

**SECOND REPORT OF THE PARLIAMENTARY REFORMS AND MODERNISATION
COMMITTEE FOR THE FOURTH SESSION OF THE TENTH NATIONAL ASSEMBLY
APPOINTED ON 23RD SEPTEMBER 2009**

Consisting of:

Mr E. C. Mwansa, MP, (Chairperson), The Hon. Minister of Finance and National Planning, The Hon Minister of Local Government and Housing, The Hon. Minister of Justice, the Deputy Chairperson of Committees of the Whole House, Dr. K. Kalumba, MP, Mr. D. Matongo, MP, Mr. E. Kasoko, MP, Mrs. F. B. Sinyangwe, MP, Mr. B. Y. Mwila, MP, and Mr. Y. D. Mukanga, MP.

Sir, Hon Mkhondo D. Lungu, MP, who served as a member of your Committee in his previous capacity as Deputy Chairperson of Committee of the Whole House, ceased to be member following his appointment as Minister of Home Affairs. He was replaced by Mr. Y. D. Mukanga, MP. On 29th June 2010, the House elected Hon. E. C. Mwansa, MP, as the new Deputy Chairperson of Committee of the Whole House.

*THE HONOURABLE MR SPEAKER
NATIONAL ASSEMBLY
PARLIAMENT BUILDINGS
LUSAKA*

Your Committee, Mr. Speaker, have the honour to present their Second Report for the Fourth Session of the Tenth National Assembly.

2.0 TERMS OF REFERENCE

Your Committee's terms of reference are provided for under Standing Order 152 as set out below:

1. In addition to any other duties placed upon it by any Standing or other Orders of the Assembly, it shall be the duty of the Parliamentary Reforms and Modernisation

Committee to examine and propose reforms to the powers, procedures, practices, organisation and facilities of the National Assembly, provided that in proposing such reforms, the 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 House-Keeping Committees.

2. The Committee shall have power, when considered necessary, to adjourn and travel from place to place inside and outside Zambia to solicit information and seek evidence on the matters under examination, and shall enjoy the powers, rights, privileges and immunities provided to the Committees of the House by the Standing Orders.
3. In its report to the House, the Committee shall include recommendations as to the implementation of any reforms proposed in such reports.

3.0 MEETINGS OF THE COMMITTEE

Your Committee held five meetings during the session under review.

4.0 PROGRESS ON THE CAPACITY BUILDING COMPONENT OF PARLIAMENTARY REFORMS PROGRAMME PHASE III

Sir, the House will recall that the National Assembly is currently implementing the Capacity Building Component of the Parliamentary Reforms Programme Phase Three (PRPIII). This project is being implemented as a distinct component of PRPIII. Implementation of the component commenced on 1st June 2008 and is supported by four Cooperating Partners, namely, the Department for International Development (DFID), the European Commission (EC), Irish Aid and the United Nations Development Programme (UNDP). The goal of the Capacity Building Component of PRPIII is to increase the effectiveness of the National Assembly as a representative agent of oversight and reform through capacity building. This goal is expected to be attained with the achievement of four outputs, namely:

1. improved member-constituent relations;
2. increased autonomy and transparency of Parliament as the Legislature, including its capacities in Bill drafting, budgeting and legislative oversight and foresight;

3. improved Committee System for increased effectiveness of oversight of Parliament; and
4. enhanced efficiency and effectiveness of the National Assembly and support services to Parliament and its Members.

4.1 ACHIEVEMENTS OF THE CAPACITY BUILDING COMPONENT OF PRPIII

Your Committee is pleased to report that progress has been made in implementing the Capacity Building Component of PRPIII. Sir, your Committee wishes to state that a number of challenges that were encountered in the first year of the Project were still encountered in the second year.

Your Committee has observed that the tender processes, though necessary, are lengthy and this, together with the delayed release of funds, led to some activities to purchase items or services being further delayed.

Sir, these challenges notwithstanding, the following were the achievements in year 2, according to output:

4.1.1 Output 1: Improved Member-Constituent Relations

As the House is aware, most constituencies in Zambia are rural, covering wide areas, and have a poor road network. This makes it difficult for Constituency staff to effectively facilitate the Parliamentary work of the Member of Parliament as they face challenges in reaching constituents in far-flung corners of their constituencies. As reported in your Committee's first report, fifty (50) motor cycles were procured in 2009 with a view to improving the mobility of Constituency staff and, thereby, enhancing their ability to facilitate the parliamentary work of Members of Parliament. In order to ensure safe use of the motorcycles, staff from fifty constituency offices were trained in the use and maintenance of the machines. Another fifty motorcycles are planned to be procured in 2010, while the remainder will be purchased in 2011.

Sir, in order to further improve communication between Constituency Offices, their Members of Parliament and National Assembly, facsimile machines were purchased for one hundred and eight (108) offices. The offices to benefit from these machines are those that have land telephone infrastructure available in their areas.

Other initiatives to further improve communication at Constituency Offices are ongoing. One of these initiatives is the roll out of internet connectivity which is expected to be completed in 2010. The other is the development of a communication strategy for Parliamentary business. The success of the Constituency Offices will be judged by the wide cross-section of people that call at the offices and interact with the Members of Parliament. It has been noticed that not all offices are visited by constituents. It is anticipated that the communication strategy, once implemented, will help increase public awareness on their existence, thereby increasing the use of the Constituency Offices.

4.1.2 Output 2: Improved Legislative Process

Your Committee planned two activities under this output, namely, Training in Legislative Drafting and Legislative Analysis and sensitisation of Members of Parliament on Private Members Bills. The training in legislative drafting is yet to be undertaken by one officer from the Legal and Journals Department. This activity is expected to enhance the Department's Bill Drafting unit.

The Bill drafting capacity of the National Assembly has been enhanced in the past years with a number of staff in the Legal and Journals Department undergoing training. Further, under Parliamentary Reforms, the National Assembly now meets the cost associated with the introduction of Private Members' Bills before the House. However, it should be noted that Members of Parliament have not taken advantage of this opportunity that has been provided. From the time these measures were introduced, only three Bills have been introduced in the House by a private Member. In order to redress this situation, a workshop was conducted in November 2009 to sensitise Members of Parliament on Private Members' Bills with seventy (70) Members participating. The objective of this workshop

was to sensitise Members on the existence of Bill drafting facilities and the procedures to follow in using them. It is hoped that this will lead to an increase in the demand for legislative drafting services. Sir, your Committee wishes to urge all Members to take full advantage of these facilities that have been availed to them.

Sir, it is envisaged that more activities under this output will be implemented after the enactment of a new Constitution.

4.1.3 Output 3: Improved Committee System

Sir, one of the critical roles of the National Assembly is that of oversight over the Executive. In recognition of this, numerous interventions have been put in place over the years, under the Parliamentary reforms, to enhance the capacity of the National Assembly and its Members to undertake this role more effectively. Most of these interventions have been to the Committee system, which is the area that is central to the National Assembly's oversight activities. A number of activities have been implemented in the period under review in this regard. Public address and recording systems for the five existing Committee Rooms were procured and installed. Further, furniture and equipment for the new Committee Rooms were procured. The process of procuring public address and recording systems for the new Committee Rooms has also commenced and will be completed later in 2010.

4.1.4 Output 4: Effectiveness of National Assembly and Support Services to Parliament and its Members

Sir, in order to enhance the ability of the Library to effectively service the information needs of Members of Parliament, four hundred and eighty three (483) new titles were procured. These titles comprised books covering a variety of subjects, including democracy, globalisation, and gender matters.

In the recognition of the need to have well trained and professional staff at the National Assembly, a consulting firm was engaged to carry out a Training Needs Assessment of

National Assembly staff. This assessment has been completed and implementation of the recommendations will commence soon. The Assessment has provided a basis for more focussed training which is appropriately prioritised.

5.0 DECISIONS OF YOUR COMMITTEE

5.1 APPROVAL OF WORK PLAN AND BUDGET FOR THE CAPACITY BUILDING COMPONENT OF PRPIII

Your Committee wishes to report that the 2010 Work Plan was developed and approved and is currently being implemented. Some of the activities on this work plan are itemised below.

1. Constituency staff workshops
2. Procurement and installation of solar power equipment for offices that are far from the electricity grid
3. Procurement of motorcycles
4. Development of a Communication Strategy for Parliamentary business
5. Training and promoting increased use of ICT in Constituency Offices
6. Training in legislative drafting
7. Training of Members of Parliament in policy analysis.
8. Training of Members and staff in performance, ICT and environmental audits and scrutiny of audit reports
9. Provision of technical assistance in budget analysis
10. Training members of staff in poverty reduction budget tracking and expenditure monitoring
11. Development of budget monitoring tools and training in their use for Members of Parliament and staff
12. Consultative workshops between Committees and Civil Society Organisations
13. Training of staff as recommended by the Training Needs Assessment
14. Digitisation of the Library.

5.2 CONSTRUCTION OF NEW COMMITTEE ROOMS

Sir, your Committee wishes to report that construction of a new Committee Building, which commenced on 1st April 2008, has now been completed and the new building was commissioned by the Honourable Mr. Speaker on 14th July 2010. The building was constructed by Hua Jiang Investments Limited and was funded by Cooperating Partners under the Public Expenditure Management and Financial Accountability (PEMFA) Programme. The new building comprises five (5) new Committee Rooms, each with a capacity of up to 50 persons, and thirty two (32) offices. This includes an office for Committee Chairpersons.

Sir, this expanded capacity will enable more members of the public participate in Committee hearings.

5.3 CONSTRUCTION OF CONSTITUENCY OFFICES

Your Committee is happy to report that, in the period under review, four (4) Constituency Offices were constructed. The offices were constructed at Chasefu, Masaiti, Mwembeshi and Rufunsa. The offices are well constructed, spacious and suitable for Members of Parliament. The Constituency Offices currently in use are rented and are not always ideal for use as Constituency Offices. In these new offices, there is room for a library and more constituents can make use of it to find valuable and informative Parliamentary literature. Initially nine (9) offices were to be built, one in each province. As a start, the Treasury released funds to construct only four offices. However, we are happy to report that funds have now been released for the remaining five offices. These will be constructed in 2010. These five offices will be at Katombola, Lukashya, Lukulu West, Pambashe and Zambezi East. The sites for the offices have already been inspected by the National Housing Authority and works will commence in August 2010. In accordance with the agreed policy, all the sites are close to Parliamentary nomination centres.

6.0 OBSERVATIONS

Sir, as mentioned in previous reports of the Committee, the largest part of PRP III is in the area of infrastructure development. This has been identified as the area that requires urgent attention if the goal of the Parliamentary Reforms is to be achieved. However, infrastructure development is inherently expensive. An example that has been given by your Committee in the past is the construction of Constituency Offices which will take an estimated thirty-eight years to complete at the current rate of funding.

Therefore, the challenge is for the National Assembly to mobilise the required resources to implement the infrastructure development necessary to meet the goal of the Parliamentary Reforms. Your Committee, therefore, once again, appeals to Cooperating Partners and other well wishers to come forward and lend their support to the Parliamentary Reforms, participating for infrastructure development.

Further, it is the view of your Committee that the Constituency Office should play a central role in the administration of Constituency Development Funds (CDF). This would be in line with the Government's decentralisation programme as this would ensure that the funds are administered at constituency rather than at district level. The role of the District would then be to audit the Constituency Office in relation to CDF, to ensure transparency. Kenya, for example has dedicated 2.5% of its National budget to CDF and the Constituency Office controls it while the district gives oversight.

7.0 RECOMMENDATIONS

1. There is need for the Government to increase support to the Parliamentary Reforms, particularly in the area of infrastructure development.
2. Your Committee wishes to urge government to seriously consider its earlier recommendation to direct part of CDF, in future Budgets, to the construction of Constituency Offices. This would facilitate a one-off exercise to construct offices in all Constituencies and do away with the costly exercise of having to rent offices.

The alternative is to wait for thirty-eight years before offices are constructed in all 150 Constituencies, which is not desirable.

3. Your Committee recommends that the Government considers the Kenyan model of operating CDF whereby the Constituency Office plays a key role with oversight being provided at district level.
4. Your Committee urge Members to utilise the Legislative Drafters that have been trained to bring Private Members' Bills before the House.

8.0 CONCLUSION

In conclusion, your Committee wish to record their indebtedness to you, Mr Speaker, for according them the opportunity to serve on your Committee and for the invaluable advice rendered during the Session.

Your Committee also wish to express their immense gratitude to the Cooperating Partners for their continued generous and invaluable support and contributions to the Parliamentary Reforms Programme. These, in particular, are the Department for International Development, the European Commission, Irish Aid and the United Nations Development Programme.

Finally, Sir, your Committee wish to express their thanks for the services and advice rendered by the Office of the Clerk of the National Assembly throughout their deliberations.

July 2010

LUSAKA

E. C. Mwansa, MP

CHAIRPERSON