REPORT

OF THE

COMMITTEE ON MEDIA, INFORMATION AND COMMUNICATION TECHNOLOGIES

FOR THE

FOURTH SESSION OF THE TWELFTH NATIONAL ASSEMBLY

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REPORT OF THE COMMITTEE ON MEDIA, INFORMATION AND COMMUNICATION TECHNOLOGIES FOR THE FOURTH SESSION OF THE TWELFTH NATIONAL ASSEMBLY

1.0   MEMBERSHIP OF THE COMMITTEE

The Committee consisted of Mr G M Imbuwa, MP (Chairperson); Ms P C Kucheka, MP (Vice-Chairperson); Mr R Mwewa, MP; Mr D M Kundoti, MP; Mr M Mukumbuta, MP; Dr E I Chibanda, MP; Mr M K Tembo, MP; Dr F Ng'ambi, MP; Mr C D Miyanda, MP; and Mr D Mumba, MP.

The Honourable Mr Speaker
National Assembly
Parliament Buildings
LUSAKA

Sir

The Committee has the honour to present its report for the Fourth Session of the Twelfth National Assembly.

2.0   FUNCTIONS OF THE COMMITTEE

The Committee on Media, Information and Communication Technologies is mandated under the Standing Orders No. 157(2) to:

(a)   study, report and make appropriate recommendations to the Government through the House on the mandate, management and operations of the Government ministries, departments and/or agencies under its portfolio;

(b)   carry out detailed scrutiny of certain activities being undertaken by the Government ministries, departments and/or agencies under its portfolio and make appropriate recommendations to the House for ultimate consideration by the Government;

(c)   make, if considered necessary, recommendations to the Government on the need to review certain policies and certain existing legislation;

(d)   examine annual reports of Government ministries and departments under its portfolio in the context of the autonomy and efficiency of Government ministries and departments and determine whether the affairs of the said bodies are being managed according to relevant Acts of Parliament, established regulations, rules and general orders;

(e)   consider any Bills that may be referred to it by the House;

(f) consider international agreements and treaties in accordance with Article 63 of the Constitution;

(g) consider special audit reports referred to it by the Speaker or an Order of the House;

(h) where appropriate, hold public hearings on a matter under its consideration; and

(i) consider any matter referred to it by the Speaker or an Order of the House.

3.0   COMMITTEE'S PROGRAMME OF WORK

The Committee's Programme of Work for the Fourth Session of the Twelfth National Assembly was as set out below.

(a) Consideration of the topical issue: "*Implementation of E-Government in Zambia*" and

(b) Consideration of the Action-Taken Report for the Third Session of the Twelfth National Assembly.

4.0   PROCEDURE ADOPTED BY THE COMMITTEE

The Committee held a total of **fourteen** meetings to execute its programme of work. The Committee requested for detailed written memoranda on the topic under consideration from various stakeholders. The stakeholders also appeared before the Committee and made oral submissions.

5.0   ARRANGEMENT OF THE REPORT

The Committee's Report is organised in two Parts. Part I contains the topical issue on which the Committee also undertook a study. This part also presents the findings, observations and recommendations of the Committee. Part II contains outstanding issues arising from the Action-Taken Report on the Committee's Report for the Third Session of the Twelfth National Assembly.

PART I

CONSIDERATION OF THE TOPICAL ISSUE

6.0   IMPLEMENTATION OF E-GOVERNMENT IN ZAMBIA

6.1   Background

The Government of the Republic of Zambia was implementing e-Government. E-Government was generally understood to mean the provision of Government products and services through electronic technologies for effective public service delivery.

As part of the e-Government agenda, the Government was undertaking a number of initiatives within the public sector. For example, the Government had been implementing the Integrated Financial Management Information System (IFMIS) Project, and the Payroll Management and Establishment Control Project. Further, the Government was building Local Area Networks which are central to the implementation of e-Government.

That notwithstanding, such building blocks were being implemented in the public sector with very little coordination and integration with existing systems at operational level. In addition, over-duplication of telecommunications infrastructure had resulted in inefficient and ineffective projects with very little positive impact on the overall development agenda. Further, the Seventh National Development Plan (7NDP) indicated that the implementation of e-Government had faced numerous challenges, including: inadequate and fragmented information Communication technologies (ICT) infrastructure and connectivity within the public sector; limited supportive institutional framework to coordinate and promote e-Government development; inadequate manpower in the area of computing and information technology in the public sector; and concerns about security of information as well as inadequate mechanisms for information flow within the public sector.

In the light of the above, the Committee resolved to study, in detail, the implementation of e-Government in Zambia.

6.2   Objectives

The objectives of the study were to:

(a)   assess the adequacy of the policy and legal framework governing the implementation of e-Government in Zambia;

(b)   appreciate the programmes in place which were meant to implement e-Government;

(c)   ascertain the adequacy of the ICT infrastructure for the implementation of e-Government;

(d)   ascertain the availability of skills relevant to the implementation of e-Government in Zambia;

(e)   appreciate the collaboration mechanisms in place for the implementation of e-Government in Zambia, if any, among the various Government departments;

(f)   appreciate the challenges being faced in the implementation of e-Government in Zambia; and

(g)   recommend the way forward.

In order to appreciate what was prevailing on the ground, the Committee interacted with the stakeholders outlined below.

(a)   SMART Zambia Institute.
(b)   Ministry of Agriculture.
(c)   Ministry of Communications and Transport.
(d)   Ministry of General Education.
(e)   Ministry of Higher Education.
(f)   Ministry of Health.
(g)   Ministry of Information and Broadcasting Services.
(h)   Ministry of Tourism and Arts.
(i)   Ministry of Home Affairs (Department of Immigration).
(j)   Office of the President (Lusaka Province).
(k)   Zambia Revenue Authority (ZRA).
(l)   Zambia Information and Communications Technology Authority (ZICTA).
(m) INFRATEL.
(n)   Central Statistical Office (CSO).
(o)   Bankers Association of Zambia (BAZ).
(p)   National Pension Scheme Authority (NAPSA).
(q)   Information and Communications Technology Association of Zambia (ICTAZ).
(r)   Bongo Hive.
(s)   ICT University College.
(t)   University of Zambia (UNZA).
(u)   Zambia Centre for Accountancy (ZCAS).

SUBMISSIONS BY STAKEHOLDERS

Below is a summary of the submission from stakeholders.

7.0   ADEQUACY OF THE POLICY GOVERNING E-GOVERNMENT

Stakeholders submitted that various policies outlined what the Government hoped to achieve and the methods and principles to be used to achieve the establishment of e-Government in Zambia. Among them were the National Information Communication (ICT) Policy of 2006, the Fifth National Development Plan (FNDP), Sixth National Development Plan (SNDP) and the Seventh National Development Plan (7NDP). Needless to say, some of these instruments had since expired. These policy documents governed the development of e-Government in Zambia as discussed below.

7.1   National ICT Policy of 2006

The Committee was informed that the National Information and Communication (ICT) Technology Policy of 2006, launched on 28th March 2007, guided the ICT sector in Zambia. The ICT Policy pointed out that at operational level, all ministries, institutions and organisations were to take the national ICT Policy as a guiding document. This was to assist in the development of sector-specific ICT policies and plans that would allow the application of ICTs in their respective programmes and projects.

The Policy aimed at improving public sector management as well as efficient and effective delivery of public goods and services through the implementation of e-Government systems. Some of the issues addressed in the Policy were the development of an e-Government model, Government Wide Area Network and communication system and the review and establishment of reforms aimed at legalising electronic procedures. The Policy also emphasised the creation of an innovative, market responsive, highly competitive, coordinated and well-regulated ICT industry.

Stakeholders were, however, of the view that the 2006 ICT Policy would benefit from extensive review and update through consultations with various implementing agencies and stakeholders including the SMART Zambia e-Government Division. This was because most of the goals, objectives and strategies which were defined eleven years ago had been attained. A thorough review would produce important lessons that would inform a revised or updated National ICT Policy.

7.2   Fifth National Development Plan 2006-2010

The Committee was informed that the expired FNDP also outlined the plan for e-Government development for the period 2006 to 2010.   The strategies espoused in the FNDP for the development of e-Government included:

(a)   undertaking a feasibility study to determine information, software and hardware needs for all sectors of the economy;

(b)   installation of Wide Area Networks (WANs) at central and local Government levels;

(c)   installation of electronic collaboration and communication systems for the Zambian Government;

(d)   development of ICT skills in Government;

(e)   conducting an e-Government readiness assessment;

(f)   development of sector or ministry ICT policies;

(g)   development of websites and intranets for Government ministries and agencies;

(h)   improving and upgrading communications infrastructure; and

(i)   improving connectivity.

7.3   Sixth National Development Plan 2011-2015

Stakeholders submitted that the SNDP 2011-2015 was launched in 2011 as a successor to the FNDP, also espoused in its strategies how the e-Government programmes were to be achieved by:

(a)   establishing an integrated e-governance platform;

(b)   developing guidelines on e-governance and implementation process;

(c)   developing the integration of Government management information systems; and

(d)   promoting the creation of multi-purpose community centres such as banks, post offices, tele-centres, parks and kiosks and developing e-Government and ICT applications.

7.4   Seventh National Development Plan 2017-2021

The Committee was informed that the Seventh National Development Plan for the period 2017-2021 was launched in 2017 as a successor to the SNDP which expired in 2016.   The 7NDP concluded that the SNDP exhibited a weak supportive legal and institutional framework for the development and utilisation of ICTs.   As a result, strategies were put in place to improve the state of e-Government in the country.   The strategy was to strengthen the legal framework of information and communication technology and improve ICT infrastructure in the country.

7.5   Legal Framework Governing e-Government in Zambia

The Committee was informed that there was no specific piece of legislation that governed the implementation of e-Government in Zambia. In this regard, the programme was being governed mainly by legal provisions contained in the *Electronic Communications and Transactions Act, No. 21 of 2009* and the *Information and Communications Technology Act, No. 15 of 2009.*   However, there were also other pieces of legislation from different Government institutions.   These pieces of legislation were in three categories namely: the ICT, broadcasting, and competition and consumer protection-related laws as outlined below.

7.6   ICT Related Legal Framework

The ICT related laws are discussed below.

(a) *The Electronic Communications and Transactions Act, No. 21 of 2009*

Stakeholders submitted that the *Electronic Communications and Transactions Act, No. 21 of 2009,* which was being used to govern the e-Government programme provided for the development of a safe, secure and effective environment for the consumer, business sector and the Government to conduct and use electronic communications; promoted legal certainty and confidence, and encouraged investment and innovation in the electronic communications industry; facilitated the creation of secure communication systems and networks; and allowed the legal interception of electronic communications and admissibility of intercepted communications.   However, the clauses that addressed e-Government in the Act dealt with electronic signature, transmission of data messages, data protection and personal privacy of citizens as they transacted online.

The Committee heard that the Government had commenced the process of unbundling the Act into four separate Bills.   The

unbundling of the Act was intended to enhance accuracy and certainty in the administration of the legal framework in the ICT sector while also promoting confidentiality and trust in the use of electronic communication services in Zambia. The four bills were as set out below.

i)   The E-Government Bill.

ii)   The Cyber Security and Cyber Crime Bill.

iii) The Data Protection and Personal Privacy Bill.

iv)   The Electronic Transactions and Commerce Bill.

Stakeholders, however, argued that the Act in its current form dealt with a lot of specialised and diverse topics that required certain mechanisms, resources and interpretation to fully implement it. This was because it encompassed economic regulation, penal law, technical regulation, social regulation, cultural regulation, electronic financial regulation, governance regulation and anti-terrorism regulation, among others. They noted that this rendered the law inadequate in dealing with the growing number of positive and negative incidents on the Zambian cyber space.

(b) The Information and Communications Technology Act, No. 15 of 2009

Stakeholders submitted that *the Information and Communications Technology Act, No. 15 of 2009* (ICT Act) provided for the economic and technical regulation of ICTs; facilitated access to ICTs; protected the rights and interests of service providers and consumers; and regulated as well as managed the radio spectrum. The clauses linked to e-Government included those that regulated the installation and access to broadband infrastructure.

7.7   Broadcasting-Related Legal Framework

The broadcasting related statutes included:

(a)   *the Independent Broadcasting Authority Act, No. 17 of 2002*

Stakeholders submitted that the *Independent Broadcasting Authority Act, No. 17 of 2002*, established the Independent Broadcasting Authority (IBA) as an independent regulator of the broadcasting sector. The IBA regulated conventional television and radio broadcasting. Stakeholders argued, however, that the IBA Act

was outdated in terms of advancements in technology and service convergence such as internet broadcasting. This was because broadcasting had continued to play an important role in the implementation of e-Government regarding dissemination of important government alerts.

(b) the Zambia National Broadcasting Corporation Act, No. 16 of 1987, Act No. 13 of 1994; and Act No. 20 of 2002

These Acts established the Zambia National Broadcasting Corporation (ZNBC) which was a wholly state-owned radio and TV broadcaster. ZNBC would certainly benefit fully from the developed e-Government because it had a widest reach of any telecommunications network in Zambia.

7.8 Competition and Consumer Protection-Related Legal Framework

The Committee heard that the *Competition and Consumer Protection Act No. 24 of 2010* established the Competition and Consumer Protection Commission (CCPC). The mandate of the CCPC was to safeguard and promote competition and to protect consumers from unfair trade practices. The scope of the CCPC covered all commercial sectors, including ICT. Since the ICT sector was closely linked to e-Government, the Competition and Consumer Protection Act was also included among the laws.

In this regard, the e-Government programme required the establishment of a range of suitable legal and regulatory measures aimed at:

(a) integrating and sharing data systems within and among administrations;

(b) the use of this public information by third parties, especially the private sector, safeguarding privacy and security issues;

(c) enabling the digital exchange of information and transactions between government agencies, citizens and businesses;

(d) recognising the digital exchange of information and allowing electronic transactions and record keeping; and

(e) reaching citizens affordably and enabling citizens to reach the Government affordably by facilitating availability of and access to information and communication services.

Against the backdrop, stakeholders were of the view that various pieces of legislation governing the implementation of the e-Government programme needed to be harmonised. This was because it was difficult to enforce the pieces of legislation relevant to e-governance because they were embodied in different Acts which were likely to be in conflict with each other. Stakeholders, however, acknowledged that e-Government had become one of the most important issues in the transformation of the public sector in many countries. Therefore, they recommended that implementation of the e-Government required that a new set of laws related to ICT were formulated. In this regard, the new legal frameworks should endeavour to address, among others, the following key areas related to e-governance.

(a) Seamless communication and information flow.
(b) Data management.
(c) E-transactions.
(d) E-communication.
(e) Privacy and security of confidential information.
(f) Interoperability and technical standards.
(g) E-crimes.
(h) Access to information.
(i) Data protection.
(j) Governance and enforcement structures.

Stakeholders were of the view that the proposed e-Government draft Bill should incorporate all the key aspects mentioned above as well as other considerations in order to make it responsive and relevant to the prevailing ICTs and governance ecosystems.

8.0 PROGRAMMES PUT IN PLACE TO IMPLEMENT E-GOVERNMENT

Stakeholders submitted that the SMART Zambia Institute (SZI) was established through Government Gazette Notice Number 836 of 2016. Its purpose was to coordinate and harmonise the implementation of the public service ICT infrastructure and application systems in order to provide electronic governance services in an efficient and cost-effective manner to the public service as well as members of the public. To effectively implement e-Government programmes, the Government approved the SMART Zambia e-Government Master Plan on 18th February, 2019.

In this regard, SZI concentrated on coordinating and implementing three broad programmes which included e-Government digital services; government digital infrastructure and capacity building as outlined below.

8.1 Electronic Government Digital Services

The Committee was informed that SZI collaborated and coordinated with various Government line ministries, provincial administration, Government agencies and local authorities in implementing e-Government solutions which would improve service delivery. The coordinated approach to improved public service delivery resulted in the implementation of various electronic services as set out below.

8.1.1 Government to Citizens

Stakeholders submitted that with regard to the Government to Citizens (G2C) service provision, the Government was striving to implement initiatives that were designed to facilitate citizens' interaction with the Government as consumers of public services and as residents requiring Government services. In order to enhance interaction between the Government and citizens, SZI initiated and implemented programmes in collaboration with sector mandate carriers. Specifically, SZI had:

(i)   enhanced road and driver licensing and processing system through the eZAMTIS which was being operated by the Road Transport Safety Agencies (RTSA);

(ii)   developed easy to use and registration of businesses and companies through the Patent and Company Registration Agency (PACRA) online services website operated by PACRA;

(iii) introduced the land administration, management and processing improvement through the Zambia Integrated Land Management System (ZILMIS) which was being operated by the Ministry of Lands and Natural Resources (MLNR);

(iv)   introduced the national identity numbering for citizens through the Integrated National Registration Information System (INRIS) which was being implemented by the Ministry of Home Affairs;

(v)   enhanced the Farmer Input Support Programme (FISP) on cost sharing basis with real-time monitoring and oversight reporting through an integrated and centralised Zambia Integrated Agricultural Management Information System (ZIAMIS) which was being operated by the Ministry of Agriculture;

(vi)   introduced the SMS based system used to deliver HIV test results for infants directly to health clinics and enhanced communication within the clinics through "Project Mwana" which was being implemented by the Ministry of Health; and

(vii) enhanced an electronic health record system aimed at improving continuity of care and clinical management information system through SMARTCARE which was being operated by Ministry of Health in ninety-four districts in Zambia.

Additionally, SZI was in the process of designing a system that would link various Government social schemes such as the Farmer Input Support Programme (FISP) under the Ministry of Agriculture, the Social Cash Transfer under the Ministry of Community Development and Social Services to a biometric identification system to enhance beneficiary verification and eliminate fraudulent payouts. Further, the Institute was also in the process of introducing a system that would enhance collection of toll fees at designated highways for electronic processing of payment of toll fees to be operated by National Road Fund Agency (NRFA).

8.1.2 Government to Business

The Committee was informed that the Government recognised that businesses drove the economy and directly interacted with Government departments at all levels on a daily basis. In this regard, the Government had commenced the implementation of initiatives that ensured that business interactions in the Government supply chain-management were enhanced. The initiatives included:

(a) electronic filing and payment of direct taxes through the Tax Online System being operated by the Zambia Revenue Authority (ZRA);

(b) electronic filing, processing and clearing of customs requirements through the Asycuda World being operated by ZRA;

(c) direct online payment to businesses through the Treasury Single Account (TSA) and Integrated Financial Management Information System (IFMIS) being operated by the Ministry of Finance;

(d) transparency in the tendering process and awarding of contracts to business enterprises through the Electronic Government Procurement (EGP) system being operated by the Zambia Public Procurement Authority (ZPPA); and

(e) electronic registration of employees, filling of returns and online payment of pension contributions through the eNAPSA being operated by the National Pensions Scheme Authority (NPSA).

8.1.3 Government to Employee

Stakeholders submitted that the Government through SZI commenced development and enhancement of systems that facilitated smooth operations and interactions between different public service employees. These systems included:

(a) enhanced and cost effective communication and collaboration through the use of Government official email skype for business, voiceover internet and tele-presence using the Government network;

(b) direct online payment to Government employees for non-remuneration allowances through the Treasury Single Account and Integrated Financial Management Information System being operated by the Ministry of Finance; and

(c) timely and cost effective distribution of pay-slips to Government employees through the e-Pay-slip being operated by the Public Service Management Division (PSMD).

In addition, the SZI was in the process of designing a programme to link the Government Payroll Management and Establishment Control (PMEC) system which was being operated by the PMEC Support Department, PSMD to a biometric identification system to enhance payroll integrity.

8.1.4 Government to Visitors

The Committee was informed that SZI collaborated and continued to collaborate with line institutions that interacted with foreign visitors and aliens into Zambia. This was being done by:

(a) facilitating and processing of visa applications online through the Zambia Consolidated Immigration System which was being operated by the Department of Immigration;

(b) processing of work and study permits through the Zambia Consolidated Immigration System being operated by the Department of Immigration;

(c) improved marketing of Zambia as a destination of choice through the Zambia Tourism Website which was being operated by the Zambia Tourism Agency (ZTA); and

(d) the Knowledge Management System under the Southern Africa Development Community (SADC) which was being operated by the Ministry of Foreign Affairs.

8.1.5 Government to Government

Stakeholders submitted that the Government to Government (G2G), programmes which aimed at facilitating electronic sharing of data or information systems between line ministries, provincial and district administrations, government agencies and local authorities had been initiated. This included:

(a) facilitation and processing of online procurements through the electronic government procurement system which was being operated by the Zambia Public Procurement Authority (ZPPA);

(b) establishment of the digital Cabinet through the digitalisation of Cabinet processes and meetings being operated by the Policy Analysis and Coordination division (PAC);

(c) integration platform of the Government information systems through the Government Gateway and ePamodzi Portal being operated by SZI; and

(d) developing and enhancing the new web enabled Output Based Budgeting Software to be operated by the Ministry of Finance, Department of Budget and Economic Affairs.

8.2 Government Digital Infrastructure to Support e-Government

The Committee was informed that the Government had invested in the enhancement of the country's broadband infrastructure to support e-Government and communications in general. Some of the notable initiatives were as set out below.

8.2.1   National Telecommunications Infrastructure

The Committee was informed that the main broadband infrastructure in Zambia had been built by Zambia Electricity Supply Corporation (ZESCO), Zambia Telecommunications (Zamtel), CEC Liquid Telecoms, MTN Zambia and Airtel. Fibre optic constituted the main national broadband backbone with a geographical spread covering over 12,000 kilometre connecting eighty-nine districts and was complimented by mobile wireless broadband communication networks with 86 percent mobile geographical coverage.

8.2.2 The Government Wide Area Network

The Committee heard that the e-Government infrastructure was being implemented in a phased manner. Phase I was earmarked to interconnect all Government headquarters, Cabinet Office and the Office of the Auditor General. Phase II would interconnect all Government provincial headquarters and some priority programmes in Lusaka while Phase III would interconnect all the districts.

The Government Wide Area Network (GWAN) enabled the Government to share internet resources, host institutional domain e-mails, voice and provided connectivity for IFMIS, INRIS, and Project Mwana. As at June, 2019, SZI had connected 120 departments in various ministries, provinces, and spending agencies (MPSAs). This reduced the cost of connectivity and transactions from US$6.2 million to US$2.8 million, thereby saving US$3.4m per year.

8.2.3 Installation of Campus Area Networks

The Committee was also informed that SZI was coordinating the installation of Local Area Networks in 200 sites. Network surveys and designs had been done in all the districts across the country. The Campus Area Network had been installed in Lusaka, Kafue, Chongwe, Ndola, Choma, Livingstone, Chipata and Mongu districts.

8.2.4 Zambia National Data Centre Infrastructure

Stakeholders submitted that the Government had set up a state-of-the-art tier III Zambia National Data Centre (ZNDC) providing services for hosting, backup and storage. The ZNDC was fully secured with enough security features and offered services to both the private and public sectors.

8.2.5 Data Centre Infrastructure at the Ministry of Finance

Stakeholders submitted that SZI maintained a mid-sized tier I Data Centre that housed server equipment, storage equipment and network equipment for less mission critical public service systems and hosted Microsoft shared services for communication and collaboration.

8.2.6 1009 Communication Towers

The Committee was informed that successful implementation of Phase II would increase mobile network coverage to about 92 percent from 84 percent of the country's landscape and connect

3,280,000 people who were off the mobile communication grid. These towers would be used to facilitate access to various e-Government services once installation was completed.

8.2.7 Utilisation of Third Party Communications Networks

The Committee was informed that the Government was also using third party networks mainly owned by mobile network operators to transmit data and conduct online transactions in certain instances. MTN had the largest network coverage infrastructure operating on 1,441 communications sites while Airtel was operating on a total of 1,321 sites. MTN and Airtel sold all their communication towers to IHS Holding, who now owned 1,732 communication towers. IHS Holding had entered into 3,143 leasing agreements for collocation site sharing services. Zamtel owned 493 communication towers and operated its network on 897 sites across the country including sites on collocation.

9.0 ADEQUACY OF THE INFRASTRUCTURE FOR THE IMPLEMENTATION OF E-GOVERNMENT

The Committee was informed that the network infrastructure to support e-Government consisted of access networks such as mobile and fixed, access backhauls. These backhauls were the main transmission platforms for networks such as microwave and optic fibre.   These optic fibre metropolitan networks and backbone were mostly fibre and microwave with limited and isolated very small aperture terminals (VSAT).   These very small aperture terminals were communication equipment that used satellite to receive and transmit information. The migration from satellite backhaul to microwave and fibre network allowed bandwidth increase causing tremendous mobile coverage expansion to most parts of the country as outlined below.

9.1   Adequacy of Points of Presence for Fibre Optic Drop Off

The Committee heard that seventy-six out of the 118 districts had been connected through a high-speed broadband connection. However, more resources were required to create points of presence, and commence the installation of metropolitan area networks in the remaining districts.

9.2 Adequacy of Mobile Network Infrastructure

The Committee was informed that Zambia's population was estimated at 17 million in 2017, but only 7.2 million accessed the internet translating into an overall penetration rate of 39.6 per cent. It was explained that 99 percent of these were mobile internet

users who accessed internet services through SIM based portable devices such as smart phones, SIM based wireless modems (Dongles) or other portable devices. The mobile platform was the major mobile commerce platform owing to the geographical coverage of mobile networks that covered 82 percent of the country.

Stakeholders also submitted that a total of 4.3 million smart phones were connected to the internet using different next generation technologies such 2G, 3G and 4G which were being offered by the existing service providers. The country had a total of 2,478 communications sites being operated by the three mobile network operators, data network providers, banks, and internet service providers to provide mobile voice and data network services in Zambia.

9.3 Adequacy of Data Centre Infrastructure

Stakeholders submitted that the country required to set-up Provincial Cache Data Centres to ensure that traffic routing was localised and placing previously requested information in temporary storage, or cache. A cache server sped up access to data and reduced demand on an enterprise bandwidth.

9.4 Development of a National Payment Gateway Infrastructure

SZI in collaboration with the Ministry of Finance had established the national electronic payment gateway and associated banking services for use with internet and mobile phone payments. The payment gateway was a commercial and trade service that would be provided by an e-commerce application authorising electronic credit card such as VISA and MasterCard payments for online retailers. The e-Commerce Payment Gateway would encrypt sensitive information such as credit card numbers to ensure that confidential information passed securely and seamlessly between the customer and the merchant while processing payments.

10.0 AVAILABLE SKILLS RELEVANT TO THE IMPLEMENTATION OF E-GOVERNMENT

The Committee was informed that SZI had continued to identify and train public service institutions in a wide range of skills and competencies required to successfully implement the e-Government programme. SZI had identified three skill and competency sets directly related to the implementation of e-Government such as information technology (IT)

skills, information management (IM) skills, and information society (IS) skills.

10.1 Information Technology Skills

Stakeholders submitted that SZI had specialised IT skills such as software development, web design, database design, use of specialised programmes; cloud computing; data analytics, cyber security and augmented designing.

Additionally, SZI also had skills and competencies in maintenance of hardware and software systems, resolution of software and hardware problems reported by the users and the provision of technical fixes, and the training of end-users to make appropriate use of technology and designing proper tools for continuous computer literacy policy.

10.2 Information Management Skills

The Committee was informed that SZI was training public service employees to capture, manage, store, share, preserve and deliver information appropriately and responsibly within the Government to businesses and citizens.

10.3 Information Society Skills

The Committee was informed that the basic ICT skills needed in the information society included the use of a personal computer, mobile devices, and standard programmes.

10.4 Capacity Building Initiatives to enhance Skills for e-Government Implementation

The Committee was informed that SZI had initiated and embarked on implementing programmes to enhance capacities and competencies for the successful implementation of e-Government.

Stakeholders, however, observed that most skills were available on the market in Zambia, although the majority were in the parastatal and private sectors. They pointed out that the organisational structure at SZI had some gaps in certain skills needed in order to drive a comprehensive programme such as the e-Government. Therefore, SZI needed to be capacitated with all the requisite skills to support the successful implementation of e-Government.

Stakeholders were also of the view that an environment needed to be created in which graduates from universities would apply their

trade in order to provide ICT solutions for the private and public sectors in Zambia. The private and public stakeholders also needed to be encouraged to use locally developed solutions. They emphasised the need for the Government institutions to take a lead in procuring locally developed solutions. This would not only create jobs for the graduates, but also provide an environment in which local experts could ply their trade and gain the necessary experience rather than depending on external experts. For instance, the Zambia Revenue Authority (ZRA) in collaboration with the Copperbelt University (CBU) had developed a new Tax Online System for domestic tax administration, which became operational in January, 2020. ZRA did not only reduce on the cost of purchasing solutions, renewal of licences but also created jobs and accorded players an opportunity to gain experience.

10.5 Change Management

Stakeholders submitted that SZI had been supporting the utilisation of the various e-services that had been implemented. The Institute had created awareness programmes of various levels of stakeholder groups to ensure harmony and acceptance towards creation of a SMART Zambia for effective and efficient public service delivery. SZI had also formulated the Public Service Change Management Strategy and Communication Plan and further developed information, education and communication materials and training programmes.

10.6 Zambia ICT College

The Committee heard that SZI facilitated the construction of two single storey buildings comprising electronic classrooms, a cyber security lab and administrative office at the ICT College in Ndola. The initiative also included the supply and installation of the cyber security lab equipment and system, learning management system, electronic classroom equipment system and capacity building of trainers both locally and abroad. SZI was also supporting the upgrading of infrastructure at the College in order to advance ICT talents, uplift the training infrastructure and improving the overall ICT capability of Zambia for the successful implementation of e-Government.

10.7 Human Capital Development Standards

The Committee was informed that the SZI formulated the public service ICT human capital development standard. The standard was expected to ensure coherence, compliance and a standardised approach to ICT human capital development across all MPSAs in

their operations. This would promote cost effectiveness, efficiency, promote skills, competencies, attitudes and behaviours through utilisation of the environments in which employees could learn and apply innovative ideas. The purpose of the standard was to establish clear guidelines, based on industry experience, domain knowledge and Government's strategies and objectives, for selecting the appropriate skill set for efficient and effective public service delivery.

11.0 COLLABORATIVE MECHANISMS PUT IN PLACE AMONG VARIOUS GOVERNMENT DEPARTMENTS

The Committee was informed that the implementation of e-Government was being conducted in a systematic and collaborative manner based on the principles of results-based management with emphasis on the need for all players to account for programme results.

11.1 Players in the e-Government ecosystem

Stakeholders submitted that the e-Government ecosystem comprised of citizens, organisations, companies as well as governmental agencies, which used electronic platforms to create and distribute value to its participants. The e-Government ecosystem included several information systems that were connected to each other through a shared data set.

11.2 Cluster Advisory Groups

The Committee was informed that an advisory group provided a dialogue platform for monitoring and evaluation of Government programmes and projects for MPSAs to ensure the attainment of the Sustainable Development Goals as outlined in the 7NDP.

12.0 CHALLENGES FACED IN IMPLEMENTING E-GOVERNMENT

Stakeholders submitted that the challenges that affected the implementation of e-Government could be categorised in two ways. These were either at individual or organisational levels. Individual challenges were about beliefs that citizens held while organisational challenges ranged from policies, planning, human resource as well as other factors required for the implementation of the programme. Both categories of challenges hampered the implementation of e-Government services. The challenges were as highlighted below.

12.1 Planning Challenges

The challenges of e-Government implementation begun at planning stage because they were either under planned, over planned or lacked strategies for implementation. For instance, the FNDP and the SNDP outlined projects, deadlines, final outcomes and responsible institutions as well as people to be involved in the processes. However, in terms of deadlines some proposed delivery dates were not realistic. For example, the deadline for the delivery of e-Government guidelines and implementation in the SNDP was 2015, the end of a five-year period. Stakeholders argued that this period was too long for just developing a set of guidelines for e-Government which they believed could have been done in a shorter timeframe. Additionally, the SNDP had set a target of one year to deliver an Integrated Management Information System for all Government ministries.   However, stakeholders were of the view that integration of systems was a complex task that could not be achieved in one year.

Another challenge in planning for e-Government was the absence of the strategies to be used. One of the strategies outlined in the SNDP was to create multi-purpose community centres but no projects were outlined on how this could be achieved.   For instance, the e-health implementation had no link between the proposed strategy and the clear goals to be achieved. This could have been accompanied by an organised monitoring and evaluation programme.   These lapses in planning created an environment of failure even when the vision to implement existed.

12.2 Poor Utilisation of ICTs

The Committee was informed that the mobile phone network coverage area was high in Zambia at 92 per cent with 64 per cent households having access to mobile phones. The high coverage and increased subscription provided opportunities for implementing e-Government because ICT was the main driver of such implementation.   Despite such increased coverage, utilisation of ICTs in Zambia was remarkably low. Zambia was ranked number 132 out of 193 countries on the e-Government Development Index; 153 out of 167 countries on ICT Development Index of 2015; and 116 out of 139 countries on Network Ranks. This indicated that despite the increased network coverage, the available infrastructure remained underutilised partly because of lack of regular updates on Government websites

making them unattractive to citizens. This meant that citizens were not accessing the already existing e-Government services.

12.3 Language Barrier

Stakeholders noted that content provided to the citizens on e-Government platforms was in English. This excluded citizens who were not literate in English from accessing such services, impeding the road to universal e-inclusion. Some stakeholders noted that a perusal of websites for the Ministry of Fisheries and Livestock, Ministry of Finance, Zambia Revenue Authority (ZRA), Parliament, SMART Zambia Institute, Patents and Companies Registration Agency (PACRA) and Road Transport and Safety Agency (RTSA) revealed that no content was provided in any local language. This forced citizens to look for people to interpret information for them. This challenge was greater when citizens needed to provide information to interact with the system such as registration of a Tax Payer Identification Number (TPIN) because the service could not be accessed by people who could not read and write in English.

12.4 Lack of Citizen Awareness

The Committee was informed that lack of awareness could be categorised into two ways. Firstly, the awareness that had to do with citizen's ability to utilise ICTs and secondly, that of being knowledgeable of the existing e-Government services such as, why they existed and how they could be utilised.

With regard to use of ICTs, stakeholders observed that Zambians had limited ICT skills and that was the reason the Government was championing ICT training starting from primary schools. However, the research conducted by the Zambia Institute for Policy Analysis (ZIPAR) had revealed problems such as inadequate equipment at schools which stood at one computer to 150 learners in secondary schools and one computer to 219 learners in primary schools. This limited ICT equipment was also compounded by the shortage of ICT teaching staff in schools. The research also indicated that when Computer Studies was introduced as a compulsory subject in 2015, students scored 30 percent on average while in 2017, the average score reduced to 28 percent.

The other form of awareness was about being aware of the programme. The research also indicated that 49 percent of citizens that participated in the study were completely not aware of the existence of e-Government services in Zambia. Further, 21

percent indicated that they did not even have an idea about e-Government. This made it difficult for the programme to be successfully implemented.

12.5   Limited Infrastructure

Stakeholders submitted that only 14 per cent of the available telecommunication infrastructure in local authorities and Government ministries was capable of effectively supporting e-Government services. They also observed that even if software applications were adequate, the means to exchange the information was inadequate to accommodate e-Government services that could be provided. The inadequacy of infrastructure was also seen at household level where only 8 per cent of households owned a computer. In this regard, the Government intended to increase investment in ICT infrastructure and human resource development because these hindered the utilisation of ICT in the country and affected the implementation of e-Government.

12.6   High Cost of Hardware and Software

Stakeholders observed that most of the hardware required for the implementation of e-Government was imported. As a result, the cost of such equipment was very high, limiting the number and quality of the equipment to support e-Government. The cost of infrastructure had also been worsened by the poor grade of equipment that was procured due to budgetary constraints.

SZI also acknowledged that the high cost of licensing of software posed a challenge in the implementation of e-Government services like the PFMS. In addition, the high number of e-Government related projects also made it difficult to prioritise the licensing costs in the order of importance. Solutions suggested the use of propriety software, but there were limitations to this as it required specialised personnel to design and implement software of such magnitude, but the country had a shortage of such personnel.

12.7   Cost of Internet Access

The Committee was informed that Zambia had a low subscription of fixed broadband internet while mobile internet penetration rate was higher. One of the causes of low connectivity levels was the high cost of internet connectivity. The cost of connectivity in Zambia only began to reduce when the gateway was opened up by the Government through the *Information Communications*

Technology Act, No 15 of 2009. However, the costs had not yet dropped to levels that every citizen could afford. The high costs contributed to limited access to e-Government services to only those that could afford. Stakeholders also noted that the limited access to e-Government services was also exacerbated by the lack of free wifi access points where people who cannot afford to subscribe to commercial internet providers could access e-Government services.

12.8   Poor Network Services

Stakeholders observed that despite the high coverage of mobile network in the country, the services provided in the telecommunications sector were poor. As a result, the Zambia Information and Communications Technology Authority (ZICTA) fined Airtel, MTN and Zamtel for poor quality services in 2018. The fines were for poor services related to SMS, call setup and HTTP access. Citizens were to access e-Government services through these service providers but they failed to offer quality services in line with the set standards. In the absence of guarantees as to quality of service, citizens faced challenges of accessing existing e-Government services.

12.9   Systems Failures

The Committee was informed that the problems surrounding infrastructure have been made more severe with frequent system failures which sometimes took too long to be fixed. This did not inspire confidence in users who wanted to have access to these services but could not do so and sometimes for days. These failures were notable in the e-health, ZRA and RTSA systems where failures were frequent. Some of the reasons advanced for these long delays were a result of failure to prioritise the setting up and maintenance of all Government infrastructure.

12.10   Interoperability

Stakeholders observed that the ability of new systems to integrate with other systems also posed a challenge in the implementation of e-Government. The inability to integrate reduced the ease of use because users might need to access multiple systems for them to perform a given task, limiting the usefulness of the system.

12.11   Competing Needs

Zambia being a developing country meant that the resources were scarce.   The resources for promoting e-Government required approval on an annual basis for short term projects because of the budgeting cycle.   The e-Government programmes had to compete for resources with development services such as health, education and housing.   As such, e-Government services that could reduce operational expenditure and were revenue generating were given priority when resources were being allocated.   For example, areas such as the ZRA, RTSA and PFMS were prioritised.   The e-Government implementation programme was not being prioritised because ICTs were considered a luxury rather than a tool for improving Government performance.

12.12   Limited Access to Electricity

The Committee was informed that provision and access to e-Government services required electricity to power the devices being used.   The average access to electricity at global level stood at 89 percent while Zambia's level stood at 40 per cent in 2017.   Reduced access to electricity meant that the majority of the citizens may not benefit from e-Government services because of lack of electricity to power their devices.   The lack of access to electricity had also affected those that were already connected to the grid because of load shedding.   This increased the cost of providing services by both the Government and service providers because they had to use alternative sources of energy to power equipment while citizens had challenges in accessing the services due to lack of electricity.

12.13   Change Management

The Committee was informed that successful implementation of e-Government required a change in the culture of Government operations because information was shared beyond the boundaries of departments and ministries.   The users in Government departments and ministries were used to the traditional way of doing things, which had worked for them in the past years.   For instance, information systems such as e-health, ZIMS and PFMS faced challenges because users and other stakeholders were unwilling to utilise the services offered by the systems.   The unwillingness was partly because of the alleged poor design and fear of being replaced by machines.

Stakeholders noted that the resistance was also because some users wanted to continue illegally benefitting from the loopholes

that existed within the current systems as was noted in a recent case involving Government payroll clean-up and the Farmer Input Support Programme (FISP). The ZIAMIS identified over 14,000 civil servants that had illegally put themselves on the FISP beneficiaries' list, while 4000 civil servants were not accounted for on the Copperbelt Province alone, causing the Government to lose about K60 million per month in salaries and wages. These illegal activities motivated such users to resist the introduction of e-Government systems.

12.14   Security Concerns

Stakeholders submitted that systems that were networked were susceptible to attacks worldwide even in technologically advanced countries. As such, e-Government systems were not exempted from security threats and breach of privacy which affected private entities and governments alike. Zambia being a developing country was more vulnerable to these threats. As a result, citizens found it difficult to trust the integrity of information from government systems and the Government itself from breaching their privacy because of the limitations that existed with security policies within the country. Despite this mistrust, the country developed complex commitments and engaged in cyber security programmes and initiatives ranking twelfth out of ninety countries in Africa on the Global Cyber Security index.

13.0 COMMITTEE'S OBSERVATIONS AND RECOMMENDATIONS

While acknowledging the strides that the Government was making to successfully implement the e-Government programme, the Committee makes observations and recommendations as set out below.

13.1   Inadequate Policy

The Committee is concerned that the 2006 Information and Communications Technology Policy that is governing the ICT sector in the country is out of date. It is particularly concerned that despite the sector being dynamic, the policy has not been reviewed for such a long time. In this regard, the Committee strongly recommends that, as a matter of urgency, the Government should review the 2006 ICT Policy in order to bring it in tandem with the global trends and norms in e-Government service delivery.

13.2   Inadequate Legal Framework

The Committee notes that there is no specific piece of legislation that governs the implementation of e-Government in Zambia. As a result, the programme is being governed mainly thorough legal provisions contained in the various pieces of legislation such as *the Electronic Communications and Transactions Act, No. 21 of 2009* and *the Information and Communications Technology Act, No 15 of 2009*. In this vein, the Committee recommends that the Government takes urgent measures to put in a consolidated piece of legislation that will govern the e-Government in Zambia.

13.3   Inadequate Infrastructure

The Committee acknowledges the measures by the Government aimed at scaling up ICT infrastructure such as the Zambia National Data Centre phases I and II, Government National Data Centre Tier I with disaster recovery site and establishment of the Ndola ICT Centre of Excellence at the Zambia ICT College for capacity building and the GWAN which has connected about 124 Government institutions. However, the Committee agrees with the concerns by various stakeholders that this infrastructure is largely located in urban areas and has not covered all the 118 districts. This is impacting negatively on the implementation of the programme countrywide. Further, public institutions lack adequate devices such as computers and laptops for effective and efficient e-Government service delivery.

In this regard, the Committee strongly recommends that the Government should, as a matter of urgency, conclude the projects that are currently being implemented to ensure that all districts are covered. The Committee also urges the Government to adequately fund SZI in order for it to procure the required electronic devices for distribution in all districts.

13.4   Government Department Operating in Silos

The Committee observes that although the Government through the Smart Zambia Institute is implementing initiatives aimed at enhancing interactions among MPSAs, they are still operating in silos adversely affecting the smooth operations among different public institutions. The Committee, therefore, recommends that the Government should conclude as soon as possible initiatives being put in place to enhance interactions among MPSAs in order to ease operations among public institutions.

13.5   Linking the Biometric Identification System

While appreciating the efforts that the Government is making in designing a programme to link the Government PMEC to the biometric identification system to enhance payroll integrity, the Committee is concerned that the Government is not implementing the project quickly enough considering that IFMIS revealed that 4,000 civil servants on the Payroll were unaccounted for on the Copperbelt Province.

The Committee, therefore, recommends that the Government speeds up the implementation of the process aimed at linking the Government Payroll Management system to a biometric identification system so as to clean up the Government payroll in the country.

13.6   Reliance on Foreign ICT Solutions

The Committee notes that the Government is spending colossal sums of money in licence fees for the use and renewal of licenses that are being used in the implementation of e-Government programmes. The Committee is also pleased to note that ZRA and NAPSA have worked in collaboration with CBU to develop home grown solutions that have helped to cushion the cost of buying and renewing licenses for ICT systems. In the process, this collaboration created jobs for graduates and also accorded them an opportunity to nurture their skills, become experts in their respective fields and gain experience as opposed to depending on costly external experts.

In this regard, the Committee recommends that the Government should ensure that all public and private institutions endeavour to work in collaboration with local service providers to develop ICT solutions that will be used in the e-Government implementation programme. Both the private and public sectors should also be encouraged to use locally developed solutions as this will reduce the cost of renewing licenses as well as create opportunities for employment and experiences for Zambian graduates.

13.7   Lack of Awareness

The Committee observes that there is inadequate public sensitisation regarding the e-Government programme. For instance, the research conducted by ZIPAR revealed that some people were completely unaware about the e-Government programme and its purpose. This is limiting people's chances of

accessing the e-Government services. The Committee, therefore, recommends that the Government should embark on a vigorous campaign on both radio and television to sensitise the public on the importance and purpose of the e-Government programme. This will encourage Zambians to access the Government services on websites.

13.8   Inadequate Skills

The Committee notes that despite the establishment of the ICT College in Ndola, there still remains a huge skills gap for software developers and other appropriate skills to address the required e-Government solutions. In this vein, the Committee recommends that the Government should put in place a deliberate policy for civil servants, especially those with ICT skills to undergo further training at the ICT College in Ndola to improve their ICT knowledge.

13.9   Resistance to Change

While appreciating the work of the Smart Zambia Institute towards e-Government, the Committee is concerned that progress is being negatively impacted upon by the apparent resistance by most civil servants who have been accustomed to the manual processes. In this vein, the Committee strongly recommends that the Government should, as a matter of urgency, come up with a robust programme to train all civil servants on the benefits under the e-Government Programme.

13.10   Security of Information

The Committee observes that with technological advancement, internet fraud has also become sophisticated and unsuspecting members of the public have fallen victim to internet fraud. As a result, citizens find it difficult to trust the integrity of information from Government systems and fear the possibility of the Government breaching their privacy because of the limitations that exist with security policies within the country.   The Committee recommends that the Government puts in place measures that will ensure continuous improvement and investment in cyber security and systematic protection of data with emphasis on the protection of personal data and financial transactions on all electronic platforms.

13.11   Communication Barrier

The Committee observes with concern that dissemination of information on e-Government platforms is in the English language which excludes citizens who cannot read or write in English from accessing e-Government services. This poses a serious challenge, for example, when people who cannot read or write in English are required to apply for a Tax Payer Identification Number.

In this regard, the Committee strongly recommends that the Government should encourage public institutions to also provide information on their websites in the seven major local languages. This will enable people who cannot read or write in English to access information and Government services on Government institution websites.

13.12   Data Centre Infrastructure

The Committee expresses great concern that although a secure, scalable and compliant data storage facility is key to the implementation of e-Government, only three Government data storage facilities have been constructed.

In this vein, the Committee recommends that the Government should without delay construct more internationally compliant regional data centres through public and private initiatives in order to increase data sharing, resilience and reliability. These data centres shall allow for data localisation to ensure that critical databases for the country are stored, processed and achieved locally.

13.13   High Cost of Internet Services

The Committee notes that despite the gateway being opened up by the Government through the *Information Communications Technology Act, No 15 of 2009,* the cost of internet remains high. The internet cost has not dropped to the levels that can be afforded by every Zambian. This challenge has also been exacerbated by the lack of free Wifi access points that can enable people access e-Government services. In this regard, the Committee recommends that the Government should put in place free Wifi access points which should be used by people who cannot afford to subscribe to commercial internet service providers. This provision will ensure the Government's desire of not leaving anyone behind, as espoused in the Seventh National Development Plan (SNDP), is attained.

PART II

CONSIDERATION OF THE ACTION-TAKEN REPORT OF THE COMMITTEE ON MEDIA, INFORMATION AND COMMUNICATION TECHNOLOGIES FOR THE THIRD SESSION OF THE TWELFTH NATIONAL ASSEMBLY

14.0 MEDIA REGULATION IN ZAMBIA

COMMITTEE'S OBSERVATIONS AND RECOMMENDATIONS

Arising from its interactions with various stakeholders both during the long meetings and local tour, the Committee made observations and recommendations as outlined below.

14.1 Regulatory Bodies

In the previous Session, the Committee had noted that past efforts to establish either statutory or self-regulatory bodies failed partly because such efforts had not been recognised and supported by journalists and media houses. The two failed media bodies, the Media Council of Zambia (MECOZ) and the Zambia Media Council (ZAMEC), also lacked the strength to impose sanctions on erring journalists and media houses. Further, there had been mistrust between successive governments and the media fraternity leading to the rejection of statutory regulation. The Committee, therefore, recommended that the Ministry of Information and Broadcasting Services facilitates the establishment of a regulatory body that would be backed by a statute in order for it to be accepted and respected by all stakeholders. Furthermore, the process of establishing a regulatory body should be driven by the media industry itself.

Executive's Response

In the Action-taken Report, the Executive stated that it had commenced the process of ensuring that the media industry was regulated like the legal fraternity, by a self-regulatory body. To this end, there had been frantic efforts by journalists to come up with a regulatory body backed by a statute. All stakeholders including media houses and journalists had been taking part in this process.

Committee's Observations and Recommendations

In noting the submission, the Committee resolves to await a progress report on the establishment of a media self regulatory body.

14.2 Unprofessional Conduct by Media Practitioners

In the previous Session, the Committee had noted that the absence of a regulatory body had created room for unprofessional conduct among media practitioners because of lack of accountability in the manner journalists and media houses operated. In this regard, the Committee recommended that the Ministry of Information and Broadcasting Services should, as a matter of urgency, facilitate the establishment of a media self-regulatory body that would be backed by a statute, but governed by the practitioners themselves.

Executive's Response

In the Action-Taken Report, the Executive stated that the media industry was making frantic efforts to come up with the regulatory body that would be backed by a statute. All stakeholders including media houses and journalists have been taking part in this process.

Committee's Observations and Recommendations

In noting the submission, the Committee resolves to await a progress report on the establishment of media self regulatory body.

14.3 Standard Code of Ethics

In the previous Session, the Committee was concerned that there was no standard code of ethics for journalists in the print media, against which society could evaluate individual journalists and institutional behaviour. The Committee had noted that if some journalists and media houses remained unchecked, they were likely to harm society through their unprofessional conduct. The Committee, therefore, had recommended that a standard code of ethics that would be binding to all journalists and media houses, whether print or electronic, should be put in place through the proposed media regulatory body once it was established.

Executive's Response

In the Action-Taken Report, the Executive stated that once the regulatory body was established, the core guidelines for the establishment of self-regulatory body would provide the code of ethics to their practitioners (journalists) and media houses.

Committee's Observations and Recommendations

In noting the submission from the Executive, the Committee resolves to await a progress report on the development and implantation of a standard code of ethics for media practitioners.

14.4 Fear of Being Left Out

In the previous Session, the Committee had observed that some journalists haboured resentment regarding the establishment of a media regulatory body because they were not trained, but started work without any training and had since become very good journalists through experience. Thus, when discussions to define and regulate or put a criterion on the journalism profession emerged, the idea was strongly opposed because those without any qualifications felt that they would be ejected from practicing journalism. In this vein, the Committee had recommended that the Ministry of Information and Broadcasting Services should ensure that the proposed media regulatory body provided for the recognition of journalists who were not trained as was the case with the *Information Communication Technology Association of Zambia Act, No. 7 of 2018* which provided for recognition of untrained ICT professionals. In Clause 14(1) the Act provides that, "there shall be such classes of membership as shall be provided for in the constitution of the Association".

Executive's Response

In the Action-Taken Report, the Executive stated that those practicing journalism were encouraged to undergo some form of training. This was because the guidelines may provide for non-tolerance to unqualified and unethical practicing in the media industry.

Committee's Observations and Recommendations

In noting the submission from the Executive, the Committee resolves to await a progress report on the establishment of a media self-regulatory body which will encourage media houses to employ only trained journalists in order to uphold media ethics. However, the Committee would also like the Ministry to justify why untrained people should not be allowed to practice journalism, especially that some journalists who were not trained became good through experience.

14.5   Fear of Being Licensed

In the previous Session, the Committee had noted that during the previous attempts to regulate the media, the Government intended to issue licenses to journalists with appropriate qualifications. Further, it was proposed that the regulatory body would have statutory powers to withdraw or cancel a practising licence for a journalist if found wanting and those who opted to withdraw from the association were to lose their status as journalists. In this regard, the Committee recommended had that the Ministry of Information and Broadcasting Services should ensure that accreditation of journalists should be a mandate of the proposed

media regulatory body in order to dispel the fears that some journalists have of being licensed.

Executive's Response

In the Action-Taken Report, the Executive stated that it would ensure that the accreditation of journalists was mandatory.

Committee's Observations and Recommendations

In noting the submission from the Executive, the Committee resolves to await a progress report on the matter.

14.6   Inadequate Information about Regulation

In the previous Session, the Committee had observed that most journalists who appeared before the Committee did not clearly appreciate the models of regulation. According to them, regulation meant that the Government wanted to control the media. The Committee had, therefore, recommended that the Ministry of Information and Broadcasting Services should embark on sensitisation activities to explain the meaning and models of regulation to various stakeholders in order for them to appreciate the meaning of regulation.

Executive's Response

In the Action-Taken Report, the Government submitted that it would ensure that it lined-up activities to sensitise stakeholders regarding regulation in order to dispel fears of some journalists.

Committee's Observations and Recommendations

In noting the submission, the Committee resolves to await a progress report on the implementation of the sensitisation activities.

14.7 Absence of Ombudsman

In the previous Session, the Committee had observed that the current wanton unprofessional conduct by both the media houses and journalists could be attributed to the absence of an ombudsman who could be responsible for the quality of news reporting by ensuring accuracy, fairness and balance. In this vein, the Committee had recommended that the Ministry of Information and Broadcasting Services should work towards the establishment of the office of the Ombudsman which could be able to receive and investigate public complaints against media houses and journalists concerning their news reporting and also help resolve complaints internally as opposed to dealing with costly lawsuits.

Executive's Response

In the Action-Taken Report, the Executive stated that the recommendation to create the office of the ombudsman shall be pursued for the benefit of the public, media houses and the journalists.

Committee's Observations and Recommendations

In noting the submission, the Committee resolves to await a progress report on the creation of an ombudsman's office.

14.8 Polarisation of the Media

In the previous Session, the Committee had noted that there was a lack of professional solidarity among journalists and it was very difficult for them to have a unified voice when presenting their concerns and needs because the media in general was highly polarised and there was a general lack of trust amongst themselves. This polarisation of the media had also contributed to the failure by the industry to establish a regulatory body. In this regard, the Committee had recommended that the Ministry should encourage the media to form and nurture strong professional bodies in order for them to speak with a strong unified voice when presenting their concerns and needs. The Ministry should also regularly monitor the operations of organisations in the media industry.

Executive's Response

In the Action-taken Report, the Executive stated that it was encouraging the media to form and nurture strong professional bodies in order for them to speak with a strong unified voice when presenting their concerns and needs. Through the creation of a self-regulatory body, it was anticipated that the media industry would thus remain united.

Committee's Observations and Recommendations

In noting the submission, the Committee resolves to await a progress report on the establishment of a media self regulatory body.

15.0 REVIEW OF THE INFORMATION AND MEDIA POLICY IN ZAMBIA

Arising from its interactions with various stakeholders both during the long meetings and local tour, the Committee made observations and recommendations as outlined below.

15.1 Access to Information Legislation

In the previous Session, the Committee had observed that the absence of the access to information legislation caused people to turn to social media platforms to circulate information or speculations. The Committee had noted that access to information legislation would not only facilitate the work of the media fraternity, but also enable the general public to have access to information on issues of public interest.

Executive's Response

In the Action-Taken Report, the Executive stated that the enactment of the Access to Information Bill was almost concluding. All stakeholders had been consulted and it was anticipated that the Bill would soon be presented to Parliament for consideration.

Committee's Observations and Recommendations

In noting the submission from the Executive, the Committee resolves to seek a progress report and framework on the presentation of the Access to Information Bill to Parliament.

15.2 Review of the 1996 Information and Media Policy

In the previous Session, the Committee, while commending the Government for commencing the review of the 1996 Information and Media Policy in order to bring it in line with new technological developments, was concerned that the process had taken too long to conclude.

Executive's Response

In the Action-Taken Report, the Executive stated that the 1996 Information and Media Policy had been reviewed and would be submitted to Parliament for consideration during the second quarter of 2020.

Committee's Observations and Recommendations

In noting the submission, the Committee resolves to await a progress report on the presentation of Information and Media Policy to Parliament. The Committee is extremely concerned that this issue has been outstanding for a long time.

15.3 Review and Harmonisation of Legislative Framework

In the previous Session, the Committee had noted that the country had enough laws to regulate the usage of online space regarding freedom of

expression, association and assembly. The Committee had observed that these laws were fragmented and out-dated. Further, while the legal and regulatory framework required review, work to review it remained unconcluded.

Executive's Response

In the Action-taken Report, the Executive submitted that the Ministry of Justice was still in the process of drafting the Bill that could regulate cyber space in the country. Consultations on issues of cyber space and other aspects of information communications technology legislation were on-going. Once the consultations were finalised and adequate instructions were received, the Ministry of Justice would finalise the drafting of the information communications technology Bills. In addition, various pieces of legislation with regard to management of cyber space would be harmonised as soon as possible. To this effect, stakeholders had been engaged as a matter of urgency.

Further, the Committee was being requested to note that the Government was still in the process of finalising the Cyber Security and Cyber Crimes Bill before it could be tabled in Parliament. The Government had targeted to table the Bill in the September sitting of Parliament in 2019. The Committee was further requested to note that Government was in the process of ensuring that the business, industry and civil society were able to enjoy the full benefits of a safe and secure cyberspace. The Government was also in the process of ratifying the African Union Convention on Cyber Security and Personal Data Protection which provided a guideline for Member States to formulate appropriate legal frameworks that would ensure that their respective online environment was trusted, safe, beneficial and empowering to all individuals. Once finalised, the above mentioned documents would ensure the safe use of Zambia's cyber space.

Committee's Observations and Recommendations

In noting the submission from the Executive, the Committee resolves to await a progress report on the presentation of the mentioned pieces of legislation to Parliament since they were not presented in September, 2019. The Committee also awaits a progress report on Zambia's ratification of the African Union Convention on Cyber Security and Personal Data Protection.

15.4 Enactment of Information Communications Technology Legislation

In the previous Session, the Committee had noted the Government's intention to promulgate Information Communications Technology (ICT) legislation that would help to regulate the use of social media platforms.

Executive's Response

In Action-taken Report, the Executive submitted that the Ministry of Justice was still in the process of drafting the information communications technology Bills as consultations on the Bills were on-going. Once the consultations were finalised and adequate instructions were received, the Ministry of Justice would finalise the drafting of the Bills.

The Committee was requested to note that the Government was still in the process of finalising the Cyber Security and Cyber Crimes Bill, the Data Protection Bill and the Electronic Transactions and Electronic Commerce Bill. The Government intended to table the Bills in the September sitting of Parliament in 2019.

Committee's Observations and Recommendations

In noting the submission from the Executive, the Committee resolves to await a progress report on the presentation of the mentioned pieces of legislation to Parliament since they were not presented in September, 2019. The Committee also awaits a progress report on Zambia's ratification of the African Union Convention on Cyber Security and Personal Data Protection. This Committee is concerned by the Government's failure to present the Bills before Parliament in 2019.

15.5 Training Regarding Online Reporting

In the previous Session, the Committee had noted that there was no capacity building on online training to provide for standards and quality regarding online reporting.

Executive's Response

In the Action-Taken Report, the Executive stated that it was in the process of consulting all media houses and media practitioners to come up with self-regulation mechanisms in the media industry. And once this was done, the Government would provide support to the guidelines which would be promulgated to all stakeholders including online training in colleges*.*

Committee's Observations and Recommendations

In noting the submission from the Executive, the Committee resolves to await a progress report on the establishment of the media self regulatory mechanism which will provide for training in online reporting.

15.6 Regulation of Social Media Platforms

In the previous Session, the Committee had observed that regulatory bodies such as the IBA and ZICTA did not have the capacity to adequately regulate the use of social media and other platforms in the country.

Executive's Response

In the Action-Taken Report, it was indicated that the Executive had encouraged media practitioners, including journalists, to come up with a self-regulatory body which would be backed by a statute. It was anticipated that a media self-regulatory body would come up with mechanisms to regulate the use of social media.

In this regard, the Government was still in the process of reviewing the Independent Broadcasting Authority Act and the Zambia National Broadcasting Corporation Act, as well as finalising the Cyber Security and Cyber Crimes Bill, the Data Protection Bill and the Electronic Transactions and Electronic Commerce Bill. The Bills would be presented to Parliament once all consultative processes were concluded. Further, the Government had encouraged media practitioners to establish a self-regulatory body, backed by a statute, which should come up with guidelines to regulate social media use.

Committee's Observations and Recommendations

In noting the submission, the Committee resolves to await a progress report on the presentation of the mentioned pieces of legislation to Parliament.

16.0 UPDATE ON THE COUNTRYWIDE DIGITAL MIGRATION PROGRAMME

16.1 TopStar Operations not in line with the Digital Migration Policy

In the previous Session, the Committee had urged the Government to put measures in place to ensure that the operations of TopStar were within the parameters of the Digital Migration Policy which provided that the public signal carrier would only hold one license for signal distribution.

The Committee was of the view that TopStar should forthwith cease being a content and Pay TV provider.

Executive's Response

In the Action-Taken Report, the Executive stated that the Executive was reviewing the Digital Migration policy. It was believed that in a liberalised economy, players could either choose one mode of business operation or multiple modes. To this effect, stakeholders have been engaged to give professional suggestions as to whether a multiple mode of conducting business (i.e content and distribution) could be provided for in the revised Digital Migration Policy. The Government had so far engaged stakeholders in the review of the Digital Migration Policy.

Committee's Observations and Recommendations

The Committee is concerned over the inordinate delay by the Government in attending to this matter. It is particularly dismayed that TopStar has been allowed to continue operating in this manner to the disadvantage of other operators in the industry. In this vein, the Committee plods the Executive to expeditiously deal with this matter and awaits a progress report on the review of the Digital Migration Policy.

16.2 Free-to-air Television Broadcasting Services

In the previous Session, the Committee had noted that although under Chapter 7.3.1(b) (i) of the Policy, free-to-air television broadcasting services should be received even without the payment of subscription fees, most of the private broadcasting stations' content or channels had been encrypted by TopStar and could not be accessed as long as a subscription fee had not been paid.

Executive's Response

In the Action-taken Report, the Executive stated that during the review of the policy inconsistencies, it would remove especially those which might impinge on revenue collection by the Government.

Committee's Observations and Recommendations

In noting the submission, the Committee resolves to await a progress report on review of the Policy so as to remove the inconsistencies. In particular, the Committee awaits a progress report on the issue of encryption of free to air broadcasting services on private broadcasting stations by TopStar.

16.3 Inadequate Sensitisation on the 2020 Radio Digital Migration Programme

In the previous Session, the Committee had observed that there was inadequate sensitisation on the Radio Digital Migration Programme. For instance, most people did not clearly understand the programme and therefore, did not appreciate why they were paying the TV Levy. The Committee, further, noted that sensitisation programmes were skewed towards television migration and nothing much had been done regarding radio migration which was expected to happen by 2020.

Executive's Response

In the Action-Taken Report, the Executive stated that in modern broadcasting platforms, both digital television and radio could be used simultaneously on the same gadget such as a television sets. The Government was exploring possibilities of ensuring that digital radio came to a reality through such technology advancements. After the completion of the digital television migration project, the digital radio project would commence.

Committee's Observations and Recommendations

In noting the submission, the Committee resolves to await a progress report on public sensitisation efforts regarding Radio Digital Migration.

CONSIDERATION OF THE ACTION-TAKEN REPORT ON THE REPORT OF THE COMMITTEE ON MEDIA, INFORMATION AND COMMUNICATION TECHNOLOGIES FOR THE FIRST SESSION OF THE TWELFTH NATIONAL ASSEMBLY

17.0 NATIONAL FILM POLICY

17.1 Creation of Faculties in Cultural Preservation and Film Production at Higher Learning Institutions

In the previous Session, the Committee had resolved to wait for a progress report on the actualisation of the construction of the University College of Governance and Arts in Katete District.

Executive's Response

In the Action-Taken Report, the Executive submitted that it was committed to ensuring that the college of Governance and Arts in Katete District commenced as soon as possible. However, the delay had been due to the tight fiscal space that the Government was experiencing at the moment.

Further, the Government, through Ministry of Higher Education, reported that the construction of a University College of Applied Arts in Katete District would commence once the Government had sourced for funds to undertake the project. This was following the Government's decision to implement austerity measures which resulted in all contracted loans yet to be implemented being restructured while some were cancelled. Of the loans that had been cancelled, the construction of the university college of applied arts in Katete District was one of them. The Committee would, however, be updated once funds to undertake this projected were sourced.

Committee's Observations and Recommendations

In noting the submission, the Committee awaits a progress report on the construction of the university college of applied arts in Katete.

17.2. Absence of Formal Training Syllabus for Cultural Preservation and Theatre in Schools

In the previous Session, the Committee had resolved to wait for a progress report on the standardisation of curriculum in universities and TEVETA institutions.

Executive's Response

In the Action-Taken-Report, the Executive submitted that following the assessment and evaluation of 640 programmes, so far, 301 had been accredited by the Higher Education Authority in line with its mandate.

Committee's Observations and Recommendations

In noting the submission, the Committee resolves to await a progress report on the accreditation of remaining the programmes by the Higher Education Authority.

17.3   Careers Related to Film

In the previous Session, the Committee had resolved to wait for a progress report because the Executive had stated that it had directed the IBA to ensure that content providers of broadcasting materials should ensure that the 35 per cent local threshold was adhered to. Further, to support this policy requirement, the Government was preparing a statutory instrument to guide content regulation and enforce the 35 per cent threshold. This requirement would help create jobs and support the growth of the local film industry. The statutory instrument was expected to be issued within the third quarter of 2019.

Executive's response

In the Action-Taken Report, the Executive stated that after a thorough analysis of the provision of a 35 percent local content threshold, it had been observed that the provision was only attainable after completing the construction of provincial broadcasting studios. This would enable availability of local content. Thus, it was anticipated that the regulation would only be meaningful after the completion of digital migration project.

Committee's Observations and Recommendations

In noting the submission from the Executive, the Committee awaits a progress report on the issuance and implementation of the statutory instrument on the 35 per cent threshold for local content.

17.4 Lack of Proper Documentation of Cultural Ceremonies

In the previous Session, the Committee had resolved to await a progress report on the documentation of cultural ceremonies. This was because the Government was still constructing provincial broadcasting stations which would enhance the documentation of ceremonies once they become operational.

Executive's Response

In the Action-taken Report, the Government stated that the structures for provincial broadcasting stations were almost complete and only internal works were remaining.

Committee's Observations and Recommendations

In noting the submission from the Executive, the Committee resolves to await a progress report on the documentation of all traditional ceremonies.

17.5 Zambia Consolidated Copper Mines (ZCCM) Infrastructure

In the previous Session, the Committee had resolved to wait for a progress report on the rehabilitation of the Luanshya Theatre Hall.

Executive's Response

In the Action-Taken Report, the Executive, through Ministry of Local Government submitted that Luanshya Municipal Theatre Hall was owned by Luanshya Copper Mine and was run by a management committee appointed by the Mine. However, the Management Committee was unable to rehabilitate the hall due to inadequate funds.

The Luanshya Municipal Council was in the process of engaging the Mining firm with a view to requesting them to surrender the theatre hall to the Municipality or sell it to individuals who could maintain it.

Committee's Observations and Recommendations

In noting the submission from the Executive, the Committee resolves to await a progress report on the rehabilitation of the Luanshya Theatre Hall.

CONSIDERATION OF OUTSTANDING ISSUES FROM THE ACTION-TAKEN REPORT ON THE COMMITTEE'S REPORT FOR THE FOURTH SESSION OF THE ELEVENTH NATIONAL ASSEMBLY

18.0 COMMUNITY RADIO STATIONS IN ZAMBIA

18.1 Community Radio Stations

In the previous Session, the Committee had resolved to await a progress report because the Government was preparing the Information and Media Policy which would include matters related to community media. In that regard, it might not be necessary to have a separate policy on community media.

Executive's Response

In the Action-Taken-Report, the Executive stated that it would ensure that community radio stations were provided for in the revised Information and Media Policy.

Committee's Observations and Recommendations

In noting the submission, the Committee resolves to await a progress report on the revision of the Information and Media Policy and, in particular, on the provision for community radio stations in the Policy

18.2 Independent Broadcasting Authority Mandate

In the previous Session, the Committee had resolved to wait for a progress report because the Government stated that it was reviewing the mandate of the IBA, taking into consideration the advancement in technologies, convergence of technologies and the growth of the media in the country.

Executive's Response

In the Action-Taken Report, the Executive stated that the IBA's mandate as provided for in the IBA Act was being reviewed in order to cover the legislation of technologies as a result of advancements in the media industry

Committee's Observations and Recommendations

In noting the submission, the Committee resolves to await a progress report on the revision of the IBA Act so as to respond to technological advancements.

18.3 Terminal Benefits

In the previous Session, the Committee had resolved to await a progress report on the matter as the Government had maintained its position that the two institutions, the Zambia National Broadcasting Corporation (ZNBC) and Times of Zambia, needed to settle the terminal benefits for their workers.

Executive's Response

In the Action-Taken Report, the Executive submitted that the process of rightsising which was the first step for transforming and recapitalising the Times of Zambia had commenced. The rightsising was aimed at increasing the viability of the company. Of the K97 million estimated cost of restructuring (employee costs), K42 million would be paid in the first phase. The process to raise the required financing was currently underway and had reached an advanced stage as financing partners had already finalised the term sheet for the financing. Completion and availability of the K45 million financing was expected by the third quarter of 2019.

Committee's Observations and Recommendations

In noting the submission, the Committee resolves to wait for a progress report on the payment of all the terminal benefits to the employees.

18.4 Certifying Body for sign Language Interpretation

In the previous Session, the Committee had resolved to await a progress report as ZAMISE was still in the process of affiliating to the Zambia Qualifications Authority to become a certifying body for sign language interpretation organisations.

Executive's Response

In the Action-Taken Report, the Government submitted that stakeholders had been engaged in ensuring that ZAMISE was recognised by the Zambia Qualifications Authority as a certifying body for sign language interpretation organisations.

Committee's Observations and Recommendations

In noting the submission, the Committee resolves to await a progress report on the recognition of ZAMISE by the Zambia Qualifications Authority as a certifying body for sign language interpretation organisations.

CONSIDERATION OF THE ACTION-TAKEN REPORT ON THE COMMITTEE'S REPORT FOR THE SECOND SESSION OF THE ELEVENTH NATIONAL ASSEMBLY

19.1 Regulation to Manage E-Waste

In the previous Session, the Committee had resolved to await a progress report on how the Government would recycle e-waste.

Executive's Response

In the Action-Taken Report, the Executive submitted that, due to the absence of recycling facilities for e-waste in Zambia, the following measures had been put in place.

(i) Some industries and other private individuals had set up businesses to collect and export electronic products such as obsolete phones and computers to countries with recycling facilities. Countries such as South Africa have accepted certain amounts of e-waste from Zambia.

(ii) The remainder of e-waste was stockpiled by generators of the waste. In accordance with the Environmental Management Act, No 12 of 2011 and the Environmental Licensing Regulations, No. 112 of 2013, e-waste was considered as hazardous waste and as such, as not allowed to be disposed at conventional disposal sites. For this reason, all generators were encouraged to stockpile their obsolete e-waste within their premises if it could not be exported.

(iii) The Government of the Republic of Zambia through the Zambia Mining Environmental Remediation and Improvement Project (ZMERIP) was in the process of constructing a landfill in Kabwe

which would have a component for the disposal of hazardous waste including e-waste. The facility was currently at design stage.

Committee's Observations and Recommendations

In noting the submission from the Executive, the Committee resolves to wait for a progress report on the construction of a landfill in Kabwe which will have a component for disposal of hazardous waste including e-waste.

20.0 CONCLUSION

The Committee notes that e-Government can be summed up as the use of ICTs in the execution of Government processes and functions to achieve efficiency in the provision of public services to citizens, businesses and MPSAs. As a result, governments world-over have turned to ICTs to facilitate efficient public service delivery, improved quality of service delivery and development of good governance. The e-Government initiative is, therefore, a catalyst of the new ways of public administration which creates a new dynamic but simpler interaction system between governments and citizens. To improve efficiency in public service delivery, the Zambian Government has set out to implement the e-Government Programme, which is expected to transform the mode of public service delivery. The Programme is spearheaded and coordinated by the SMART Zambia Institute.

The e-Government Programme is predicated on policies, legislation and national and sectoral development plans, including the Vision 2030, the 7NDP, *the Information and Communications Technology Act, No. 15 of 2009, the Electronic Communications Transactions Act, NO 21 of 2009* and the *Smart Zambia Master Plan*. It is notable that the Programme is not governed by a specific piece of legislation. Because of this and several other factors, implementation of the Programme has faced serious challenges. There is, therefore, need for remedial action to be taken so as to foster the success of the Programme. The Committee delved into these matters in some detail and has made extensive recommendations on the key challenges being encountered by the Programme in its Report.

Finally, the Committee wishes to express its gratitude to the Office of the Hon Mr Speaker and the Clerk of the National Assembly for the guidance and services rendered to it throughout its deliberations. It also wishes to pay tribute to all stakeholders who interacted with it and whose input was invaluable to its work.

G M Imbuwa, MP   June, 2020
CHAIRPERSON   **LUSAKA**

APPENDIX – OFFICIALS OF THE NATIONAL ASSEMBLY

National Assembly

Ms C Musonda, Principal Clerk of Committees
Mr F Nabulyato, Deputy Principal Clerk of Committees (SC)
Mr S Chiwota, Senior Committee Clerk (SC)
Ms C R Mulenga, Committee Clerk
Mrs R M Kanyumbu, Typist
Mr M Chikome, Committee Assistant
Mr D Lupiya, Committee Assistant
Mr M Kantumoya, Parliamentary Messenger