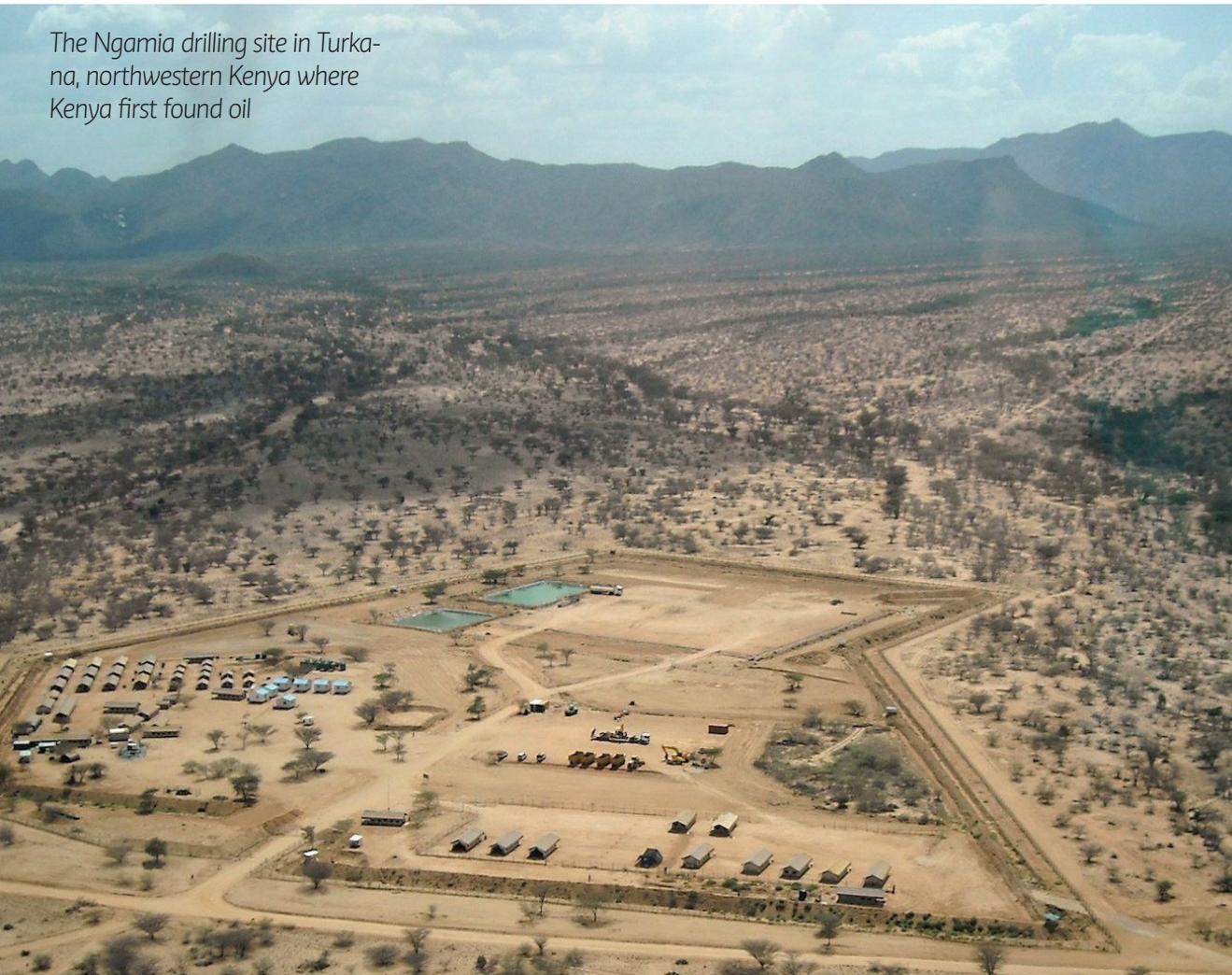
As the information and data above shows, the upstream sector in Kenya is still at a preliminary and frontier stage with a number of years still to go before production is expected to begin. This is highly dependent on proposed midstream infrastructural development plans which will play a key role in the viability calculations and decisions of E&P companies. This latter aspect is the preserve and responsibility of national Government and has seen some progress with the proposition of an 820 km pipeline running from Lokichar to Lamu, with the expected completion year set for 2021.

The downstream sector for oil in Kenya has been well established for decades delivering products to

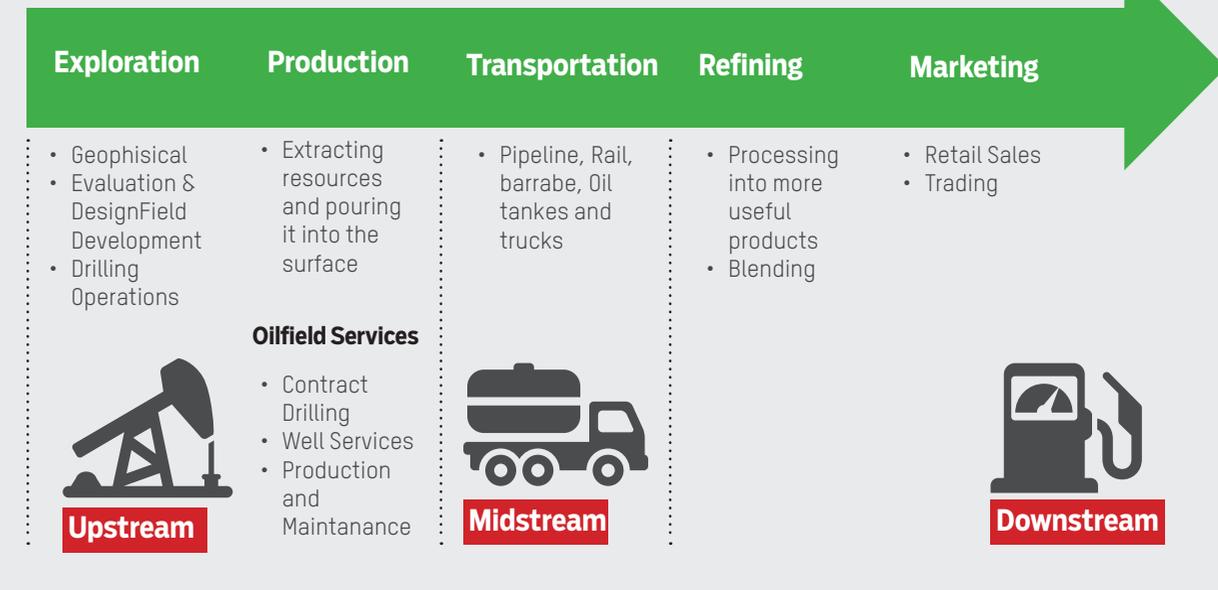
consumers. Kenya Pipeline Company (KPC) is the main player in this sector with the mandate to own and operate a multi-product pipeline network and facilities for transportation, storage and distribution of refined petroleum products. In terms of the other downstream activity of refining, prior to its closure in 2013, the Kenya Petroleum Refineries Limited (KPRL) was the main player. Discussions on revamping these activities are still ongoing with new refineries proposed for the port of Lamu where the Lokichar pipeline is expected to terminate (KEPTAP, 2016).

Notwithstanding this, it is important to note that the majority of downstream activities will happen outside of the periphery counties identified with hydrocarbon reserves and its harmonisation with the upstream sector is a priority and function of the national Government. Therefore, this guide and the envisaged interventions by County Governments will primarily focus on value capture in the upstream sector with some attention given to opportunities across midstream activities.

The Ngamia drilling site in Turkana, northwestern Kenya where Kenya first found oil



## The Oil Value Chain



## The Policy Framework

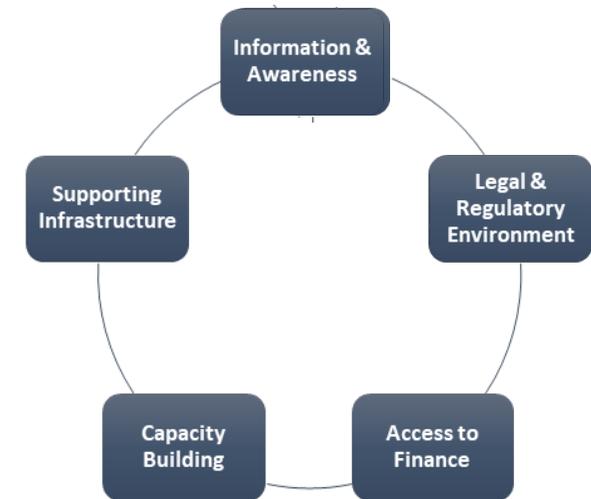
Creating and capturing value in the oil & gas industry for local enterprise is expected to focus on backward linkages through preferred procurement and utilization of locally produced input materials, linking the nascent oil sector with existing sectors in the local economy (Adedeji & Sidiq, 2015).

This is conventionally initiated through affirmative action initiatives, such as local content policy and legislation, with indigenous firms expected to be able to respond to the opportunities arising from this period of protection.

For periphery counties, however, an immediate market response to affirmative action initiatives is unlikely as they have the lowest number of MSMEs in the entire country. Therefore, it is imperative to design and implement concerted MSME and entrepreneurship development policies as an antecedent to local value capture within the oil & gas industry.

The constraints to business activity must first be identified and interventions designed by County Governments to prepare for the emerging opportunities. This guide presents a working five-

point policy framework to assist the respective County Governments in designing and implementing the required interventions to foster MSME development with specific reference to the nascent oil & gas sector.



# 01

## INFORMATION & AWARENESS

### KEY ISSUES

- Information & awareness on starting a business in the County
- Information & awareness on the sector, its developments and opportunities
- Information & awareness on the standards and procedures required to meet opportunities
- Information & awareness on procurement opportunities when they arise

The role of information and awareness in MSME development, especially for developing economies, has generally revolved around the availability and accessibility of information on the steps required to start and operate a business (Hanna, 2009).

This is complementary to the next point of the framework and seeks to clearly elucidate the legal and regulatory requirements of starting a business within the industry.

While this is certainly an important consideration with respect to the overall framework, when it comes to the oil & sector it is but one of many others. As aforementioned in the introductory sections, the sector is often treated as specialist due to the ubiquity of technical jargon and complicated business processes.

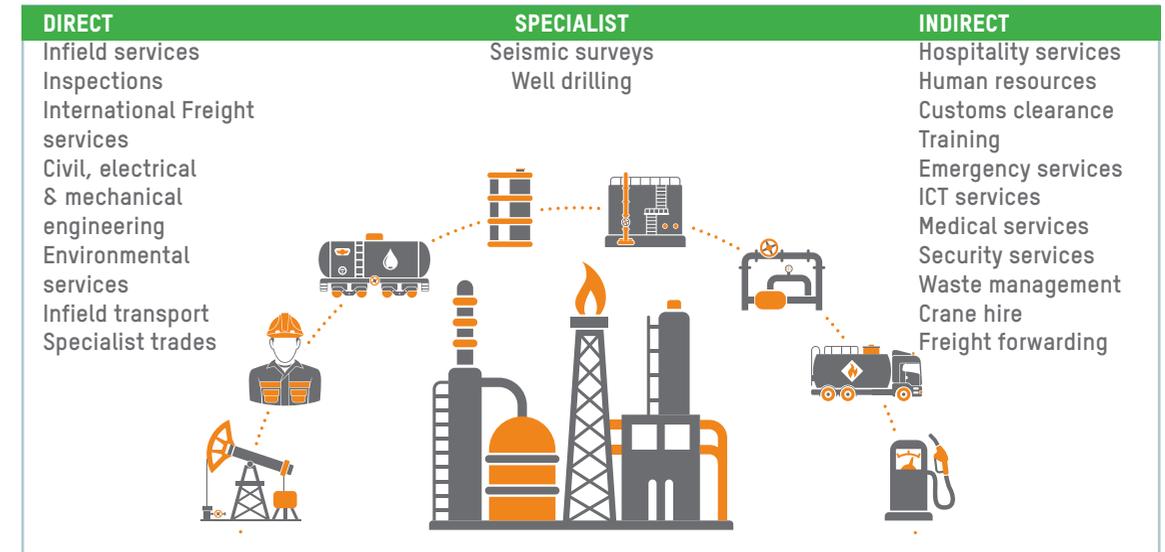
In order to open up business opportunities and improve the entry and access of MSMEs within the industry,

this information and awareness barrier must be overcome.

For the oil & gas sector in Africa, it is an empirically proven fact that insufficient information on the industry including oil developments, prospects and existing business opportunities as well as insufficient information on procedures for entering into contract agreements with oil companies has a direct impact on the participation of SMEs and willingness to invest in the industry (Wamono & Kikabi, 2013).

Indeed, so significant is this variable to initiating private sector development in the sector that countries such as Uganda and Angola have developed national level communication and sensitization strategies to counter the information barrier.

### BUSINESS OPPORTUNITIES IN THE OIL & GAS VALUE CHAIN



Key Issue	Description	Action	Output	Comments
Information & awareness on starting a business in the County	Each step required in the process of registering and operating a business within the given legal & regulatory environment of the County and Country at large.	Research and compile a document outlining the step-by-step approach required to start and operate a business in the respective County.	An online portal/ physical pamphlet that gives details on the process and outlines each step required.	This is will not only be useful and effective for emerging MSMEs the oil & gas sector but will serve the wider role of improving the overall business environment for the respective Counties.
Information & awareness on the sector, its developments and opportunities	General information about the sector, its main characteristics, the expected timeframe of development, emerging opportunities, data and statistics and business models and processes. Such as that provided in the preceding information snapshot and introductory section on sector characteristics.	Research and translate information on the sector into accessible forms to general public.	Bite-size information pieces on the oil & gas sector transmitted with an effective communication strategy targeting outreach through innovative and effective means such as via enterprise/information centres, chambers of commerce and community notice boards.	This point of the framework not only will assist the formation and operation of MSMEs to capture local content opportunities but through clear information and improved awareness, one can also manage expectations and reduce speculation. These are two very real issues already manifesting themselves in counties such as Turkana.
#1 PRIORITY		Formulate communication strategy targeting sensitization and awareness creation on upcoming plans, developments and opportunities in the sector.		
Information & awareness on the standards and procedures required to meet opportunities	Specific information sourced from the oil companies on the technical, safety, quality, time, and operational requirements to meet the standards for various opportunities presented.	Collaborate directly with oil companies to document standards, procedures, policies and certifications required by them to comply for contracts/ opportunities.	An online portal/ physical pamphlet clearly detailing the standards, procedures, policies and certifications required to qualify for opportunities. Also communicated through the alternative communication channels detailed above.	This is an action required at latter stages of this point of the framework after the first priority above is addressed. The difficulty in executing this particular point will be identifying the key stakeholders to transmit this information to and developing an effective outreach strategy to ensure they receive and understand the information.
		Conduct seminars and workshops on this information, clearly outlining to the key stakeholder group the compliance requirements.		
Information & awareness on procurement opportunities as they arise	Adverts/ posts on the various procurement opportunities across the oil & gas value chain as and when they arise.	Collaborate directly with oil companies to continuously and promptly receive updates on the procurement opportunities as and when they arise.	An online portal that hosts and continuously updates the various procurement opportunities that arise from the sector.	The online portal envisaged here would be in unison with the preceding point on the standards and procedures required as the two work in tandem.

## 02

## LEGAL &amp; REGULATORY ENVIRONMENT

## KEY ISSUES

- Ease of Entry & Access
- Business Registration
- Licenses & Permits
- Tax, Fines & Fees

**Around 79% of all MSMEs are unlicensed while only 21% operate with a license**

A streamlined legal & regulatory environment for MSMEs is an imperative aspect in ensuring both the seamless growth and effective operation of these enterprises. For Kenya, business regulatory environment has been identified as the main constraint facing MSME development; this is principally characterised by the number and cost of licenses and permits, bureaucratic process of business registration and high taxes (KNBS, 2016).

These findings are further reflected through the World Bank's 'Ease of Doing Business' report as well as the sheer number of unlicensed enterprises compared with their licensed counterparts. For the former, despite successive improvements in overall ranking, Kenya's score for the 'starting a business', 'dealing with construction permits' and 'paying taxes' parameters are ranked significantly poorer than the global average (World Bank, 2017). The latter point is a manifestation of the fact that in an economy with a less than conducive business environment, there

are bound to be more unlicensed enterprises (Hanna, 2009). In Kenya, around 79% of all MSMEs are unlicensed while only 21% operate with a license.

The above description outlines the overall national position and average, and therefore the situation in the five periphery counties identified is no different. On some levels, however, the five counties come out significantly poorer. Out of the 352,000 MSMEs currently operating within the five counties, only 10% are licensed while 90% remain unlicensed (see figure 1, page 8). Not only do unlicensed enterprises have fewer opportunities to grow, get credit and build capacity, they will not be able to access local content opportunities presented by multinational firms.

The two most important and cross-cutting sub-variables for each of the last three of the issues identified are time & cost. County Governments must therefore tackle these issues by asking themselves; how can we reduce the time and cost of this process for businesses?

While the majority of issues identified for this first point of the framework are present across all counties in Kenya, the ease of entry and access to the market is specifically relevant to the five counties and the oil & gas sector. Due to its highly specialised nature and often unknown business processes, improving entry and access to the oil & gas sector is

dependent on a very precise form of intervention namely local content policy/legislation. This intervention lays the foundation for market entry and is an unavoidable prerequisite to ensuring that businesses can access industry opportunities. It is thus the number one priority for County Governments to pursue for this point of the framework.

Key Issue	Description	Action	Output	Comments
<b>Ease of Entry &amp; Access</b>	Before seizing opportunities available, it is imperative that businesses are able to access them. Improving entry into the market is the principal consideration for this point of the framework.	Translate National Local Content Policy & Legislation to the County Level	County Local Content Policy & Legislation	The national level local content policy & legislation is yet to be harmonised and finalised. This may delay the process for County Governments but they must nevertheless proactively engage in the process at the national level as key stakeholders.
<b>Business Registration</b>	This involves the process and procedures of applying for a business permit. It has been generally described as being difficult, bureaucratic and expensive.	Standardise costs and process of business registration based on National model and average.	Lower costs and faster process of business registration	The issue of business registration has been identified and is being addressed at a national level. There are no novel interventions but simply appropriating and implementing what exists at the county level.
<b>Licenses &amp; Permits</b> <b>#1 PRIORITY</b>	This is the various other licenses and permits required to operate within a specific industry. Again, the issues that arise here primarily emerge from the sheer number required and their cost.	Create one, all-inclusive license for business operations within the oil & gas sector and standardise with other sectors.	Oil & Gas Sector Business License/Permit	Much like for the first point, this is also specific to the oil & gas industry. Due to the fact that the majority of local content opportunities will be found through backward linkages at the production stage of the value chain, a single license/permit can be created specifically for these operations.
<b>Tax, Fines &amp; Fees</b>	Kenya is notorious for its heavy taxation but also the numerous (and often informal) fines & fees levied upon businesses. Much like the preceding two issues, this one also revolves around the time and cost factors.	Research and develop a tax strategy/policy for the county that takes into consideration the challenges facing MSMEs.  Introduce short-term tax exemption for local businesses operating within the oil & gas sector value chain.	County-Level Tax strategy and policy	Due to the slow pace of fiscal decentralisation there is a natural inclination to raise additional county-level taxes to supplement revenue disbursements from the national government. While efforts can be made to dissuade the introduction of these additional taxes, until the issues at a national level are addressed, County Government incentives will always be aligned to raising more taxes for additional revenue.

**SPECULATION AND LOST BUSINESS IN TURKANA**  
Turkana woman with traditional big basket on the head at Ellyie Springs remote village, Lake Turkana



# 03

## ACCESS TO FINANCE

### KEY ISSUES

- Supply of Finance from Formal and Innovative Lending Institutions
- Viability of MSMEs to Absorb Finance

It is a commonly recognised fact, across both developed and developing countries, that access to finance is a major challenge for MSME development (Berger & Udell, 2005).

Finance is the lifeblood of any business and is required for the process of both starting a venture and maintaining operations. MSMEs find it particularly difficult to access finance due to a number of factors including an inadequate number of assets to use as collateral, lack of satisfactory business plans and accounting reports, and insufficiently high levels of profitability or liquidity. These constraints force MSMEs to move away from formal lending institutions and seek alternative sources of funding such as those displayed in the graphic below for Kenya:

For the oil and gas sector, it is difficult to see how these alternative sources of finance would be sufficient to meet the required levels of capital for both start up and operations. Therefore, policy interventions must be focussed on im-

proving access to formal and innovative lending institutions so that MSMEs can effectively initiate business activity and expand capacity with sufficient capital. However, improving the supply and access to finance from formal institutions is only one of the hurdles that face MSMEs for this particular point of the framework.

As mentioned above, the main reason MSMEs move away from formal lending mechanisms is because of certain characteristics that they inherently possess such as low collateral and lack of accounting reports.

Therefore, the second hurdle to addressing this point of the framework is in improving the viability of MSMEs to absorb capital from formal and innovative lending institutions. The challenge of access to finance must be addressed through successively solving the two hurdles; supply of finance from formal and innovative lending institutions and the viability of MSMEs to absorb this finance.



### 3.1. Supply of Finance from Formal Lending Institutions

When it comes to the particular context of MSME development within the oil & gas sector, three general categories of formal lending mechanisms can be identified:

1. Commercial Finance – this refers to loans extended to enterprises from institutions operating from within the private sector such as commercial banks, micro-finance institutions and others.
2. Development Finance – this refers to loans obtained and extended from development finance institutions such as the International Finance Cooperation (IFC), African Development Bank (AfDB) etc.
3. Affirmative Action Finance – this refers to funds set up by public sector actors such as Governments or development agencies for the specific purpose of promoting a development agenda such as job creation and self-employment.

For commercial finance, lending institutions that work under this category focus on a market and profit oriented model i.e. they will set up and extend loans in the geographic areas and sectors that they believe will yield them a high return.

As it stands, in some of the most commercially robust regions and sectors in Kenya, loans are difficult for MSMEs to obtain; as the graphic above shows, banks only finance 5.6% of all MSMEs in Kenya. Given this situation, as well as the fact that the oil & gas is a relatively new and risk-prone sector, it is difficult to see how these lending institutions would be attracted to set up and extend loans to MSMEs in periphery counties without any tangible evidence of the profit-

ability of enterprises operating within the sector. Development finance is an alternative lending mechanism to private enterprises that has become increasingly apparent and widespread amongst developing countries over the last decade. Development Finance Institutions (DFIs) such as the African Development Bank, the World Bank (through the IFC) etc. provide credit in the form of higher risk loans, equity positions and risk guarantee instruments. DFIs are usually founded and backed by developed economies as part of their economic development cooperation mandates. Increasingly, DFIs have begun attempts to bridge the financing gap for SMEs through targeted initiatives, the World Bank Group's Finance and Markets Global Practice, for example, has around \$3 billion committed globally in lines of credit to SMEs.

The third category, affirmative action finance is arguably the most appropriate and indeed innovative for the context of this study and promoting the development of MSMEs in the oil & gas sector (there is already an active fund operating within this specific area with a large scope for expansion). Affirmative action finance for MSMEs already exist in Kenya through the Youth Enterprise Development Fund and Uwezo Fund and have been deployed to promote job creation and reduce unemployment levels.

These funds certainly have great potential to provide an initial impetus for enterprise development and in doing so augment the commercial viability of local content within the oil & gas sector. This latter point has the further potential to naturally attract more market oriented lending institutions mentioned above to participate in the sector's development.

Key Issue	Description	Action	Output	Comments
<b>Supply of Finance from formal lending institutions</b>  <b>(Affirmative Action Finance)</b>  <b>#1 PRIORITY</b>	Amongst the three formal financing mechanisms identified, the option of affirmative action finance is deemed to be the most appropriate for this particular context. This is because these funds already exist in Kenya and within the specific sector in question as well as the inherent characteristics of the oil & gas sector which is likely to deter commercial finance. It is herein argued that the focus of County Governments should be on actualising the potential of affirmative action funds with development finance providing an optional supporting hand through technical assistance and additional capital.	Partner with existing funds like the Northern Kenya Growth Capital (NKGCC)	Memorandum of Understanding extending technical and financial support to existing funds.	This is an option available to all counties identified (because NKGCC operates in Northern Kenya as a whole) but is most immediately applicable to Turkana County due to the partner Turkana Catalyst Initiative (TCI).
		Create new fund from development budget and with support from DFIs	Allocate money in the county budget for a fund that targets SMEs in the oil & gas sector.	Organically developing a home-grown fund is another option available to County Governments. This is, however, the most technically difficult and expensive option of the three provided.
		Partner with Youth Enterprise Development Fund/ Uwezo Fund	Memorandum of Understanding with the respective affirmative action fund, extending technical and logistical support.	The penetration of the existing (National) affirmative action funds can be augmented through a partnership with County Governments and thus presents a mutually beneficial outcome.

ACCORDING TO THE SURVEY RESULTS,

**80.6%**

OF ESTABLISHMENTS REPORTED FAMILY/OWN FUNDS AS THE MAIN SOURCE OF START-UP CAPITAL

**4.2**

OF BUSINESS OWNERS GOT LOANS FROM FAMILY AND/OR FRIENDS TO START THEIR BUSINESS

- BANKS FINANCE 5.65% OF MSMEs,
- CHAMAS 1.4%
- COOPERATIVES ONLY 0.4%
- THE GOVERNMENT FUNDS 0.1%

### 3.2. Viability of MSMEs to Absorb Finance

While the supply of finance from formal lending institutions is indeed important, an increased supply will be for naught if MSMEs are not adept to absorb this finance. Across the world, the issues frequently cited as being the reasons for low formal MSME financing revolved around the internal characteristics of MSMEs. These issues can be elaborated through the *5Cs of Credit* framework which is used by many lenders to determine the creditworthiness of potential borrowers.

Key Issue	Description	Action	Output	Comments
<b>Character</b>	This is the indicator of stability and refers to the experience, track record and credit history of a business.	Set up or sponsor training facilities that address the fundamentals of financial management and literacy.	Accessible, functional and sustainable training facilities	This intervention could begin to address one of the basic concerns outlined in the introduction on improving sound business practices amongst MSMEs.
<b>Capacity</b>	This is the indicator of a borrower's ability to repay the loan extended and focusses on the debt-income ratio of the business.	Develop formal system/framework for Local Purchase Order (LPO) verification and validation that provides a level of credence to the enterprise's activities and transactions.	LPO Verification/Validation System	Projected incomes from local content opportunities will be based on procurement schedules of the larger firms and thus LPOs provide a substantial guarantee of income and especially if verified by a formal system within the County Government administration.
<b>Capital</b>	This is the business's net worth i.e. how much of the borrower's own money is invested in the enterprise. Assets minus liabilities.	Address concerns and implement one of the options outlined under section 3.1. above on affirmative action financing.	Supporting and expanding reach of affirmative action funds.	It is envisaged that the affirmative action funds will be able to provide an initial injection of capital into the enterprise that improves the standing of the business in this regard.
<b>Collateral</b>	These are the (fixed) assets that the potential borrower can use to give assurances to the lender and which the latter can repossess in case of default.	Develop legal and policy framework for secured transaction registries that provide enterprises with an opportunity to leverage movable assets (inventory, accounts receivables & equipment) into capital.	Legal and policy framework for secured transaction registries.	There has been some recent success in Nigeria, through the World Bank, developing an online collateral registry.  This can potentially be synergised with the LPO verification system and one online platform developed.
<b>Conditions</b>	These are the wider, external circumstances that affect the business e.g. macroeconomic environment, commodity prices & security concerns.	Improve security and protection of local enterprises.	Lower security risk for enterprises.	There is, unfortunately, not much County Governments can do to influence the macroeconomic risk or commodity prices. County Governments can, however, seek to address conditions such as security.

# 04

## CAPACITY BUILDING

One of the key tenets of MSME Development recognised by Vision 2030 is the need for capacity building initiatives. To this end, the Micro and Small Enterprise Authority (MSEA), established in 2012, has as one of its direct mandates, 'to formulate capacity building programmes for micro and small enterprises' (KNBS, 2016). The capacity building referred to above primarily revolves around internal management and decision-making abilities of the respective enterprise's owner. Ensuring these decisions are sound, therefore, comprises an important component of MSME development and the success of these enterprises.

While this form of capacity building is important, when it comes to the oil & gas sector there are further, more technical, forms of capacity that are required to ensure success. This draws directly from Point 1 of the overall framework, that outlines one of the key issues as improving information and awareness on the standards and procedures required to meet local content opportunities. These are the specific technical, safety,

quality and operational requirements to meet the standards for various opportunities presented. This particular point of the overall framework must therefore address both the generic capacity building needs of MSMEs such as internal management practices as well as the more technical requirements needed to meet procurement standards of the larger firms operating within the sector.

While two different categories of capacity building have been identified above, the answer for both can be effectively encompassed through one intervention, namely the establishment of enterprise centres. These centres impart business skills and facilitate the exchange of information between buyers and suppliers and thus help streamline supply chains in the oil and gas industry.

Enterprise centres have been proven successful in the oil and gas sector of both Angola and Chad and provide a remarkably simple but effective intervention to boost MSME participation across the industry's supply chain.

### KEY ISSUES

Enterprise Centres



**CASE STUDY: ANGOLA**  
Centro de Apoio Empresarial (CAE)

- Established in 2005
- Generated 4809 jobs and certified more than 100 companies
- Delivered over 224 training courses
- Participant SMEs won 300+ contracts
- Established a database of over 1400 SMEs
- Notable alumni SMEs include NASA Commercial Import and Export Ltd who have been supplying protective equipment to Chevron for the past ten years.



**CASE STUDY: CHAD**  
The Chad Enterprise Centre

- Established in 2004
- SME database containing more than 1300 enterprises
- 30 local SMEs recipients of 3-5 year contracts ranging from \$99,000 - \$600,000.
- SMEs have received contracts totalling \$56 million and purchases of goods and service from local suppliers have totalled \$175 million.

Key Issue	Description	Action	Output	Comments
<b>Enterprise Centres</b>  <b>#1 PRIORITY</b>	Enterprise centres are networking and training hubs that allow citizens and local companies to gain business skills, information, contacts and other skills required to capture local content opportunities. These centres focus on skills development and improving the participation of local companies in the supply of goods and services in the oil and gas industry.  Enterprise centres are envisaged to provide support to MSMEs in the overall effort to boost local content and participation in extractives industry.	Carry out pre-project research and data gathering and develop a rigorous stakeholder analysis/ engagement strategy.	Report outlining the viability of enterprise centres within given context.  Consensus amongst stakeholders on the need for enterprise centres.	The process of successfully establishing and operating enterprise centres is dependent on the cooperation of all stakeholders in the oil and gas industry. Therefore, the first step in implementing this point of the framework is carrying out comprehensive research and engaging key actors in the process.  The experience of both Angola and Chad suggests that this is the most fundamental step. A minimum consensus must be generated in order to establish and operate enterprise centres. Achievement of this action directly feeds into the process of implementing the second action outlined below.
		Seek strategic partnerships to set up & operationalise the enterprise centres.	Agreements and MoUs extending financial and technical support towards the development and operationalization of county-level enterprise centres.	Angola's enterprise centres were established through the support (technical & financial) of the national oil company and multinational oil companies working in the country. This both supports the process of initiating the centres and greatly augments relevant content delivery through leveraging these partnerships.  Chad's enterprise centres were set up through a partnership with the IFC and the national chamber of commerce. This provided both financial and technical support as well as a pre-existing network of business expertise.  Counties must similarly seek strategic partnerships with multinational oil companies, chambers of commerce, DFIs and relevant authorities such as the MSEA.

# 05

## SUPPORTING INFRASTRUCTURE

**KEY ISSUES**

- Access to electricity
- Access to water
- Access to telecommunication & computer services

**“The ease of access to these utilities is important in all business-related activities especially in the manufacturing and services sectors...and the quality of available infrastructure has a significant influence on MSMEs competitiveness.” (KNBS, 2016)**

The four preceding points of the overall framework discussed hitherto, have focussed on policy interventions that build the ‘soft’ infrastructure required for MSME development i.e. the institutions, regulations, capacity, processes and governance mechanisms. However, to effectively realise the transformational potential of the oil & gas industry at the county level, ‘hard’ infrastructure projects must also be aptly designed and implemented.

Infrastructure such as roads, pipelines, electricity transmission lines are a key part of the overall development of a successful oil & gas industry. They directly influence the commercial viability of discoveries and determine the pace of extraction and midstream sector development.

In Kenya, the oil & gas reserves are located in some of the most remote areas of the country that have long been disconnected from the mainstream economy. The infrastructure deficit in these counties is thus far more palpable than in other areas of the country.

County governments must continue to prioritise and streamline transport infrastructure such as roads, as part of their overall economic transformation goals. However, the development of larger (midstream) infrastructure requirements is a function of the national Government and County Governments must seek to work alongside the relevant national agencies in harmonising overall infra-

structure plans for the oil & gas sector.

When it comes to MSME development, large infrastructure projects such as roads certainly benefit these enterprises but there are more basic infrastructure requirements that provide an immediate hurdle to their activities. The MSME Survey 2016 identified three key issues as a proxy for the assessment of the quality of infrastructure available to entrepreneurs. These are; access to electricity, water and telecommunication & computer services.

Basic infrastructure and utilities are a priority for any County Government and represent a core component of economic and social transformation initiatives. County Governments, through their County Integrated Development Plans (CIDPs) and County Investment Plans (CIPs), already have a predisposition towards building and upgrading supporting infrastructure projects identified.

This point of the policy framework, therefore, does not seek to introduce new ideas or prescribe new policy interventions but rather emphasise how focussing on alleviating basic infrastructural deficits has significant cross-linkages to private sector development and wealth creation. Rationalising basic infrastructure facilities through the context of the overall five-point framework will highlight how necessary prioritising the development of these utilities are for MSME development in the oil & gas sector and beyond.

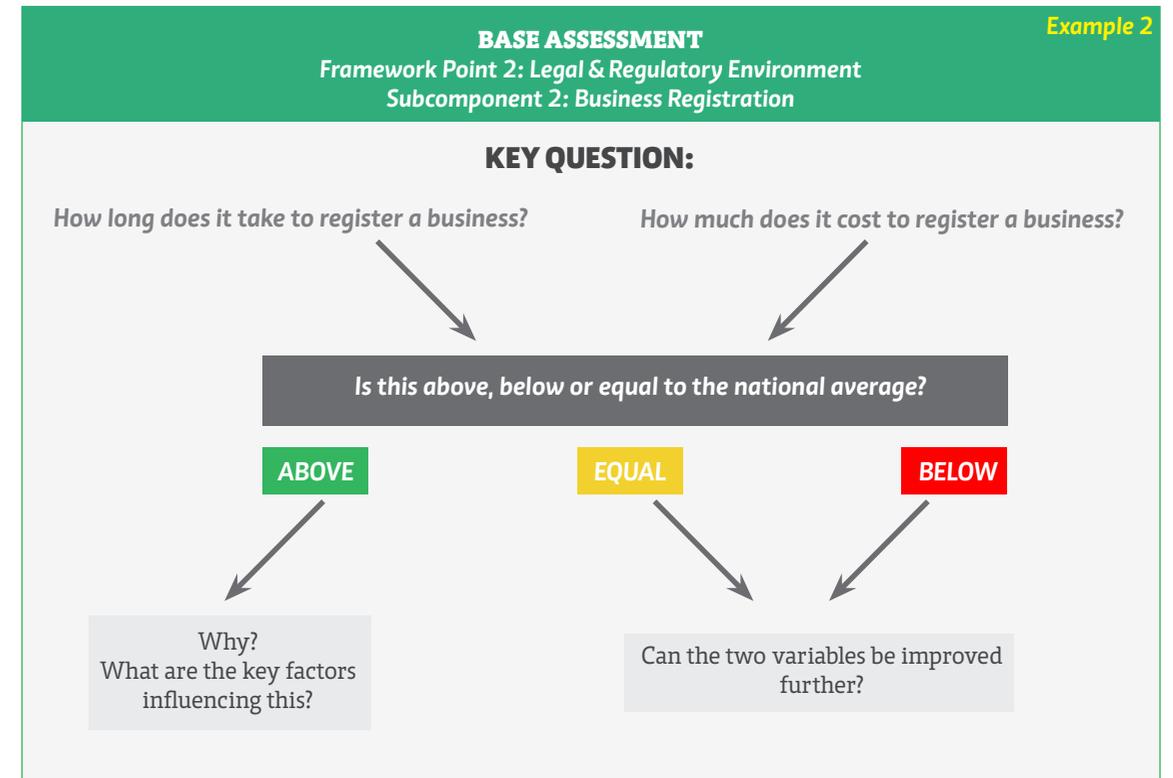
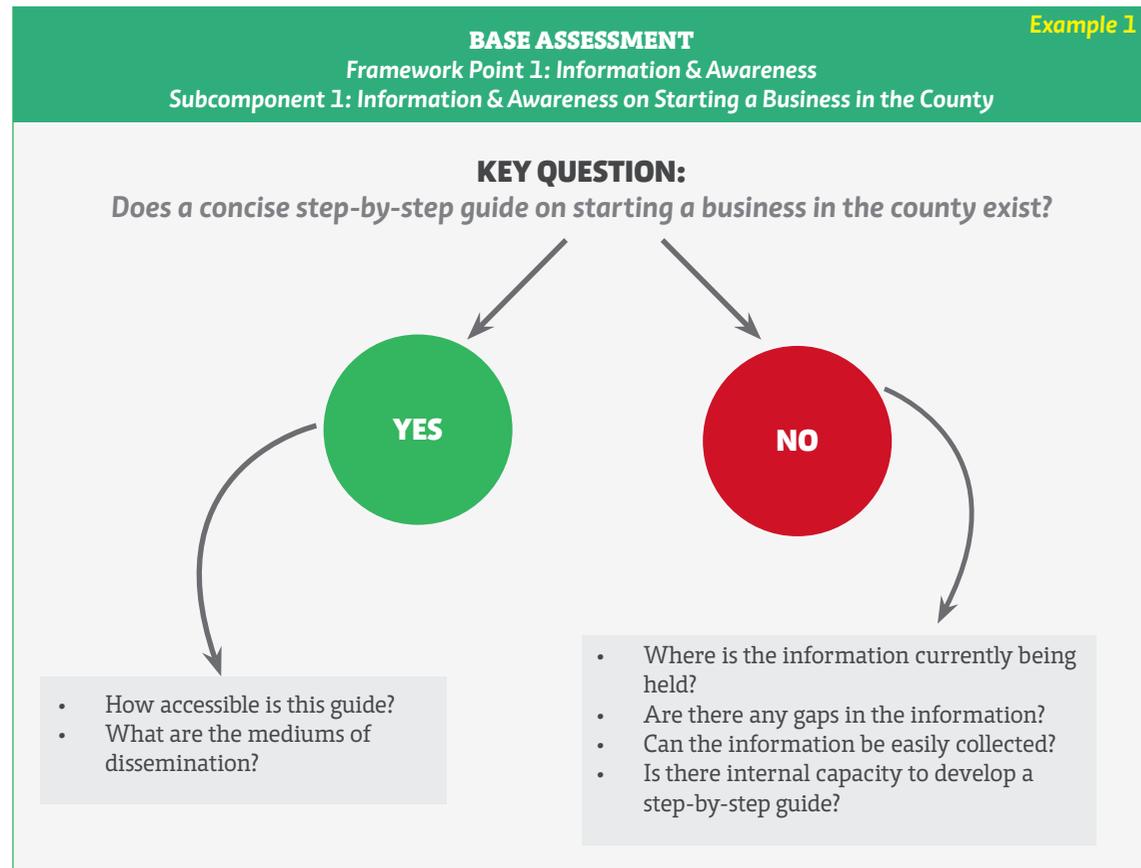


# Way Forward ●●●

## USING THE POLICY FRAMEWORK

The five-point policy framework outlined provides an overview of options available to County Governments to foster MSME development within the oil & gas sector. It is important to emphasise, however, that policy design and implementation is highly contextual. The framework provides an overall guide but interventions must account for the idiosyncrasies, dynamics, culture and relative socioeconomic conditions of the respective county in question. Translating the suggested interventions into effective policy will require a rigorous and concerted process of design, implementation and continuous review.

An immediate step in practically using this document would be to carry out a base assessment of the County in question. This first step would be to simply carry out an overall review based on the sub-components of each of the five-points of the policy framework. Essentially using the framework and a series of questions as a filter to distil and map out areas already being worked on, the status of the same and areas that are yet to be considered. The base assessment would provide a simple, resource-light but significant first step in using the framework for effective policy action.



The base assessment as exemplified in the two diagrams above explore each of the five points through a process of self-analysis, using a series of simple questions to begin investigating the key issues underlying MSME development in the oil & gas sector and beyond. These self-analytical questions are intended to be organically developed by the user from their understanding of each issue at hand. This is based solely on the 'Description' column provided in each point of the framework and thus ensur-

ing a focus on the idiosyncratic context.

Following the base assessment, the user will be able to update the 'Description' column of each matrix with much greater detail. This will then pave the way for a structured and deeper analysis of the key issues outlined in each of the five points of the policy framework further adjusting the 'Action' and 'Output' column based on information collected.

KEY ISSUE	DESCRIPTION	ACTION	OUTPUT
Information & awareness on starting a business in the County	<b>BASE ASSESSMENT</b>		



# References and Further Reading

Adedeji, A. & Sidique, S. (2016). The Role of Local Content Policy in Local Value Creation in Nigeria's Oil Industry: A Structural Equation Modeling (SEM) approach. *Resources Policy*, Volume 49. 61-73.

Audrestch, D. & Thurik, R. (2004). A Model of the Entrepreneurial Economy. *Papers on Entrepreneurship, Growth and Public Policy*, 1204. 1-17.

Berger, A. & Udell, G. (2005). A More Complete Conceptual Framework for Financing Small and Medium Enterprises. *World Bank Policy Research Working Paper*, 3795. 1-30.

Easo J, Wallace A. (2014). Understanding Local Content policies in Africa's Petroleum Sector, notes from the field - An English perspective on the oil and gas market.

IPIECA. (2011). *Local Content Strategy: A Guide Document for Oil and Gas Industry*. IPIECA, London.

Kenya National Bureau of Statistics. (2016). *Basic Report: Micro, Small & Medium Establishment (MSME) Survey*.

Levett, M. & Chandler A.E. (2012). *Maximising Development of Local Content across Industry Sectors in Emerging Markets*. Washington, DC 20006: CSIS.

Ministry of Energy and Petroleum, Republic of Kenya. (2016). *Final Report: Strategic Environmental and Social Assessment of the Petroleum Sector in Kenya*.

Mushemeza E.D and Okiira J. (2016). *Local Content Frameworks in the African Oil and Gas Sector: Lessons from Angola and Chad*. ACODE Policy Research Series, Kampala.

PricewaterhouseCoopers Consortium. (2015). *Towards a Petroleum Sector Master Plan for Kenya*.

Turkana County Government, Republic of Kenya. (2015). *Second Annual Development Plan, 2015/2016*.

Turkana County Government, Republic of Kenya. (2016). *County Investment Plan, 2016 – 2020*.

Wamono, R. & Kikabi, P. (2013). *Constraints and Opportunities for Small and Medium Enterprises in Uganda's Oil & Gas Sector*. Trust Africa, IDRC, 46. 1-5.

World Bank. (2016). *Kenya: Country Economic Memorandum, "From Economic Growth to Jobs & Shared Prosperity"*.

World Bank Group. (2015). *Leveraging Oil and Gas Industry for the development of a Comparative Private Sector in Uganda*.



# WORKING POLICY FRAMEWORK TOWARDS MSME DEVELOPMENT IN OIL & GAS COUNTIES

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