

**REPORT OF THE PARLIAMENTARY REFORMS AND MODERNISATION
COMMITTEE FOR THE SECOND SESSION OF THE ELEVENTH NATIONAL
ASSEMBLY APPOINTED ON 26TH SEPTEMBER, 2012.**

Consisting of:

Mr H I Mwanza, MP, (Chairperson); Hon A Chikwanda, MP, Minister of Finance; Hon W M Kabimba, SC, MP, Minister of Justice; Hon E Kabanshi, MP, Minister of Local Government and Housing; Hon C K Banda, SC, MP, Deputy Chairperson of Committees of the Whole House; Mr L C Bwalya, MP; Ms M Lubezhi, MP; Mr P Mucheleka, MP; Mr S Katuka, MP; and Mr G Namulambe, MP.

The composition of your Committee changed in the course of the session when Mr G Namulambe, MP, resigned and was replaced by Mr. I K Banda, MP

The Honourable Mr Speaker

National Assembly

Parliament Buildings

LUSAKA

Dear Sir

Your Committee has the honour to present its report for the Second Session of the Eleventh National Assembly.

2. FUNCTIONS OF THE COMMITTEE

Your Committee was guided in all its deliberations by the Standing Order number 152 which sets out the functions of your Committee as stated below.

- (i) In addition to any other work placed upon it by any Standing or other Orders of the Assembly, it shall be the duty of the Committee to examine and propose reforms to the powers, procedures and practices, organization and facilities of the Assembly, provided that in proposing such reforms, your Committee shall bear in mind the

balance of power between the respective constitutional responsibilities, roles of the National Assembly and the Government and the duties of other Housekeeping Committees;

- (ii) The Committee shall have power, when considered necessary, to adjourn and travel from place to place within and outside Zambia to solicit information and seek evidence on matters under examination, and shall enjoy the powers, rights, privileges, and immunities provided to the Committees of the House by the Standing Orders; and
- (iii) In its reports to the House, the Committee shall include recommendations of any reforms proposed in such reports.

3. **Meetings/Tours of the Committee**

Your Committee held six (6) meetings during the period under review. Your Committee also undertook local tours to the following Constituency Offices in the North-Western Province with a view of assessing their operations:

- (i) Solwezi East;
- (ii) Solwezi Central;
- (iii) Solwezi West;
- (iv) Mwinilunga;
- (v) Ikelenge;
- (vi) Kasempa;
- (vii) Mufumbwe;
- (viii) Kabompo East;
- (ix) Kabompo West;
- (x) Zambezi East;
- (xi) Zambezi West; and
- (xii) Chavuma.

Your Committee also undertook a foreign tour to Uganda to examine the reforms undertaken by the Parliament of Uganda with a view to adopting best practices.

4. **Committee's Programme of Work**

During the period under review, your Committee's Programme of Work was aligned to the Committee's review of the Parliamentary Reforms undertaken so far since 1999. In reviewing the reforms, the Committee's approach was as follows:

- (i) held a retreat to review the Parliamentary Reforms undertaken so far by the National Assembly of Zambia since 1999;
- (ii) assessed progress on the Construction of Constituency Offices in 2012/2013;
- (iii) undertook local tours to assess the operations of Constituency Offices in North-Western Province; and
- (iv) undertook a foreign tour to examine the reforms undertaken by the Parliament of Uganda.

5. **Procedure of the Committee**

Your Committee held a meeting on the construction of the Constituency Offices. Your Committee also undertook local and foreign tours. Further, your Committee held a retreat at which the implementation of Parliamentary Reforms was reviewed. All the observations and recommendations in the report emanate from the meetings and the tours.

PART I

6. **PROGRESS ON THE CAPACITY BUILDING COMPONENT OF PARLIAMENTARY REFORMS PROGRAMME PHASE III (PRP III)**

Your Committee wishes to inform the House that the National Assembly implemented the final activities under PRP III in the last quarter of 2012. The PRP III programme officially came to an end in December, 2012. The activities that had been outstanding were under Output 4 of the Project which was "Effectiveness of the National Assembly and Support Services to Parliament." Under this component, the National Assembly continued to provide training to its staff based on Training Needs Assessment undertaken in 2010.

During the period under review National Assembly staff were trained in various courses in order to enhance their capacity to effectively support the work of Members of Parliament. In addition, National Assembly continued to implement the Communication Strategy. Notable among activities undertaken as part of the Communication Strategy was the

procurement and installation of a back-up studio for Parliament Radio. A video camera was also procured which will enable the Institution capture key events. Members of Staff in the Public Relations, Research and ICT Departments were trained at ZAMCOM in the use of the video camera; and in the editing of programmes.

Under the Communication Strategy, National Assembly of Zambia worked with 16 community radio stations to disseminate Parliament proceedings. These stations are; Radio Yangeni-Mansa, Radio Mano-Kasama, Mkushi Community Radio, Radio Delight-Chinsali, Radio Maranatha-Kabwe, Radio Liseli-Mongu, Radio Liambai-Mongu, Radio Chikaya-Lundazi Radio Maria-Chipata, Radio-Zambezi Livingstone, Radio Macha-Choma, Radio Mazabuka, Radio Icengelo-Kitwe, Radio-Breeze Chipata, Radio Mosi o Tunya and Radio Serenje. Radio programmes are distributed to the community radio stations who play them on their radio stations.

7. ACTIVITIES UNDERTAKEN WITH UNDP SUPPORT

A number of activities have been implemented in 2013 with support from the United Nations Development Programme (UNDP). With this support, Community Mobilisation Workshops were conducted for Constituency Office Staff in Northern, Muchinga, Central and North-Western Provinces. The purpose of these workshops was to provide Constituency staff with skills, strategies and approaches in community mobilisation which are essential for the effective utilization of the Constituency Offices. These members of staff are expected to use the newly acquired skills to facilitate networking and coalitions in their communities with other stakeholders in order to foster development in close liaison with their area Members of Parliament.

Further, a Consultant has been engaged to conduct field research to evaluate Parliamentary Reforms in the following areas:

- Operations of Constituency Offices;
- Performance of Parliament Radio; and
- Training of Members of Parliament.

This research is scheduled to be completed by the end of 2013. A consultant was also engaged to provide your Committee with technical assistance in the evaluation of the Parliamentary reforms which were initiated in 1999. As part of the assignment, the Consultant has held brainstorming sessions with senior management of the National Assembly and with your Committee at their retreat which is reported below. The output of this Consultant's work will include the basis of broad recommendations on the future direction of Parliamentary Reforms in Zambia.

8. COMMITTEE RETREAT

The Committee held a retreat from 27th to 29th May, 2013 to review the Parliamentary Reforms that have been implemented since they were initiated in 1999. The ultimate intention was to identify gaps in the implementation and propose further areas that need reform. During the retreat, your Committee reviewed the 73 recommendations on reform that were made by the Ad Hoc Committee on Reform and approved by the House in 2000. Your Committee estimates a 69% completion rate in the implementation of the recommendations. It was also noted that some of the recommendations have been rendered inappropriate with the passage of time. This review exercise is the basis upon which recommendations on further parliamentary reform will be made. It is expected that a document outlining these new recommendations will be ready within the course of 2013. Details of the review of the implementation of the 73 Reform Recommendations are given at appendix 1.

9. PROGRESS ON THE CONSTRUCTION OF CONSTITUENCY OFFICES

The House will recall that in its report for the First Session of the Eleventh National Assembly, the Committee reported that the construction of five (5) Constituency Offices had been completed. These five were at Katombora, Lukashya, Lukulu West, Pambashe and Zambezi East. This brought the total number of Constituency Offices that have been constructed to nine (9).

Your Committee now wishes to report that Government has provided funds to construct a further eleven (11) Constituency Offices. In view of this, your Committee resolved that offices be constructed in the following constituencies:

No.	Constituency	Province	Party of MP	Gender of MP	Rural/Urban
1	Mafinga	Muchinga	MMD	Female	Rural
2	Lufwanyama	Copperbelt	MMD	Female	Rural
3	Chongwe	Lusaka	PF	Female	Rural
4	Zambezi West	North-Western	UPND	Male	Rural
5	Shiwang'andu	Muchinga	PF	Male	Rural
6	Sinda	Eastern	MMD	Male	Rural
7	Nangoma	Central	UPND	Male	Rural
8	Dundumwezi	Southern	UPND	Male	Rural
9	Chifunabuli	Luapula	PF	Male	Rural
10	Mulobezi	Western	UPND	Male	Rural
11	Lupososhi	Northern	PF	Male	Rural

The main factors that were considered in selecting constituencies where offices would be constructed was provincial parity gender equity and political party. Nine (9) of the above Constituencies had already been identified by the Committee in the Fifth Session of the Tenth National Assembly and thus to these, Lupososhi and Mafinga were added in order to attain provincial parity.

Your Committee is happy to report that the Contractor has already moved to most of these sites and construction works have commenced.

The National Assembly has also signed an agreement with Kreditanstalt fur Wiederaufbau (KfW), a development agency of the German Government, for support towards construction of Constituency Offices. Details of how many offices will be constructed with this support are still being worked out between KfW and National Assembly. The Committee will report to the House on the progress with regard to this support at an appropriate time.

PART II

10. REPORT OF THE PARLIAMENTARY REFORMS AND MODERNISATION COMMITTEE ON THE TOUR TO THE NORTH WESTERN PROVINCE FROM 4TH TO 16TH FEBRUARY, 2013

The Parliamentary Reforms and Modernisation Committee (PRMC) undertook its local tours of the North-Western Province from 4th to 16th February, 2013. The Committee toured twelve (12) Constituency Offices namely:

- (i) Solwezi East;
- (ii) Solwezi Central;
- (iii) Solwezi West;
- (iv) Mwinilunga;
- (v) Ikelenge;
- (vi) Kasempa;
- (vii) Mufumbwe;
- (viii) Kabompo East;
- (ix) Kabompo West
- (x) Zambezi East
- (xi) Zambezi West; and
- (xii) Chavuma

The purpose of the tour was:

- (i) to hold public hearings in order to ascertain whether the general public is aware of the functions of the Constituency Offices and why they were created;
- (ii) to enlighten the electorate on the functions of Members of Parliament (MP)
- (iii) to assess the operations of the Constituency Offices; and
- (iv) to physically inspect the Constituency Offices in the Province.

After visiting three offices, it was observed that the electorate in general did not appear to understand the concept of Government and its three arms. Therefore, the Committee took time

to explain the three arms of Government so as to make it clear to the electorate that once they elected a person to represent them in Parliament he or she becomes part of the Government. Therefore, despite their political affiliation, Members of Parliament were free to visit any Government department in order to monitor developmental projects and check on projects which the Executive arm of Government was implementing.

Further, it was highlighted that the Constituency Office is non-political; hence it should be accessed by everyone in the Constituency regardless of political affiliation. The office is also used to bridge the gap between the Member and constituents during the period the Member is attending to parliamentary duties. In this regard, it was emphasized that constituents were free to channel any questions or complaints regarding the development of the Constituency to the Constituency Office for the attention of the Member of Parliament who may in turn forward the same to the relevant Government ministries or departments for appropriate action.

Details of the Committee's tour are given below.

10.1 SOLWEZI EAST

Solwezi East was the first Constituency Office to be visited during the tour. The attendance at the public hearing was overwhelming. The District Commissioner (DC), the representative of the Town Clerk for Solwezi Municipal Council and all Ward Councillors were in attendance. During the hearing, the following concerns were raised:

- (i) the need to construct an office as the office is currently housed in a container;
- (ii) the need to have the office at a central place which is easily accessible to all constituents;
- (iii) difficulties faced by some Councillors to reach the Constituency Office as they have to pass through the Democratic Republic of Congo, Kasempa, Chingola or Lufwanyama;
- (iv) non-availability of the Member of Parliament to attend to their developmental needs; and

- (v) need to have a 4 x 4 motor vehicle rather than a motorcycle to make it possible for Constituency staff to monitor developmental projects in the Constituency, bearing in mind the vastness of the Constituency.

10.2 **SOLWEZI CENTRAL**

The Committee inspected the Constituency Office which is situated in Provident House. The office has an inadequately equipped library while the offices are in a good condition. The public hearing was well attended. In attendance was the DC, the representative for the Town Clerk and other Government Heads of Department.

The following concerns were raised:

- (i) lack of publicity of the Constituency Office and the reason why it existed;
- (ii) assumption that the office was for the Member of Parliament and members of his party;
- (iii) the need to construct a Constituency Office in a central area where it would be easily accessible;
- (iv) when Parliament Radio would start transmitting in the area;
- (v) the politicising of the Constituency Office and why people shun it;
- (vi) the community expressed ignorance of the projects being funded using Constituency Development Fund (CDF);
- (vii) Councillors did not work closely with the Constituency Office staff on developmental projects; and
- (viii) the need for consultative meetings between the Councillors and the constituency staff on the way forward.

10.3 **SOLWEZI WEST**

The Committee was officially welcomed by the Councillor for Mumena Ward. Afterwards, the Chairperson explained the purpose of the visit. In attendance was the DC, a representative for the Town Clerk, the Deputy Mayor as well as the Councillors. The attendance at the public hearing was overwhelming and the following concerns were raised:

- (i) the community expressed concern that once complaints were raised, they hardly get a feedback either from the councillors or the area Member of Parliament;
- (ii) who was eligible to visit the Constituency Office;
- (iii) why Professional Assistants and Administrative Assistants were not allowed to conduct developmental meetings with the electorate;
- (iv) non response to project submissions made through the Constituency Office;
- (v) provision of 4 x 4 motor vehicles to the Constituency Office to enable them disseminate information to remote areas such as Kalengele and Ifumba;
- (vi) non accessibility of Parliament Radio in the area;
- (vii) non visitation by the MP to the constituency; and
- (viii) the accessibility to the Constituency Office is poor because the constituency is vast; thus, people proposed that outreach activities should be undertaken by the Professional Assistant and Administrative Assistant.

10.4 **MWINILUNGA AND IKELENGE**

The Committee paid a courtesy call on the office of the District Commissioner. Thereafter, the Committee proceeded to inspect the two Constituency Offices. Both the Mwinilunga and Ikelenge Constituency Offices are in rented buildings. The Ikelenge Office is in a council building in Mwinilunga and Mwinilunga office is renting from a private proprietor and is one of the best offices in the country in terms of size of the office, maintenance of furniture and well stocked library.

Thereafter, the Committee proceeded to the Council Chamber where the public hearing was held. The Committee explained the purpose of the meeting. In attendance at the public hearing were the two District Commissioners for Mwinilunga and Ikelenge districts respectively, the two Council Secretaries, Chairman of the Council, Councillors and other Government heads of department.

The attendance at the public hearing was fair due to the rains and the following concerns were raised:

- (i) the need to link the Constituency Office to other Government departments, especially for developmental purposes;

- (ii) whether a handover was made between the incoming and outgoing Members of Parliament so that there is continuity in development in the constituency;
- (iii) the need to keep sensitising the public on the three wings of Government as people think that if the Member of Parliament is not from the ruling party, he/she should not be interacting with those in public offices;
- (iv) debates and the Presidential Speeches should be made available in Constituency Offices so that the electorate are aware and are able to follow-up on developmental issues;
- (v) the Constituency Office for Ikelenge should be in Ikelenge and not Mwinilunga so as to serve its purpose fully;
- (vi) the need to construct Constituency Offices and provide transport to the offices as these constituencies were vast;
- (vii) whether party issues can also be dealt with by the Constituency Office;
- (viii) the formation of Ikelenge District resulted in Mwinilunga Constituency becoming big as it led to three more wards being added to the constituency, therefore, the need to divide Mwinilunga Constituency; and
- (ix) the extent to which the Mwinilunga and Ikelenge Constituency Offices have been used should be made public.

10.5 **KASEMPA**

The Committee inspected the Constituency Office which is housed in a Government building and does not pay rent. However, the office has difficulties in accessing the toilets and water.

Thereafter, the Committee proceeded to the Council Chamber where the public hearing was held. Before proceeding with the meeting, the Committee highlighted in detail the purpose of the meeting. In attendance were the Council Secretary, Acting District Commissioner, Officer In-charge – Zambia Police, Chief Intelligence Officer and other Government officials. The public hearing was well attended and the following concerns were raised:

- (i) Parliament should have a deliberate policy to encourage Members of Parliament to visit their constituencies;

- (ii) Constituency Office staff should be allowed to address developmental meetings and to sensitise people on the existence and functions of the Constituency Office;
- (iii) funding of the Constituency Office should be increased;
- (iv) the need for live broadcast of Parliamentary proceedings;
- (v) the need to link Constituency Offices to the other arms of the Government departments as well as the councillors in the Constituency;
- (vi) the need to share information with the constituents on the utilisation of the Constituency Development Fund (CDF) and who controls the fund;
- (vii) supervision of the Constituency Staff should be decentralised; and
- (viii) Constituency Staff should be transferable.

10.6 **MUFUMBWE**

The Committee paid a courtesy call on the District Commissioner before proceeding to inspect the Constituency Office which is being rented from the Council. However, the condition of the furniture in the office was bad.

Thereafter, the Committee proceeded to the Council Chamber where a public hearing was conducted. The Committee outlined the purpose of the tour and people in the constituency expressed knowledge on the existence of the office. In attendance were the Acting District Commissioner, the Council Secretary, the District Education Board Secretary (DEBS), the District Intelligence Officer, the representative of the Chief and other Government officials. The public hearing was well attended and the following concerns were raised:

- (i) Constituency Officers should be updating the community on the projects going on in the Constituency;
- (ii) the Professional Assistant and the Administrative Assistant should be exposed so that they are able to reach most remote areas to gather information by providing adequate transport;
- (iii) there was lack of coordination between the Constituency Office and the other arms of Government thereby undermining development in the

Constituency/District; for example, when developmental projects are being undertaken, the constituency office is left out;

- (iv) Constituency Offices in urban areas were not like those in rural areas as the later were vast; therefore, there is need for these constituencies to be well funded so that they are enabled to sensitise and get information from the people;
- (v) the Constituency Office is not represented at the Constituency Development Fund (CDF) Committee, thereby making it difficult for the Constituency Office start to monitor projects funded by CDF;
- (vi) the Constituency Office has never received a yellow book since 2006;
- (vii) Districts are being formed while constituencies are not being created as well;
- (viii) people shun the Constituency Office because questions submitted by the communities, are not responded to by the area Member of Parliament;
- (ix) since Constituency Offices are public offices , there is need to have all facilities in the office in a good state and adequately supplied with phones, chairs and reliable transport to ensure that they operate efficiently and effectively;
- (x) since some people come from remote areas of the constituency, it would be appropriate to use Councillors as a link with the Constituency Office;
- (xi) people who visit the Constituency Office to get information are only those from the ruling political party (cadres) while others see the office in the constituency as a party office for the MP's party and his cadres.

10.7 **KABOMPO EAST**

The Committee inspected the Constituency Office in Manyinga District. The Committee was disappointed with the condition of the office, which is housed in a Council building. The office is in a bad and dirty state. The condition of the furniture in the office is equally in a bad state and so is the printer which is non operational because of difficulties in accessing the toner. The Committee also had an opportunity to make a courtesy call on the office of the District Commissioner (DC).

Thereafter, the Committee proceeded to Loloma Day Secondary School within Manyinga District where a public hearing was conducted. The Committee outlined the purpose of the tour. In attendance were the Manyinga DC, the Kabompo Council Secretary, a representative of the Chief and other Government officials. The attendance at the public hearing was overwhelming and the following concerns were raised:

- (i) the non availability of the yellow book and insufficient literature in the Constituency Office;
- (ii) the yellow book which is in English and not useful to the villagers who cannot read;
- (iii) what happens to those projects which are in the yellow book but do not take off; why the Committee has delayed the sensitization of the Constituency Office; who is supposed to educate the other about the functions of the Constituency Office between the DC's Office, the people and the Constituency staff;
- (iv) the need to link the disbursement and utilization of the CDF between MPs, Council Secretary, DC, the Constituency staff and the constituents;
- (v) whether MPs should dictate which projects should be implemented in the constituency;
- (vi) the building in which the Constituency Office is housed is not good for human habitation;
- (vii) the need to sensitise the elderly and vulnerable in society to make sure that they were also taken on board especially those who were physically challenged;
- (viii) the need for adequate and reliable transport for the Constituency staff; and
- (ix) the need to link the District Commissioner a civil servant to the Constituency Office and its staff.

10.8 **KABOMPO WEST**

The Committee paid a courtesy call on the District Commissioner's Office and thereafter, inspected the Constituency Office which is housed in a Council building. The major

problem the office was facing was inadequate office space which was being shared by the MP and the staff.

Thereafter, the Committee proceeded to the Council Chambers where a public hearing was conducted. The Committee outlined the purpose of the tour. In attendance were the DC, the Council Secretary and other Government officials. The public hearing was well attended and the following concerns were raised:

- (i) the DC's office and Constituency Offices should not be politicized;
- (ii) CDF is mostly used in the education sector;
- (iii) the Constituency Office should have an information centre;
- (iv) youth and women empowerment funds should be recommended by the Constituency Office; and
- (v) the staff should be on permanent basis and the recruitment of staff should be gender sensitive.

10.9 **ZAMBEZI EAST**

The Committee paid a courtesy call on the District Commissioner. Thereafter, the Committee inspected Zambezi East Constituency Office in the company of the District Commissioner and other Government officials. The Constituency office is housed at provident House. The office was neatly kept and had adequate furniture and equipment was in good working condition

Thereafter, the Committee visited the new Zambezi East Constituency Office. Members expressed satisfaction at the new building, but urged National Assembly Management to expeditiously take furniture and equipment to the office so that the office should become operational.

The Committee also paid a courtesy call on Senior Chief Inshindi of the Lunda People at his palace. The Chairperson of the Committee briefed the Senior Chief on the purpose the Committee was visiting the constituency. The Chief expressed gratitude and happiness at hosting the Committee at his palace. He urged the Committee to ensure that what the people submitted to them on development of the constituency was taken on

board by the Government. He expressed the need for building the Zambezi West Constituency Office in Zambezi West, and not in Zambezi East. The Chief also lamented on the problems he was facing with the Council and the aspect of double standards exhibited in handling the Lunda speaking people and the Luvales.

Thereafter, the Committee proceeded to the Local Court where a public hearing was conducted. The Committee outlined the purpose of the tour to the public. The public hearing was well attended and the following concerns were raised:

- (i) people appreciated the sensitization on the operations of the Constituency Offices;
- (ii) whether money for development was from the ruling party or Government vis-à-vis the role of the Constituency Office;
- (iii) whether Government can function on its own without a party or the other way round vis-à-vis the role of the Constituency Office in the functioning of Government and in political parties;
- (iv) the need for transport (4x4 motor vehicle) so as to enable Constituency staff reach the remote places in the constituency;
- (v) Zambezi West Constituency Office should be taken back to Zambezi West across the Zambezi River because to avoid confusion in Zambezi East;
- (vi) the role of opposition parties, that like Constituency Offices, these provide checks and balances to the Executive wing of Government and therefore, should be considered as integral in the governance of the country; and
- (vii) where reports of the Constituency staff who are found wanting should be directed to.

10.10 ZAMBEZI WEST

The Committee paid a courtesy call on the District Commissioner. Thereafter, the Committee inspected Zambezi West Constituency Office in the company of the District Commissioner and other Government officials. The Constituency Office is housed at Provident House and was stocked with scanty literature kept in carton boxes, allegedly due to renovations going on.

The Committee paid a courtesy call on Senior Chief Ndungu and the Chairperson briefed the Chief on the purpose of the Committee's visit. The Chief expressed happiness on the idea of constructing the Constituency Office in the area where it would serve its purpose. Thereafter, the Committee proceeded to the public hearing where the following concerns were raised:

- (i) people stated that they do not want the office in the area, they wanted it to remain in town where other Government Offices are and they further complained that if the MP does not visit the Office when it is within town, it would be worse once taken to Zambezi West;
- (ii) the need to urgently install internet facilities for easy communication; and
- (iii) the need for reliable transport (4 x 4 motor vehicle) for Constituency staff to visit the various places in the constituency.

10.11. **CHAVUMA**

The Committee paid a courtesy call on the District Commissioner and thereafter, inspected the Constituency Office which is housed in the Council building. The major problem the office was facing was inadequate office space which is being shared by the MP and the staff.

Thereafter, the Committee proceeded to the Council Chambers where the public hearing was conducted. The Committee stated the purpose of the meeting. In attendance were the DC, the representative of the Council Secretary and other Government officials. The public hearing was well attended and the following concerns were raised:

- (i) the need for delimitation of Chavuma Constituency as it was too large;
- (ii) parliamentary literature was scanty and in some cases, important literature like the latest Yellow Book was not available;
- (iii) sensitization on the role of the Constituency Office should be taken up by the Constituency staff and the DC's office;

- (iv) there were transport problems due to the terrain to enable them operate effectively, there was need to promote in the constituency a 4 x 4 motor vehicle for mobility in the constituency and for dissemination of information;
- (v) there was inadequate funding availed to the Constituency Office for its operations;
- (vi) some parties were prohibiting their members from entering the Constituency Offices;
- (vii) who was in charge of disciplining Constituency staff and determining the term of office bearers in the Constituency Office; and
- (viii) why have Zambezi West and Chavuma West constituencies not been considered for development since independence; the people complained that they were sidelined by the Government. They stated that Chavuma West should be treated like Zambezi West by creating a constituency there as well.

11. SUMMARY OF COMMITTEE'S RESPONSES

In response to the many concerns raised, the Committee explained in detail as set out below.

- (i) The Executive, Legislature and the Judiciary are all part of Government and emphasised the fact that money used by the Government for any developmental project is tax payer's money and not for the party in power, therefore, every constituency is eligible for development.
- (ii) The Kabompo District Council needed to work on the dilapidated building which the Kabompo East Constituency Office was renting.
- (iii) sensitization on the Constituency Office should not be left to the Constituency staff alone, but all other Government departments as well and the community as a whole; further, party meetings should not be held in Constituency Offices because that office is not a party office but a public one.
- (iv) Parliament votes for a figure as CDF which is remitted straight to the Council Account from the Ministry of Local Government and Housing Account; as for the distribution of the funds, the CDF Committee sits and looks at all applications and disburses to those that meet the required guidelines after approval by the full

Council. Since projects are in wards, Councillors are supposed to monitor the projects and should be the first ones to know if the project is failing or funds have been misapplied. Therefore, if there is a complaint about a project, the Councillor should be the first one to know and the Councillor should take up the issue with the Council. Hence, in order for the constituency to develop, the MP should work hand in hand with the Councillors in the District.

- (v) With regard to the CDF Committee, the area Member of Parliament is a member and if not available, he/she can authorize the Professional Assistant to attend the CDF Committee meeting on his behalf and later gets the approved lists of projects to be funded from the CDF.
- (vi) The Committee agreed with the stakeholders on the issue of some Constituency Offices which are in dilapidated buildings. However, construction of Constituency Offices was an ongoing exercise and so far, nine (9) Constituency Offices had been constructed and eleven (11) are budgeted for in 2013.
- (vii) Where a report is received that a constituency staff member is partisan, an investigation will be conducted to ascertain the allegations before one is dismissed.
- (viii) The Professional Assistant can give information on the projects funded by the CDF and the wards in which those projects are running or being done.
- (ix) The Committee explained the roles of the MP as being of making laws, representing the electorate in the constituency, approving the national budget and monitoring developmental projects. Parliamentary reports on the work of Committees should be printed and distributed to all Constituency Offices.
- (x) The Professional Assistant may be authorized to attend a meeting on behalf of the Member of Parliament.
- (xi) The Committee explained that it was possible for Members of Parliament to visit and meet the constituents at the Constituency Office when Parliament was on

recess. The Committee further explained that, once one is elected, the Member has to attend to Parliamentary duties which take precedence over all other matters. In this regard, Constituency Offices were put in place to bridge the gap between the Members of Parliament and the electorate. Therefore, the Professional Assistants and the Administrative Assistants are there as representatives of the Member of Parliament in the Member's absence. In this regard, the community was advised to make use of the office as all developmental information can be accessed from the Constituency Offices.

- (xii) The Committee further advised the electorate to take their complaints or ideas on development to the Constituency Office for onward transmission to the Member of Parliament. Every constituent should be able to access the Constituency Office regardless of political affiliation. The office and its members of staff are, therefore, non-partisan. Everyone in the constituency has the right to access the Constituency Office.
- (xiii) The Professional Assistants and Administrative Assistants can be authorized by the MP to explain the role of the Constituency Office while the Councillors can address developmental meetings.
- (xiv) The Committee further explained that due to financial constraints, the Parliamentary Reform Programme was unable to provide vehicles to Constituency Offices. However, motor cycles had been provided for the constituency staff to use.
- (xv) The Committee explained the procedure undertaken when budgeting from the Constituency level to the national level. The Committee further explained that, at that level, it is for the Executive to implement and the duty of an MP was to following up on what had been budgeted for and monitoring the approved projects.
- (xvi) on the need to increase the number of Constituency Offices, the Committee advised the people to take the constitution-making process seriously and make submissions if such needs are to be addressed.

- (xvii) Members of Parliament are supposed to work hand in hand with the Councillors regardless of their political affiliation for the sake of development. Councillors need to visit Constituency Offices from time to time in order to bring people's concern to the attention of the constituency staff who will in turn inform the area MP;
- (xviii) The summaries on developmental projects in the district can be obtained from the DCs offices as well as at the Constituency Offices; and
- (xix) Constituency staff are contractual workers and the National Assembly has its own ways of appraising its staff.

PART III

12. REPORT ON THE FOREIGN TOUR TO THE PARLIAMENT OF UGANDA BY THE PARLIAMENTARY REFORMS AND MODERNISATION COMMITTEE FROM 14TH TO 20TH APRIL, 2013

12.1 INTRODUCTION/PURPOSE OF TOUR

The Parliamentary Reforms and Modernization Committee embarked on its foreign tour to the Parliament of Uganda on 14th April, 2013. The Committee was in Uganda until 20th April, 2013. The purpose of the tour was to compare and contrast the reform agenda undertaken by the two Parliaments with a view to learning and adopting the best practices as undertaken and implemented by the Parliament of Uganda. The Committee observed and learnt that many reforms had been undertaken by the Parliament of Uganda since the 8th and particularly the 9th National Assembly when the Government of Uganda reverted to multi-party politics in 2006.

The reforms undertaken so far were to, among others, the creation of representative group positions in the composition of the Members of Parliament, the creation and operationalisation of the Budget Office, creation, operationalisation of the Parliamentary Service Commission, creation of the Leader of Opposition, Opposition Chief Whip, Party Whips as well as

Government Chief Whip positions, the allocation of offices for the Members of Parliament within the premises of the Parliament buildings and the introduction of the Pensions and Medical Insurance Schemes for Members of Parliament and staff. Every other reform undertaken by the Parliament of Uganda revolved around those major reform areas. Key documentation to this effect was obtained.

12.2 **DETAILS OF THE COMMITTEE'S TOUR**

The Committee was led on a conducted tour of the Parliament of Uganda buildings including sitting in the Speaker's Visitors' Gallery. The Committee observed a solemn session of Parliament in honour of a deceased Member of Parliament who was also the Minister of Health in the Ugandan Government. The Parliament of Uganda brings the body of a deceased Member of Parliament to lie in state in the House for a full day. The Members of Parliament and staff are able to pay their last respects. Thereafter, members of the public are allowed to come through to also pay their last respects. Body viewing is done for half a day only. At 14:30hrs, the House then sits for a solemn debate to eulogise the fallen Member while the body continues to lie in state in the House. At the end of the tour, the Committee was also led on an excursion tour to Jinja, a tourist resort capital of Uganda, where one finds the source of the River Nile.

Details of the tour are given below.

12. 2.1 **Meeting with the Hon Deputy Speaker**

The Committee paid a courtesy call on the Hon Deputy Speaker of Parliament of Uganda, Rt Hon Jacob L Oulanyah. The Committee informed the Hon Deputy Speaker on the purpose of the tour as explained above. The Hon Deputy Chairman of the Committees of the whole House of the Zambian Parliament, on behalf of the Committee, explained to the Hon Deputy Speaker of the Parliament of Uganda that the Parliamentary Reforms and Modernization Committee was touring Parliament of Uganda to learn and exchange views on the parliamentary reforms as undertaken by the Parliament of Uganda. He was, however, quick to

express condolences, on behalf of the Committee, on the demise of one of the Ugandan Members of Parliament who was also the Minister of Health.

(i) *Brief History Of The Parliament Of Uganda*

In response, the Hon Deputy Speaker of the Parliament of Uganda gave a brief background about the Parliament of Uganda. He stated that Uganda had a legislature before it got its independence in 1962. The current Parliament is the ninth post- independence legislature. The term of office of each Parliament is five years as is the case with the Zambian system. Elections of Members of Parliament were since the Eighth Parliament based on a multi-party system of Government. He also went on to explain that the first and second post-independence Parliaments (1962 to 1969 and 1967 to 1971) were also based on a multi-party dispensation.

The Hon Deputy Speaker went on to give a history of the Speakers and Deputy Speakers. He stated that Article 82(1) of the Constitution of Uganda establishes the offices of the Speaker and Deputy Speaker. It states, “The Speaker and the Deputy Speaker shall be elected by Members of Parliament from among their Members.” He stated that the current Speaker was Rt. Hon Rebecca A Kadaga.

Thereafter, the Hon Deputy Speaker informed the Committee on the functions and composition of the Parliament of Uganda.

(ii) *Reforms Undertaken*

The Hon Deputy Speaker informed the Committee that the Parliament of Uganda had undertaken key reforms in the areas set out below.

(a) *Creation of Parliamentary Commission*

The need arose to have a corporate body to look at the conditions of service and general welfare of the Speaker and Deputy Speaker, Members of Parliament along with staff of Parliament in a much

more focused and independent manner as Parliament was an independent wing of Government. Therefore, the Parliamentary Commission was created through a private Members' Bill on the Administration of Parliament. The Bill became an Act of Parliament in 1997.

The Parliamentary Commission was composed of the Speaker, the Leader of Government Business, the Ministers responsible for Finance and three Members of Parliament elected by Parliament, none of whom should be a minister. The Hon Speaker is the Chairperson of the Commission while the Clerk is the Secretary to the Commission. A Member of the Commission holds office for the duration of the Parliament in which the Member is elected, but does not vacate the office until a Member is nominated or elected, in his or her place, as the case may be after a general election.

(b) *Banning of Constituency Development Fund (CDF)*

The 9th Parliament of Uganda banned the Constituency Development Fund (CDF) as the amount of money provided was insignificant.

(c) *Sitting of the House and Committees*

The Committee was informed that the sittings of both the House and its Committees are now open to the public although the Speaker or Chairperson in consultation with the House or Committee Members respectively, may order that proceedings be closed to the public. Further, the Deputy Speaker informed the Committee that proceedings in the House and in the Committees are now free to be broadcast live on television.

The Committee also learned that admission to Parliament was free to public institutions and tourists and other ordinary individuals or groups. However, he explained that anyone wishing to visit

Parliament formally presents a written request to the Public Relations Office which advises on the best time to visit and other requirements.

12.2.2 **Meeting with the Opposition Chief Whip**

The Committee had a meeting with the Opposition Chief Whip in her office at the Parliament of Uganda precincts. As per procedure, the Committee Chairperson briefed the Opposition Chief Whip on the purpose of the Committee's visit.

In response, the Opposition Chief Whip, Hon. Winfred Kiiza, MP, explained about the operations of her office. She informed the Committee that her office falls under that of the Leader of Opposition and that her presentation would be limited to the oversight role of Committees of Parliament and the budget process in the Parliament of Uganda. The Opposition Chief Whip's position is detailed below.

(i) The Oversight Role of the Parliament of Uganda

The Committee was informed that the oversight function of the Ugandan Parliament is mainly done by accountability committees which are chaired and deputized by a Member of the opposition. Such committees include the Public Accounts Committee (PAC), the Local Governance Accounts Committee (LGAC), the Committee on Government Assurances (CGA) and the Committee on Commissions, Statutory Authorities, and State Enterprises (CCSASE).

Though these Committees are chaired by the opposition, the Government represents the majority of the Committee Members. This is because membership of committees is determined by the numerical strengths of parties in Parliament. The Parliament of Uganda also carries out its oversight role through pre-legislative scrutiny of Bills referred to the Committees, scrutinizing of the various objects of expenditure and the sums to be spent on each project ensuring

transparency and accountability in the application of public funds, and monitoring the implementation of Government programmes and projects.

(ii) The Budget Process

The Committee was informed that Uganda was recently lauded for implementing reforms in the budgetary process. A study of 100 countries worldwide has put Uganda as second best in Africa and 18th overall average among countries that provide citizens with significant information about the Central Government's budgetary and financial activities. The Parliament of Uganda approves the mobilization of resources and the expenditure of such resources to meet public expenditure as contained in the national budget. Thereafter, expenditure and tools for raising revenue are approved through the relevant enabling pieces of legislation. These include: The Appropriation Act, The Income Tax Act, The Value Added Tax Act, The Excise Tariff Act, The Stamps Act, The Budget Act and The Finance Act.

The Committee also learned that although Article 9 of the Constitution bars Parliament from introducing Bills that have financial implications, the Parliament of Uganda has established for itself a Budget Office to empower its Members of Parliament with adequate and technical information on the budgetary process. This enables Members in the Parliament of Uganda to effectively debate the budget in and outside the Parliament as the Budget Act 2001, regulates Parliament's involvement in the budgetary process.

(iii) *Other Reforms Undertaken*

Other reforms that have been implemented in the Parliament of Uganda include the following:

(a) **Amendment of 2005 Standing Orders/ Constitution**

The Committee heard that the Constitution of Uganda was amended in 2005 to provide for the Leader of Opposition in the House.

(b) **Rights to Propose Reforms in the House**

The right to propose reforms in the House is given to Committees of the House chaired by the opposition such as the Public Accounts Committee (PAC), the Local Governance Accounts Committee (LGAC), the Committee on Government Assurances (CGA) and the Committee on Commissions Statutory Authorities and State Enterprise (CCSASE). Civil Society Organizations and the media have also greatly assisted in proposing reforms through lobbying Parliamentarians and are key players in this respect.

(c) **Welfare of Members of Parliament**

Your Committee was also informed that the establishment of the Parliamentary Commission has played a key role in promoting the welfare of Members of Parliament and Staff.

Previously, Members of Parliament used to get sitting allowances after every sitting. However, Members of Parliament now get a consolidated salary every month which incorporates sitting allowances.

Car Scheme: Members of Parliament are given a grant to enable them buy vehicles of their choice at the beginning of each Parliament.

Accommodation: At the beginning of each Parliament, Members of Parliament are facilitated with housing loans to build or buy a house. Despite this, Members are facilitated with monthly housing allowance as Parliament does not provide housing during sittings of the House

(d) **Provision of Offices for Members of Parliament within Parliament Buildings**

Each Member of Parliament is allocated an office to operate from within the Parliament grounds. The office has the necessary office equipment, furniture and human resource.

(e) **Visits to Constituencies by Members of Parliament**

Each Member of Parliament is facilitated by the Parliament of Uganda with adequate funds to visit the constituencies four (4) times in a month. While in the constituency, Parliament provides each Member with extra mileage allowance to enable them carry out their parliamentary functions.

(f) **Constituency Offices**

Members of Parliament are facilitated to set up Constituency Offices. This facilitation is in the form of a monthly allowance. They can either rent or build an office. The administration of this office, including recruitment of staff and day to day supervision, is left to the Member of Parliament. Members of Parliament recruit their own staff and pay them salaries through their emoluments facilitated by the Parliament. The Member of Parliament is free to hire and fire at any time and can even engage a party official to support his agenda and programmes at the constituency level.

12.2.3 Meeting with Representatives of the Parliamentary Commission

The Committee had a meeting with two former Members of the Parliamentary Commission. In their company was one officer from Parliament of Uganda. The Chairperson of the Committee explained to the former Commissioners that the Committee was there to get the views and challenges of the Parliamentary Commission with a view of learning the best practices.

The Commissioners explained that the Parliamentary Commission was responsible for policy making for the Parliament of Uganda. All key reforms of the Parliament of Uganda are approved by the Parliamentary Commission. Additionally, the Commissioners informed the Committee that the Parliamentary Commission was established by the Administration of Parliament Act, 1997. They further stated that the functions of the Commission include the following:-

- a) to adopt, promote and exercise disciplinary control over persons holding public office in Parliament;
- b) to review the terms and conditions of service, Standing Orders, training and qualifications of persons holding office in Parliament;
- c) to provide security staff to maintain proper security for the Members of Parliament and facilities within the precincts of Parliament;
- d) to provide Parliamentary reporting services;
- e) to provide such other staff and facilities as are required to ensure the efficient functioning of Parliament;
- f) to cause to be prepared in each financial year estimates of revenue and expenditure for Parliament for the next financial year; and
- g) to make recommendations to Parliament on, or with, the approval of Parliament, determine the allowances payable and privileges available to the Speaker, Deputy Speaker and Members of Parliament.

On the entitlement of an ordinary Member of Parliament, the Committee was informed that Members of Parliament enjoy the following package:

- (i) Salary and consolidated emoluments. Consolidated emoluments refer to mileage allowance, constituency running allowance, town running allowance, subsistence allowance being incorporated;
- (ii) Medical Insurance Scheme;
- (iii) Personal car grant;
- (iv) Gratuity incorporated into a monthly salary; and
- (v) Pension Scheme.

Chairpersons of Committee are also remunerated for their roles. This remuneration is in the form of a monthly allowance.

Further, to the foregoing, the Commissioners explained that they are involved with a variety of issues affecting Members of Parliament and Staff. This ranges from insurance schemes for MPs and staff, recruitment of staff of the Parliament, the creation of the Budget Office and separation of other key Departments such as Library and Research, Administration and Finance and the splitting of certain Committees which were previously too big.

The Committee was also informed that the positions of the Speaker and the Deputy Speaker are constitutional offices and, therefore, their emoluments are guided by laws of Uganda. This also applied to the Clerk of Parliament of Uganda.

12.2.4 Visit to Kawempe Constituency Office

The Committee visited Kawempe Constituency Office within Kampala and had an opportunity to meet with the area Member of Parliament. The Committee learnt that Kawempe Constituency was the most central constituency in Kampala, Uganda and was represented by an opposition Member of Parliament from the Democratic Party.

The area Member of Parliament explained that the constituency office was opened in 2001.

The area Member of Parliament informed the Committee that members of the public who belong to other political parties do access the Kawempe Constituency Office, whether they voted for that MP or not. The area MP is also proactive and invites everyone to visit the office and bring to the fore some developmental issues for him to attend to as he interacts with the Executive wing of Government.

12.2.5 **Meeting with the Deputy Clerk of Corporate Affairs**

The Committee also had an interaction with the Deputy Clerk of Corporate Affairs at the Parliament of Uganda.

The Deputy Clerk of Corporate Affairs explained in detail on the key reform areas implemented under the administration of Parliament namely: Establishment of the Budget Office, Pension Scheme and the nomination of Ministers who are not Members of Parliament as detailed below.

(i) The establishment and operations of the Budget office

The Committee was informed that the establishment, operations and achievement of the budget office have been eminent. The Budget Office has been an outstanding innovation in the life of Parliament and was actualized by the Budget Act of 2001.

The functions of the Budget Office are to provide:

- (a) objective and timely analysis required for economic budget proposal to Parliament and to its Committees; and
- (b) information and estimates required for Parliamentary Budget process.

The importance of having the Budget Office is that it empowered Members of Parliament with technical information on the budget before it

was brought for debate in the House. Further, Committees where sector related budgets are referred to for scrutiny are assisted by budget experts from the Budget Office. The Budget Office also ensures legislative autonomy in the Budget process.

The Parliament of Uganda has a Budget Committee which is a Standing Committee of Parliament. All Chairpersons of the other Committees are ex-officio Members of the Budget Committee. The number of substantive members of the Committee is 29. This brings the total membership, including Chairpersons, to 58. The Budget Committee considers, discusses and reviews the indicative allocations and submits its recommendations to the Speaker who sends the recommendation to the President by the 25th May of each year.

(ii) The establishment and operations of the Pensions Scheme for Members of Parliament and Staff of the Parliament of Uganda

The Parliament of Uganda has put in place a framework to enable Members of Parliament accumulate contributions to cushion their retirement. Members of Parliament contribute 15% of their gross earnings while the Government contributes 30% of the Members' Gross earnings to a Pension Scheme. The Pension Scheme initially targeted the Members of Parliament. However, it was later extended to the staff of Parliament.

The Pensions Scheme Act was enacted in 2007 and it became operational in 2008.

(iii) Appointment of nominated Ministers to Parliament

The Deputy Clerk of Corporate Affairs stated that the President can nominate Ministers outside Parliament, but such ministers cannot vote in Parliament. They are, however, paid by the Parliament of Uganda. They get mileage allowances from the Cabinet office. These ministers are also paid mobilization allowance.

(iv) Salary Administration for Members of Parliament and Staff

The Deputy Clerk-Corporate Affairs explained that the Administration of Parliament Act of 1997 provides that salaries of MPs and Staff be determined by the Parliamentary Commission and not by the Public Service Commission. This was done to ensure the independence of Parliament.

(v) Human Resources and Restructuring at the Parliament of Uganda

The Committee learnt that Parliamentary Commission reviewed the human resource structures from 2004 to 2006. It was after this review that positions of Leaders of Opposition, Government Chief Whip, Opposition Chief Whip and Party Whips were created.

The Office of Private Secretary in the office of the Speaker was also created. This position is at Director Level. Media staff were also introduced in the Speaker's office to cover the Speaker's official engagements.

The office of the Leader of Opposition also has an Assistant Director as the head of other staff under that office. The Commissioners are also given personal assistants to work with.

The Administrative Services Department was also changed to Corporate Planning and Strategy Department. Other aspects discussed under this area were issues to do with HIV/AIDS Policy for the institution, introduction of Day Care Centres for breastfeeding mothers who are also workers at Parliament, staff compensation and reward system.

The other officers who met with the Committee were Directors from the Budget Office, the Pension Scheme and Benefits Office and Human Resource Departments. Their encounters with the Committee have not been captured in detail because the issues presented by the Deputy Clerk-

Corporate Affairs had nearly incorporated everything which those officers presented to the Committee.

13. **OBSERVATIONS AND RECOMMENDATIONS**

In noting the submissions from both the local tour of the North-Western Province Constituency Offices and the foreign tour to the Parliament of Uganda and the progress reported on the Construction of Constituency Offices, the Committee makes the observations and recommendations set out below.

(i) Construction of Constituency Offices

- (a) The Committee observes that the pace at which the Constituency Offices are being constructed remains slow due to low funding. Only nine (9) have been constructed to date. Currently, the National Assembly has commenced constructing a further eleven (11) Constituency Offices in selected areas countrywide.

In view of the foregoing, your Committee is urging the Government of the Republic of Zambia to increase the funding for the construction of Constituency Offices.

(ii) Local tours- Constituency Offices in North-Western Province

- (a) Most people in the constituencies visited acknowledged knowing the existence of the Constituency Offices. However, they expressed ignorance on why these offices were created as they perceived them as being political, belonging to the political party that the Member of Parliament is affiliated to.

In view of the foregoing, the Committee recommends concerted efforts to sensitize the public on the functions of the Constituency Offices, their political neutrality and their accessibility by all members of the public regardless of political affiliation.

Additionally, the Committee urges other Parliamentary Committees and the Executive to also sensitise the public on the work of Parliament, the functions of the Members of Parliament and the role of the Constituency Offices as they undertake their local tours.

- (b) The Committee expresses concern regarding the poor state of furniture and equipment in most Constituency Offices including motor cycles. The provision of adequate library materials to the Offices is also lacking.

In view of the foregoing, the Committee urges Government to improve budgetary support to the operations of Constituency Offices which will enable National Assembly maintain furniture and equipment on a regular basis.

- (c) There was a general discontent from the staff in the Constituency Offices and the members of the public regarding the provision of motor cycles as a means of transport in the Constituency Offices as the areas they cover where, in many cases, vast and the terrain rugged and, mountainous and sandy in numerous places especially in rural constituencies.

In view of the foregoing, the Committee appreciated the concern but reiterates the need to consider providing 4 x 4 motor vehicles to Constituency Offices particularly those in remote areas as a long term measure.

- (d) The Committee observed with concern that there are challenges in supervision of Constituency Offices. The supervision structure is too centralised. Further, monitoring visits by supervisors are not made with the required frequency. In its current form, the Department is ill staffed to effectively and regularly conduct the monitoring exercises.

In view of the foregoing, the Committee recommends that supervision of Constituency Offices should be reviewed and consideration be given to decentralise to the province and/or district level. There is need to increase supervisory staff in the PRP Department.

Further, the Committee also recommends that two or three more 4 x 4 motor vehicles be provided to the PRP Department for monitoring purposes as the current fleet of only two 4 x 4 motor vehicles falls far short of meeting the demand for the regular and effective monitoring exercise.

- (e) The Committee observes that there is need to introduce higher entry requirements for the positions of Professional Assistants (PAs) and the Administrative Assistants (AAs) in Constituency Offices if the ever increasing demands and challenges of the offices are to be met. Officers should be able to conduct research, communicate effectively, mobilise constituents for developmental projects and undertake sensitisation programmes effectively on behalf of the Members of Parliament.

In view of the foregoing, the Committee recommends the upgrading of the professional and academic entry requirement for positions of PA and AA to the level of a first University Degree in any social sciences or business studies.

Further, the requirement of residence be treated as added advantage and not necessarily as a binding factor to warrant any deserving candidate to be disqualified or rejected based on such.

(iii) Foreign Tour – Parliament of Uganda

- (a) The Committee observed that the Parliament of Uganda's Budget Office was operating very well and was equipping the Members of Parliament with expert knowledge on the national budget. MPs were being actively

involved from the formulation of the national budget to approval along with its implementation and evaluation.

In view of the foregoing, the Committee urges the National Assembly and the Government of the Republic of Zambia to expeditiously put in place measures to ensure that the Budget Office is established at the National Assembly of Zambia by the end of 2014.

- (b) The Committee observes that the Parliamentary Commission as it operates at the Parliament of Uganda has enhanced the operations of the Parliament.

In view of the foregoing, the Committee recommends that National Assembly and the Executive should embark on establishing the Parliamentary Service Commission before the end of 2014 as this important aspect in the administration of the National Assembly will enhance its effectiveness and fully contribute to the separation of powers. This can be done by moving an amendment to the current Constitution to provide for the Parliamentary Service Commission.

- (c) Members observed with interest that each Member of Parliament in Uganda has an office at the Parliament grounds, a situation which is nonexistent at the National Assembly of Zambia.

The Committee recommends that Government should provide funds for the construction of a new Parliament with a full complement of office accommodation for each Member of Parliament.

- (d) The Committee observed that at the Parliament of Uganda, there is a Baby Care Centre to cater for breastfeeding working mothers. Children below five (5) years are given due care by qualified staff at the Centre as working mothers take some breaks in between working hours to attend to their children. This is done smoothly as visitation time for working mothers to the Centre is properly arranged and scheduled.

In view of the foregoing, the Committee urges National Assembly of Zambia to emulate the innovation of a Baby Care Centre at National Assembly to enable breastfeeding mothers have ample time to also tend to their children while concentrating on their work. This would assure the working mothers that their children are in safe hands and would work as a morale booster.

14. **CONCLUSION**

Your Committee is indebted to you, Mr Speaker, for the guidance rendered to it throughout its deliberations during Committee Meetings and tours. It further wishes to express its gratitude to all District Commissioners, Town Clerks, Council Secretaries and other Government officials who facilitated the tours of your Committee in North-Western Province. Special tribute is extended to the Members of the public who found ample time from their busy schedules to attend the public hearing sessions in all the Constituency Offices in North-Western Province.

Finally, your Committee wishes to show its appreciation to the Office of the Clerk of the National Assembly and her cadre of staff for the services rendered to the Committee throughout its deliberations.

H I Mwanza, MP
CHAIRPERSON

APPENDIX 1

STATUS OF APPROVED REFORM RECOMMENDATIONS

1. MEMBER-CONSTITUENCY RELATIONS			
Reform #	Reform Recommendation	Comments	Status
1	Each Member of Parliament should have an office located within his or her constituency.	Constituency Offices operational in all 150 constituencies	100%
2	Possibilities should be explored for collaborations with local government or other organisations on staff and equipment so that cost considerations do not prohibit opening of offices in a timely fashion. These cooperative measures would also work to improve communication with the locality. In addition, the renting of office space in the constituencies leaves the National Assembly flexibility so that the constituency office location can be moved to accommodate a newly-elected Member of Parliament from a different part of the constituency.	collaboration actively pursued	100%
3	Each Member of Parliament should be allowed to hire a constituency staff member of his or her own choosing. The Members ought to seek to identify staff with strong interpersonal and organizational skills so as to carry out the needs of the job. Overall, however, the Member should be granted full authority to hire and fire at will for this position, as this staff member will need to have the full trust of the Member in order to fully represent the Member's interests in the constituency. (mid-term; expensive) Funding for the above three recommendations pertaining to establishment of constituency offices should be a part of the annual budget of the Parliament. Depending on the nature of the constituency and whether collaborations on office space, staff and equipment have been established, varying levels of funding will be needed to meet the needs as outlined in Proposed Reforms in the Zambian Parliament.	staff in all offices hired by NAZ with the input of the MPs	100%
4	Literature should be made available to constituents, either in multi-issue newsletters or specific pamphlets on relevant issues like agriculture, health, economic development, etc. Such literature should include contact information on Parliament and, in some cases, the individual MP distributing the pamphlets.	availability of materials constrained by lack of funds	25%
5	A directory of the National Assembly of Zambia should be created, listing Members of Parliament, a photo of each Member, a contact address and phone number, constituency and Committee assignments, a list of Committees and their members, with contact information for each Committee. At a minimum, such directories should be available through the Parliament Visitor's Centre recommended below	directory done with every new Parliament	100%
6	MPs should hold meetings for small gatherings of constituents on a regular basis at varying locations throughout the constituency. These meetings can be of a general informational nature or more focused on a current topic of interest.	Is a matter of practice and up to the MPs -- therefore is covered in the	50%

		Handbook	
7	Radio and/or television coverage for sessions of Parliament should be instituted. It is believed that radio would provide considerably wider coverage at significantly lower cost. The recommendations of Broadcasting the National Assembly of Zambia are very useful regarding both radio and TV coverage.	Radio coverage has been extended -- TV has been tried but not continued	50%
8	In addition, Members of Parliament should utilise the news media as a vehicle for disseminating information on particular bills or policies. This would include having staff draft press releases, MPs holding regular press conferences, and coverage of hearings or other public events should be encouraged	not done	0%
9	Training in media relations should be carried out for the National Assembly. Training programmes in press relations, and in drafting press releases, conducted by media relations specialists, ex-legislators, and journalists.	partially done	60%
10	Members of Parliament should convene special advisory committees made up of constituents with a concern and/or expertise regarding a particular issue, or a general constituency advisory committee made up of diverse interests. The MP should consult with the committee on a regular basis and have the MP's constituent staff member reach out to members of this group regularly	MPs using Constituency Development Offices in some cases	25%
11	Interaction with NGOs and other community organisations should be strengthened, which would serve to benefit the Members of Parliament, NGOs, and civil society in general (see other sections for more on this). These groups, although often representing a special interest, are a source of very useful data, information, and policy proposals	several interventions have been put in place to achieve this	70%
12	A Visitor's Centre should be established at the National Assembly. This centre would distribute passes to the galleries, conduct tours of the facilities, control limited public access to the library (limited, perhaps, to students, researchers, and others working on issues related to the National Assembly), distribute informational and educational materials about the National Assembly, and serve as an overall information center for public inquiries.	Construction of a Visitors and Media Center is completed	100%
13	The dress code for the public in the gallery should be relaxed so as not to preclude the attendance of those unable or not inclined to wear formal attire. While certain standards of decency and respect should be maintained, the dress code should not be used as a mechanism for arbitrarily excluding people from the National Assembly. In addition, the dress code for staff and Members should be reviewed on a periodic basis to ensure that it is practical and fair, including for both men and women. Overly strict dress codes add a sense of elitism to the institution that undermine an important sense of accessibility and representativeness	Standing Orders amended	100%
14	All National Assembly legislation and other communications, either from the institution or individual Members, should utilise gender neutral and user-friendly or plain language	handbook and Standing Orders have been reviewed to make them easier to read, etc.	75%

15	Members of Parliament and their staff should undertake a programme of regular visits to schools in their constituencies in order to introduce themselves, explain the overall workings of the National Assembly, and assist in the education of Zambian children in the fundamentals of democracy and good governance. School visits should be supported by the dissemination of age-appropriate educational materials that explain the workings of the National Assembly.	schools visits encouraged in the Handbook	10%
16	Staff in constituency offices must be trained to effectively deal with other levels of government on behalf of the elected Member of Parliament. This training could be carried out by the proposed National Assembly Service Commission (see section on Administration) and/or through international study tours or long-term placements in other legislatures with developed constituent services functions.	training for Offices staff is ongoing	20%
17	As part of broader outreach efforts, Members of Parliament and staff should, in person, through the media and written materials, endeavour to assist constituents in their interactions with government programmes and mandates.	Constituency Offices being used in this regard, though constraints exist	50%
18	In view of the overwhelming need for Members of Parliament to interact more fully with their constituencies and the increased time and responsibility involved in the above recommendations, a review of allowances for Members of Parliament should be pursued with the goal of ensuring adequate remuneration	allowances under review	50%
Aggregate completion rate			60%
2. THE LEGISLATIVE PROCESS			
Reform #	Reform Recommendation	Comments	Status
19	Members of Parliament should be allowed to submit bills during each session of the National Assembly at no cost to them as individuals.	Standing Orders amended, but facility not utilised by Members of Parliament	100%
20	In order to curb increased costs associated with bill drafting and other costs, and to avoid a potential proliferation of bills, each Member of Parliament should be limited to a number to be determined by National Assembly rules, but not so low a number as to impinge on the ability of a Member to carry out his or her constitutional responsibilities.	mechanism in place, but has never been utilised because there has been no proliferation of private Members' Bills have	n/a
21	Private Members' Bills should be renamed "parliamentary bills." The word "private" is misleading as it implies that such a bill is not a proper part of a Member's role as a public official or that such bills do not pertain to public business. The characterisation of "private" should be reserved for bills affecting a particular individual or other entity.	language unchanged after review	n/a
22	The limitation on the numbers of days that parliamentary bills may be considered should be eliminated.	Standing Orders amended	100%
23	The membership of the Standing Orders Committee should be altered to include more rank-and-file majority and opposition Members and thereby more fully represent a parliamentary perspective	In practice, Committee is 1/2 opposition MPs	100%

24	As the Parliamentary Reforms Committee suggests, the Standing Orders should indicate a specific and appropriate time period between the publication of a bill in the gazette and first reading to allow for timely notification and public consultation.	awaiting conclusion of Constitutional review process	0%
25	Each bill, parliamentary or government, tabled in the National Assembly, must be accompanied by a fiscal impact statement detailing estimated costs and net benefits of the proposal and, if there is a net cost, source(s) of revenues to pay such cost.	not actioned	0%
26	The National Assembly should create a task force made up of Members, staff and outside consultants to examine Article 81 of the Zambian Constitution to determine precisely what impact that article has with regard to restrictions on bills with financial implications. If this task force concludes that Article 81 unduly precludes the submission of "parliamentary" (private Members') bills with any fiscal impact resulting in a cost to general revenues, then it is recommended that the National Assembly seek to have that article altered, as such provision would effectively neuter the ability of Parliament to pursue meaningful legislation.	done, submission made to CRC	100%
27	An index or listing of all published and tabled bills should be made public on a weekly basis. This list would offer information on exactly where the bill is in the legislative process, name of sponsor(s), Committee action, etc.	index being developed	0%
28	The National Assembly should create specialised Bill Drafting Unit.	staff trained	100%
29	The Bill Drafting Unit should employ a staff of employees with a legal education and specific skills in drafting of legislation.	staff recruited	100%
30	Any Member of Parliament seeking bill drafting assistance from this unit must be assured that his/her bill concept will be kept in confidence. The relationship between the Member and the bill drafter would be tantamount to a privileged lawyer-client relationship	Standing Orders amended	100%
31	If the National Assembly is serious about fully asserting its constitutional role in the budget-making process, then it must be willing to vote on budget measures allowed under the constitution. This includes reducing proposed appropriations where deemed fit, or transferring appropriations from one line to another (while not increasing the overall total), or sometimes voting against the Executive's budget. Failure to make one or all these options viable and possible leaves the National Assembly in an extremely weak position vis-à-vis the Executive.	Constitution amended, awaiting enactment of Budget Act	50%
32	The utilisation of budget hearings, through the departmentally-related committee system, is encouraged. These hearings would include Ministers defending the Executive's proposed budget, testimony from budgetary experts, NGO's and concerned citizens. This will not only allow for increased expert and constituent input into the National Assembly's budget analysis, but also increases legislative links to other branches of government and civil society.	budget hearings held by the Expanded Committee on Estimates	100%
33	The National Assembly should, to the extent possible, hire additional staff who are able to desegregate, analyze and critique the Executive's proposed budget.	existing staff trained, more to be engaged with the creation of a Budget Office	50%

34	The Executive must be required to submit its budget a sufficient time before voting takes place to allow for necessary analysis, deliberation and consultation	Constitution amended, awaiting enactment of Budget Bill	50%
35	The Executive should be required to submit a budget that includes the following information: Proposed budget with line-item, activity-based details. A report on last year's actual expenditures with line-item details.	activity based budget has become the accepted format, but actual expenditure for previous year not yet being shown	50%
36	The reports of the Auditor-General should simultaneously go to the President, the Speaker of the National Assembly, and the Public Accounts Committee.	The report is submitted simultaneously to the President and the Speaker.	50%
37	The National Assembly should create a special task force to review the recent report from the Auditor-General and the 1996 restructuring study of the Auditor-General's office carried out by Coopers & Lybrand consultants (reportedly none of the recommendations from that report have been implemented).	deemed not necessary	n/a
38	The National Assembly's Public Accounts Committee should, when appropriate, use reports from the Auditor-General to carry out investigations into government financial matters. Staff with auditing and legal training may need to be hired and/or trained to support these necessary oversight activities. In cases where the Public Accounts Committee finds evidence of wrong doing, that evidence should be turned over to the Attorney General.	PAC uses OAG reports	100%
39	Members, staff and Committees of the National Assembly should utilise time when not sitting in session to more effectively exercise the foresight and oversight responsibilities of the Parliament to anticipate emerging issues and problems within their respective subject areas and develop proposed legislative responses, as well as to scrutinise government programmes and operations.	practice encouraged in the Handbook. This is normally done by Committees as they prepare and adopt their respective programmes of work	50%
40	Ministers should be required to answer questions from Parliament on the spot. Questions requiring a more in-depth answer in writing should be delivered to the Member who asked the question in five working days.	SOs amended to provide for shorter time for response and for VP Time	75%
41	Failure of a Minister to respond to a question from Parliament should allow for any related Executive bill to be stopped in the legislative process until such answer is received.	Amendment to the SOs was not considered	0%
Aggregate completion rate			64%
3. THE COMMITTEE SYSTEM			
Reform #	Reform Recommendation	Comments	Status

42	All Committee meetings should be open to the public except for certain meetings held in camera - only in rare cases. If a committee meeting is closed, that decision should be made on established and easily-understandable criteria. Such criteria would allow for closed meetings when dealing with issues related to narrowly-defined national security, intelligence, litigation, confidential personnel matters, etc. For maximum public information, open meetings should include Committee meetings considering the ratification of Executive appointments.	Standing Orders amended	100%
43	When considering issues of substantial national interest, committee meetings should be broadcast on television and/or radio.	the proceedings of Committees receive extensive media coverage. Further, live broadcast of Committee proceedings on Parliament Radio has also commenced	50%
44	All legislation should be sent to the appropriate Committee as a regular part of the legislative process after the First Reading. It is at this point that detailed policy analysis and discussions should be carried out and outside testimony solicited.	Standing Orders amended	100%
45	As a regular part of the budget process, Committees should examine, discuss, and hold hearings on the proposed budget of the Ministry that Committee oversees.	Standing Orders amended	100%
46	Committee Members and staff should carry out regular information visits to related departments in order to familiarise themselves with department operations, structures, staff, and policy priorities.	Standing Orders amended	100%
47	The departmentally-related Committee system should remain dynamic. Should the executive add or abolish Ministries, then the Parliament should announce appropriate shifts in Committee oversight responsibilities.	Being done	100%
48	The National Assembly should place a priority on bolstering of staff and research capabilities, which is vital to support increased Committee responsibility and activity. Minimally, each Committee would have staff support including a Committee director, legal counsel, and Committee clerk, although active committees may require additional personnel.	Each Committee is serviced by a clerking officer and secretarial staff	75%
49	Committees should actively seek the creation of external links to organisations and institutions that bring a particular expertise to the committee. Universities, professional organisations, and Non-Governmental Organizations (NGOs) represent an enormous pool of expertise and experience. For example, the Public Accounts Committee should draw heavily on the expertise of such organizations as the Chamber of Commerce, Rotary Clubs, the Economics Association of Zambia, and the Bankers' Association of Zambia. Other Committees should create links to other such relevant organizations. These should be scrutinised through public hearings and the use of outside expert testimony at Committee meetings.	Meetings with CSOs started - stakeholders contacted regularly	100%

50	Committees should, within the parameters cited above, make all Committee meetings open to the public	SOs amended	100%
51	Committees should hold regular public hearings on issues of particular concern to the Members and the public (instead of simply reacting to bills that have been tabled). These meetings can be held at the National Assembly or outside of Lusaka in order to increase links to citizens unlikely to make the trip to the capital and, therefore, less likely to have an opportunity to participate in parliamentary meetings. In addition, such meetings offer the opportunity for more citizens to see their Parliament at work	public hearings becoming 'routine'	100%
52	Committees, along with Committee membership, areas of oversight, and contact information, should be listed in a published directory (see more about this directory in <i>Member-Constituency Relations</i> Section).	directory done with every new Parliament	100%
53	A weekly list of Committee meetings, public hearings, and other important gatherings should be compiled and made public by the National Assembly's proposed Visitor Centre.	publicising of Committee meetings done in print and electronic media	75%
54	Committees should, to the extent possible, create links with similar Committees in other national parliaments. For example, the Public Accounts Committee in the National Assembly of Zambia might benefit from sharing information on a regular basis with regard to best practices and procedures with its counterpart committee in Uganda. Study tours would also be beneficial in this regard, but they are only one in a wide spectrum of possible ways to exchange information, including exchange of mail, e-mail, video-conferencing, etc. Committee staff may also be placed in other parliamentary committee staffs for longer-term observation/participation.	links with other committees have started (PAC/SADCOPAC)	100%
55	In the short-term, facilities outside of the Parliament need to be identified that can accommodate larger meetings and facilitate. These facilities should be both in and outside Lusaka. In addition to accommodating the need for increased space, such diverse locations will also serve an important accessibility and transparency purpose.	outside facilities only used when the need arises, e.g. for public hearings	75%
56	Facilities eventually need to be built at the National Assembly that can accommodate an active and open Committee schedule and increased staffing.	New Committee rooms constructed	100%
Aggregate completion rate			92%
4. ADMINISTRATION OF THE NATIONAL ASSEMBLY			
Reform #	Reform Recommendation	Comments	Status
57	Additional staff with specified qualifications should be recruited. These staff members will include those with training in economics, law, health policy, agriculture, etc. Because the National Assembly will continue to deal with a wide array of policy issues, it will need staff members with a sophisticated knowledge of many of these issues	Some recruitment done	70%

58	Staff should be recruited in a fair and transparent way in order to avoid the hiring of personnel based on partisan or inappropriate criteria, which would result in the hiring of unqualified personnel and in a lack of confidence in the process.	is the accepted practice	100%
59	The National Assembly should create recruiting links with universities, including the development of undergraduate internship programmes and graduate residential fellowship programmes to assist in the recruitment and development of qualified new staff members. In addition, such programmes will assist in teaching more people about the workings of the National Assembly.	internship programme implemented	100%
60	A full review of organisational structure and staffing levels should be carried out for the National Assembly	Strategic Plan which addressed this issue was prepared and partially implemented	50%
61	As the Parliamentary Reforms Committee has recommended, the National Assembly should create a Service Commission to pursue, among other things, activities in support of the above recommendations and goals.	awaiting conclusion of Constitutional review process	0%
62	The Service Commission should create and implement programs for staff orientation, training, re-training, grievances, conflict management, and other human resource activities.	awaiting conclusion of Constitutional review process	0%
63	The Service Commission should develop an awards recognition program for staff members who perform their duties exceptionally well. This simple step has the potential to recognise exceptional work and thereby help to improve staff pride and morale.	awaiting conclusion of Constitutional review process	0%
Aggregate completion rate			46%
5. SUPPORT SERVICES TO PARLIAMENT AND ITS MEMBERS			
Reform #	Reform Recommendation	Comments	Status
64	A comprehensive Management Information System should be installed. This system should include, for example, components dealing with salaries, payrolls, inventory, and purchasing.	this was done	100%
65	A comprehensive Legislative Information System should be developed and installed.	partially done	50%
66	An information system for Members and staff should be installed. Individual Members and staff should be able to draw on a number of other databases developed specifically to support their office activities. These databases would allow them to develop their own mailing lists, correspond with constituents, and connect to other regional and international institutions.	partially done	50%
67	The above information systems and databases should be installed, maintained and coordinated by an Information Technology Centre as detailed in <i>Creation of an Information Technology Center for the National Assembly of Zambia</i> .	partially done	50%

68	Members and staff should participate in international study tours in order to observe the organisation and operation of legislative information systems in other relevant settings.	IT Study Tours regularly undertaken	100%
69	Members and staff should receive periodic and intensive training in the use of the above information systems.	ICT Training is ongoing	100%
70	The National Assembly should hire a private consulting firm in Zambia to carry out a review of the National Assembly Motel. This review would include a cost-benefit analysis and should consider the possibility of closing the facility and giving Members stipends for staying in Lusaka while the National Assembly is in session or on other official business. The review should also consider the possibility of converting the motel to legislative office space for Members to meet with constituents, NGOs, and other groups and individuals.	review of the Motel for use as Offices - rejected by the MPs	n/a
71	A review of Parliament buildings should be conducted from a perspective of user-friendliness. Increased parking for the public, sensibility to gender, and accessibility to those with disabilities are examples of issues such a review should include.	review of space possibilities at NAZ was done	100%
72	A review should be carried out of the National Assembly's library regarding its collection and usefulness to Member and staff support.	Library review and collection update ongoing	100%
73	An examination of the responsibilities of a Member of Parliament reveals that a Legislator spends most of his/her time doing parliamentary work whether the House is in session or recess. Much more with the introduction of constituency offices. In this regard, it is justifiable to recognise the job of a Member of Parliament as being full-time.	The work of an MP is considered full-time	100%

Aggregate completion rate 83%

Overall aggregate 69%

