

REPORT OF THE PARLIAMENTARY REFORMS AND MODERNISATION COMMITTEE FOR THE FOURTH SESSION OF THE ELEVENTH NATIONAL ASSEMBLY APPOINTED ON 24 SEPTEMBER, 2014.

Consisting of:

Mr P M Mucheleka, MP, (Chairperson); Hon A B Chikwanda, MP, Minister of Finance; Hon E C Lungu, MP, Minister of Justice; Hon E T Chenda, MP, Minister of Local Government and Housing; Hon C K Banda, SC, MP, Deputy Chairperson of Committees of the Whole House, Dr E C Lungu, MP; Ms M Lubezhi, MP; Mr K Simbao, MP; Mr S Katuka, MP; and Mr I K Banda, MP.

The composition of your Committee changed in the course of the session due to ministerial appointments after the Presidential By-elections and the nullification of the Senga Hill seat respectively. Hon E C Lungu, MP, became Republican President and was replaced by Hon N Simbyakula, MP as new Minister of Justice; Hon E T Chenda, MP was replaced by Hon Dr J N Phiri, MP as new Minister of Local Government and Housing, while Mr K Simbao, MP was replaced by Mr J K Pande, MP.

The Hounourable Mr Speaker
National Assembly
Parliament Building
LUSAKA

Sir,

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

2.0 FUNCTIONS OF THE COMMITTEE

Your Committee was guided in all its deliberations by Standing Order No. 152 which set out the functions of your Committee as set out below.

- (a) In addition to any other work placed upon it by any Standing Orders of the Assembly, it shall be the duty of the Committee to examine and propose reform to the powers, procedures and practices, organization and facilities of the 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.

- (b) The Committee shall have powers, when considered necessary, to adjourn and travel from place to place inside 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.
- (c) In its report to the House, the Committee shall include recommendations of any reforms proposed in such reports.

3.0 MEETINGS OF THE COMMITTEE

Your Committee held ten (10) meetings during the period under review. Your Committee also undertook local tours to Bangweulu, Chifunabuli, Luapula, Mansa Central, Bahati, Chembe, Chipili, Mambilima, Mwense, Mwansabombwe, Kawambwa, Pambashe, Nchelenge, Chiengi and Kaputa Constituencies. The purpose of the tour was to sensitise the public on the roles of the Constituency Offices and the functions of the Members of Parliament.

4.0 COMMITTEE'S PROGRAMME OF WORK

During the period under review, your Committee's Programme of Work was as follows:

- i. consideration of the topical issue on the sensitization of the public on the roles of the Constituency Offices and the functions of the Member of Parliament;
- ii. consideration of the Memorandum on the Construction of Constituency Offices in 2015;
- iii. consideration of the topical issues on guiding the implementation of Co-operating Partner's supported projects;
- iv. consideration and Adoption of the National Assembly Strategic Plan;
- v. consideration of Parliamentary Service Commission Draft Bill; and
- vi. consideration of Action Taken Report (ATR) on the Report of the Parliamentary Reforms and Modernisation Committee for the Third Session of the Eleventh National Assembly.

5.0 PROCEDURE OF THE COMMITTEE

Your Committee undertook a foreign tour to the Kenyan Parliament to understudy the establishment, operations of the Kenyan Parliamentary Service Commission and Kenyan Budget Office in line with the Kenyan Strategic Plan. This was done in line with the Committee's consideration of the topical issues as itemized in 4(iv) and 4(v) above.

Your Committee further considered the Memorandum on the Construction of Constituency Offices in 2015.

Your Committee also considered the topical issue on guiding the implementation of co-operating partners supported projects.

Finally, your Committee considered the Committee's Action Taken Report on the Committee's Report for the Third Session of the Eleventh National Assembly.

PART I

6.0 SENSITISATION OF THE PUBLIC ON THE ROLES OF CONSTITUENCY OFFICES AND THE FUNCTIONS OF THE MEMBER OF PARLIAMENT

6.1 Background of the Establishment of Constituency Offices in Zambia and the Roles of the Member of Parliament

The Zambian Parliament, through its Parliamentary Reform Programme has established Constituency Offices in all the 150 Constituencies in the country. This was pursuant to one of the recommendations made by the Adhoc Committee on Reforms in 2000. The offices were established with a view to improving the Member – Constituent relationship by increasing the frequency and quality of interaction between Members of Parliament and the people. This interaction was perceived to be something that would enable Parliament to be accepted as legitimate, accountable and transparent by constituents. The Constituency Offices were established during the period 2003 to 2006.

Research has established that by and large, very few people know about the roles of the Constituency Offices and the functions of the Members of

Parliament. Many people are of the view that the roles of the Constituency Offices are places where they are expected to meet the Member of Parliament to present their personal problems and get assistance. On the roles of the Member of Parliament, many people thought that it was the role of the Members of Parliament to assist people with personal needs and problems. There is also a misconception that the role of the Members of Parliament is to construct roads, schools and clinics.

Based on the foregoing, your Committee undertook a local tour to sensitise members of the public on the topical issue. The following is the synopsis of the local tour programme and clarifications by your Committee on various issues raised by members of the public.

PART II

7.0 LOCAL TOUR TO LUAPULA PROVINCE

7.1 Local Tour Programme Undertaken by the Committee

7.1.1 Preamble

The Parliamentary Reforms and Modernisation Committee (PRMC) undertook its local tour to Luapula Province and Kaputa District, Northern Province from 12th to 24th April, 2015, to sensitise the public on the existence and role of Constituency Offices and the functions of the Members of Parliament. At the end of the tour, the Committee had a tour review meeting shortly before departure for Lusaka. Your Committee toured fifteen (15) Constituency Offices of which fourteen (14) were in Luapula Province and Kaputa Constituency Office in Northern Province in a period of twelve (12) days. The Constituency Offices toured were as follows:

- i. Bangweulu
- ii. Chifunabuli
- iii. Luapula
- iv. Mansa Central
- v. Bahati

- vi. Chembe
- vii. Chipili
- viii. Mambilima
- ix. Mwense
- x. Mwansabombwe
- xi. Kawambwa
- xii. Pambashe
- xiii. Nchelenge
- xiv. Chiengi
- xv. Kaputa

7.1.2 Procedure

For each Constituency Office visited, the Committee did the following:

- i. undertook a conducted tour of the respective Constituency Office;
- ii. held public hearing sessions on the existence and the role of the Constituency Offices and the functions of the Member of Parliament;
- iii. conducted a question and answer session between the members of the public and your Committee.

7.2 Conducted Tour of Constituency Offices

Before touring any Constituency Office, your Committee first and foremost, paid courtesy calls on the respective District Commissioners who were accompanied by Council Secretaries and other Heads of Departments. In Mansa, the Committee was expected to make a courtesy call on the Provincial Minister, but due to other official engagements in Lusaka, your Committee was met by the Acting District Commissioner who was accompanied by the Mayor and other Government officials at district level. Your Committee registered their displeasure over this arrangement in Mansa.

7.2.1 Purpose of the Conducted Tour of Constituency Offices

The tour of Constituency Offices was basically to meet the constituency staff to learn about the achievements and challenges the offices were facing. It was also meant to invite the constituency staff to the public

hearing so that they could be introduced to the public for the people to know them. This also served as one of the key strategies to publicize to the public the existence and roles of the Constituency Offices. At all the Constituency Offices visited, it was apparent that staff working in the offices were known by only a few people.

7.3 Synopsis of Clarifications Made by the Committee

At the public hearing session, Constituency Office staff were introduced as officers working under the Legislative arm of Government who had no political inclination. The public were urged to visit the offices regardless of their political affiliation, to register their developmental concerns to the office of their respective Member of Parliament. People appreciated the clarifications because most of them used to think that the office was a political office belonging to the party to which the Member of Parliament belonged.

7.3.1 Operations of Government

Your Committee explained to the public the operations of the Government. It was stated that the Government comprised three (3) wings, namely, the Executive, the Judiciary and the Legislature. It was explained that the Executive enforces the laws made by Parliament while the Judiciary interprets the Law. The public learnt that all the Constituency Offices were under the Legislature. The Constituency Offices are a physical representation of the Member of Parliament in the Constituency. Therefore, the members of the public were encouraged to freely interact with staff at the Constituency Offices who would present their concerns to the Member of Parliament.

7.3.2 Functions of the Member of Parliament

Your Committee explained that the Member of Parliament had four (4) major roles to play at national level, namely **representation, oversight, Legislation** and **budget approval**. The Committee explained that it was not the responsibility of Members of Parliament to build roads, bridges, schools and hospitals, but to lobby Government for such developmental projects as infrastructure development is the role of the executive.

7.3.3 Roles of Constituency Offices

Your Committee explained to the public that the Constituency Offices served three purposes namely:

- a) it is an office where developmental concerns could be forwarded so that the respective Members of Parliament could act upon them as part of their representative role;
- b) it is a place where a Member of Parliament works from and interacts with the constituents on issues of concern in the Constituency; and
- c) it acts as an information centre where constituents could make use of the information in the Library to update and enlighten themselves on Parliamentary business, developments taking place in the constituency and the nation as a whole.

Therefore, people were urged to visit the Constituency Offices regardless of their political affiliation. It was stressed that once a Member of Parliament was elected, he became a Member of Parliament for all the people, including those who did not vote for him or her.

7.4 Failure of Public Hearing Session in Chiengi

Your Committee did not hold a public hearing in Chiengi because the public was not sensitised by the local administration. In addition, it was learnt that people were preparing for the commissioning of Chiengi District as an “Open Defecation Free” District, by the Hon Deputy Minister of Local Government and Housing.

7.5 Public Hearing Session in Kaputa

The public hearing session was extended to Kaputa District because it did not take place last year, when the Committee toured all Constituency Offices in Northern Province. This was due to floods in Kaputa last year.

8.0 OBSERVATIONS AND RECOMMENDATIONS

Arising from the tours of Constituency Offices and the public hearing sessions, the Committee makes the observations and recommendations set out below.

8.1 Your Committee observes with concern that in nearly all constituencies visited people had scanty knowledge about the role of Constituency Offices and the functions of the Member of Parliament.

In view of the foregoing, the Committee recommends that the sensitization of the public on the role of Constituency Offices and the functions of Members of Parliament be carried out by National Assembly Management and Members of Parliament throughout the year.

8.2 Your Committee observes with sadness that some people in constituencies still do not understand the differences between the Legislature and other two wings of Government, going by the various issues of clarification raised to the Committee. It is such misunderstanding which brought about some animosity during the public hearing in Kaputa District where some people perceived the Committee as belonging to other two wings of Government whilst others believed that the Committee belonged to a particular political party.

In view of the foregoing, your Committee recommends that there is need for prior sensitization by Constituency Office staff to the members of public on the topic to be discussed by the Parliamentary Reforms and Modernisation Committee before its actual visitation.

PART III

9.0 CONSTRUCTION OF CONSTITUENCY OFFICES

9.1 Consideration and Adoption of the Memorandum on the Proposal for the Construction of Constituency Offices in 2015

Your Committee wishes to inform the House that the construction of Constituency Offices in 2015 would use funding from both Government and co-operating partners. The procedure for choosing constituencies to benefit from these funds in 2015 is as follows:

- a. Party representation;

- b. Gender parity;
- c. Urban – Rural mix; and
- d. Provincial Parity.

Your Committee was informed that an amount of K15 million was available in 2015 for the construction of Constituency Offices. K3 million was from Government as captured in the 2015 National Budget and K12 million was support from the German Government under the Strengthening of Parliamentary Control in Zambia Project.

The following Constituencies were approved to be on the construction schedule for 2015.

No.	Constituency	Province	Party of MP	Gender of MP	Rural/Urban
1	Luapula	Luapula	PF	Female	Rural
2	Kasenengwa	Eastern	MMD	Female	Rural
3	Pemba	Southern	UPND	Female	Rural
4	Vubwi	Eastern	PF	Female	Rural
5	Feira	Lusaka	PF	Male	Rural
6	Ikelenge	North-Western	MMD	Male	Rural
7	Mkushi North	Central	PF	Female	Rural
8	Lubansenshi	Northern	Independent	Male	Rural
9	Lunte	Northern	MMD	Male	Rural
10	Chikankata	Southern	UPND	Male	Rural
11	Mfuwe	Muchinga	PF	Male	Rural
12	Kabompo East	North-Western	MMD	Male	Rural
13	Mbabala	Southern	UPND	Male	Rural
14	Isoka	Muchinga	PF	Male	Rural
15	Mambilima	Luapula	PF	Male	Rural

Your Committee unanimously approved the schedule for the construction of the offices. Your Committee was informed that resources were available to construct twenty (20) offices in 2015. Of these offices, twelve (12) would be drawn from the list approved by the Committee in 2014, and only eight (8) from the above list would be constructed in 2015. The remaining offices would be constructed when funds are available.

The House should note that only rural offices had been selected because it had proved to be a challenge to find suitable alternative accommodation in those areas to rent. Further, there were five women represented Constituencies on the list above as compared to ten (10) men. This was a good distribution considering that women representation in the House is 12.8% while that of male Members of Parliament stand at 87.2%.

9.2 UPDATE ON CONSTRUCTION OF CONSTITUENCY OFFICES

Your Committee was availed the update on the construction of Constituency Offices as set out here below:

No.	Constituency	Province	Party of MP	Gender of MP	Rural/Urban	Status
1	Chasefu	Eastern	FDD	Male	Rural	Constructed
2	Sinda	Eastern	MMD	Male	Rural	Constructed
3	Rufunsa	Lusaka	MMD	Male	Rural	Constructed
4	Chongwe	Lusaka	PF	Female	Peri-urban	Constructed
5	Mwembeshi	Central	UPND	Male	Rural	Constructed
6	Nangoma	Central	UPND	Male	Rural	Constructed
7	Katombora	Southern	UPND	Male	Rural	Constructed
8	Dundumwezi	Southern	UPND	Male	Rural	Constructed
9	Mulobezi	Western	Vacant Seat		Rural	Constructed
10	Lukulu West	Western	UPND	Male	Rural	Constructed
11	Zambezi West	North-Western	PF	Female	Rural	Constructed
12	Zambezi East	North-Western	MMD	Female	Peri-urban	Constructed
13	Lufwanyama	Copperbelt	MMD	Female	Rural	Constructed
14	Masaiti	Copperbelt	MMD	Male	Rural	Constructed
15	Chifunabuli	Luapula	PF	Male	Rural	Constructed
16	Pambashe	Luapula	PF	Male	Rural	Constructed
17	Lupososhi	Northern	PF	Male	Rural	Constructed
18	Lukashya	Northern	PF	Female	Peri-urban	Constructed
19	Mafinga	Muchinga	MMD	Female	Rural	Constructed

20	Shiwangandu	Muchinga	PF	Male	Rural	Constructed
21	Chama South	Muchinga	PF	Male	Rural	Under Construction
22	Namwala	Southern	UPND	Female	Rural	Constructed
23	Keembe	Central	MMD	Male	Rural	Constructed
24	Luangeni	Eastern	Independent	Male	Rural	Approved in 2014, to be constructed in 2015
25	Nalolo	Western	PF	Female	Rural	Approved in 2014, to be constructed in 2015
26	Sikongo	Western	MMD	Male	Rural	Approved in 2014, to be constructed in 2015
27	Luena	Western	ADD	Female	Rural	Approved in 2014, to be constructed in 2015
28	Chimbamilonga	Northern	PF	Male	Rural	Approved in 2014, to be constructed in 2015
29	Mapatizya	Southern	UPND	Male	Rural	Approved in 2014, to be constructed in 2015
30	Chembe	Luapula	MMD	Male	Rural	Approved in 2014 and to be constructed in 2015
31	Solwezi East	North-Western	UPND	Male	Rural	Approved in 2014, to be constructed in 2015
32	Msanzala	Eastern	PF	Male	Rural	Approved in 2014, to be constructed in 2015
33	Nalikwanda	Western	MMD	Male	Rural	Approved in 2014, to be constructed in 2015
34	Kafulafuta	Copperbelt	UPND	Male	Rural	Approved in 2014, to be constructed in 2015
35	Kapoche	Eastern	MMD	Male	Rural	Approved in 2014, to be constructed in 2015

36	Luapula	Luapula	PF	Female	Rural	To be constructed in 2015
37	Kasenengwa	Eastern	MMD	Female	Rural	To be constructed in 2015
38	Pemba	Southern	UPND	Female	Rural	To be constructed in 2015
39	Vubwi	Eastern	PF	Female	Rural	To be constructed in 2015
40	Feira	Lusaka	PF	Male	Rural	To be constructed in 2015
41	Ikelenge	North-Western	MMD	Male	Rural	To be constructed in 2015
42	Mkushi North	Central	PF	Female	Rural	To be constructed in 2015
43	Lubansenshi	Northern	Independent	Male	Rural	To be constructed in 2015
44	Lunte	Northern	MMD	Male	Rural	To be Constructed when funds are available
45	Chikankata	Southern	UPND	Male	Rural	To be Constructed when funds are available
46	Mfuwe	Muchinga	PF	Male	Rural	To be Constructed when funds are available
47	Kabompo East	North-Western	MMD	Male	Rural	To be Constructed when funds are available
48	Mbabala	Southern	UPND	Male	Rural	To be Constructed when funds are available
49	Isoka	Muchinga	PF	Male	Rural	To be Constructed when funds are available
50	Mambilima	Luapula	PF	Male	Rural	To be Constructed when funds are available

Your Committee was informed that the project had prioritised the construction of offices in female represented Constituencies, hence the consideration to have Kasenengwa, Pemba, Vubwi and Mkushi North constructed with support from the German Government.

PART IV

10.0 NATIONAL ASSEMBLY STRATEGIC PLAN

10.1 *Consideration of the Memorandum on the 2015 - 2019 National Assembly Strategic Plan*

Your Committee was informed that in 2014, one of the key priorities for the National Assembly was development of the 2015-2019 Strategic Plan. This was in keeping with the Committee's recommendations in their report to the House for the 2nd Session of the Eleventh National Assembly. Your Committee emphasised the need for the National Assembly to develop a Strategic Plan, which was aimed at enhancing the Institution's core functions of legislation, oversight, representation and approval of the National Budget. Following this recommendation, a draft Strategic Plan was developed and has been approved by your Committee which it recommended to the Standing Orders Committee for approval.

The draft Strategic Plan is responsive to various issues that include the following:

- (a) key achievements and lessons learnt from the previous 2004-2012 Strategic Plan. Consequently, the 2015-2019 Strategic Plan is focusing on building on the successes of the previous plan;
- (b) the national development plans such as the Revised Sixth National Development Plan and the Vision 2030; this is meant to demonstrate how the National Assembly will contribute towards the attainment of the national development agenda;
- (c) the Budget and Planning Policy of 2013;
- (d) the Parliamentary Reforms Agenda;
- (e) internal and external factors which can influence the implementation of the Strategic Plan; and
- (f) emerging initiatives such as the Constituency Office Utilisation Model which is aimed at optimizing the use of Constituency Offices.

The strategic planning process was very consultative and was largely driven by the information generated from recommendations of Parliamentary

Committees following the review of various Committee reports. The Honourable Mr Speaker and the other Presiding Officers also provided guidance on the document. Further, the draft Strategic Plan was exposed to peer review by the Parliament of Zimbabwe, which provided independent feedback. The Parliament of Zimbabwe was selected because of their vast experience in developing and implementing Strategic Plans, since 1995.

Further, in February, 2015, a study visit to the Parliament of Kenya was arranged for the PRMC to enable the Members learn good practices in strategic planning and management. Following the study visit, the National Assembly created platforms at which key lessons from the Parliament of Kenya were discussed which influenced the format and content of the Strategic Plan.

The draft Strategic Plan has outlined the key priorities for the National Assembly for the next five years, as well as identified the key areas of focus for the administration of Parliament to ensure effective support to the Members of Parliament.

The following are the strategic objectives for the National Assembly as outlined in the draft Strategic Plan:

- a) strengthen the capacity of the National Assembly to effectively perform its legislative functions;
- b) strengthen the Legislature's capacity to provide effective oversight over the Executive;
- c) build the capacity of the National Assembly to effectively participate in the National Budget Cycle;
- d) enhance the representative function of the National Assembly; and
- e) improve the organisation and management of procedures and functioning of the National Assembly.

In order to facilitate effective support and create a conducive environment for the attainment of the above strategic objectives, the following are the strategic objectives for the Administration of Parliament:

- a) strengthen support to the National Assembly for it to discharge its functions effectively;
- b) improve administrative service delivery; and
- c) develop infrastructure to enable Members of Parliament and staff to perform their duties more effectively.

The development of the Strategic Plan is expected to result into effective utilisation of the Institution's resources as most programmes and activities will focus on the identified priorities. Further, it is expected to increase the National Assembly's understanding of key capacity strengthening areas to enhance performance in relation to the core functions of the Institution. The other potential benefits of this Strategic Plan are as follows:

- a) it will assist to strengthen work processes and systems for the National Assembly, which is expected to translate into timely and quality support to Members of Parliament;
- b) in the long term, the Strategic Plan is expected to assist the National Assembly to effectively contribute towards the implementation of the National Development Plans;
- c) it will assist to communicate the National Assembly's priorities for the next five years and serve as a means of fostering strategic partnerships; and
- d) it will assist the National Assembly to mobilise resources for accelerated implementation of Parliamentary Reforms and other projects for the Institution.

Further, the Strategic Plan is expected to contribute to improved outcomes of the work of the National Assembly.

Your Committee will drive various processes leading to the operationalisation of the Strategic Plan including providing guidance during its implementation. Your Committee will also provide guidance on the Strategic Plan implementation framework and modalities.

PART V

11.0 PARLIAMENTARY SERVICE COMMISSION DRAFT BILL

11.1 *Consideration of Parliamentary Service /Commission Draft Bill*

Your Committee first considered the Constitutional Amendment Bill to introduce and establish the Parliamentary Service Commission. The presented Parliamentary Service Commission Draft Bill had five major parts. The first part was a preliminary in which the Parliamentary Services Act, 2015 was introduced as well as defining other key terms in the Bill.

The second part of the Bill deals with the Parliamentary Service Commission itself as established under Article 73A of the Constitution. Under this part, the functions of the Parliamentary Service was stated as to:

- a.* appoint the Clerk of the National Assembly in accordance with the Act;
- b.* constitute offices in the Parliamentary Service and to appoint and supervise the office holders;
- c.* provide necessary services and facilities to ensure efficient and effective functioning of the National Assembly;
- d.* determine the terms and conditions of service of persons holding or acting in the offices of the Service;
- e.* approve the annual estimates of expenditure for the National Assembly;
- f.* exercise budgetary control over the Parliamentary Service and National Assembly;
- g.* undertake, singly or jointly with other relevant organisations, programmes to promote the ideals of Parliamentary democracy; and
- h.* do such other things including the review of Parliamentary powers, immunities and privileges as may be necessary for the well-being of the Members of the National Assembly and officers and to exercise such other functions as may be provided by, or under, an Act of Parliament.

The third part of the Parliamentary Commission Service Bill deals with the Parliamentary Service. The functions of the service are:

- a. to provide support services to the National Assembly to ensure full and effective exercise of its powers and functions; and
- b. to provide such other services as the Commission may prescribe by resolution or regulations.

It was stated under this part, that the Clerk shall be the Head of the Service and shall be responsible to the Commission for the general efficient and effective operation of the service.

The fourth (iv) part of the Bill was about financial provision. It was stated among other things, that the Commission shall annually prepare and submit its budget estimates to the Minister responsible for finance who taking into account equitable sharing of resources, shall determine the budget for the National Assembly.

Finally, the fifth part of the Bill was about general provisions, it was stated among other things, that a Member of staff of the National Assembly who prior to the commencement of this Act is employed as staff of the National Assembly, shall upon the commencement of this Act, be deemed to have been appointed and employed under that same Act.

Your Committee made some amendments to the draft Parliamentary Service Commission Bill which were incorporated in the report. The Committee is awaiting the presentation of the Bill for adoption by the House, either through the Private Members' Bill or by the Government through the adoption of non contentious clauses in the draft constitution.

Your Committee paid visits to Her Honour the Vice President and the Hon Minister of Justice to seek re-affirmation of Government support in the manner the Bill would be adopted. Both her Honour the Vice President and the Minister of Justice supported both the Constitutional Amendment Bill and the draft Parliamentary Service Commission Bill as it would promote the well being

of Members of Parliament and staff. Your Committee was advised that the matter would be tabled before Cabinet for its determination.

PART VI

12.0 FOREIGN TOUR TO KENYA

12.1 *Foreign Tour Programme Undertaken by the Committee*

12.1.1 Preamble

In following up on the Committee's consideration of the National Assembly Strategic Plan, the establishment of both the Budget Office and the Parliamentary Service Committee, the Parliamentary Reforms and Modernisation Committee (PRMC) undertook its foreign tour to Kenya from 15th to 21st February, 2015. During that period, the Committee visited the Kenyan Parliament and had official interactions with the following:

- i. The Chairman of Parliamentary Service Commission and some selected Members of the Commission;
- ii. The Clerk of the Senate/ Secretary of the Parliamentary Service Commission (PSC);
- iii. The Clerk of the National Assembly;
- iv. The Director General, Joint Services/ Chairman of the Strategic Planning Implementation Committee;
- v. The Director, Parliamentary Budget Office;
- vi. The Committee of the Commission on Security and Development; and
- vii. The Chairperson and the Executive Director – The Centre for Parliamentary Studies and Training (CPST) Board.

Further, the Committee attended two sittings of the Parliament of Kenya. One sitting was in the National Assembly while the other was in the Senate.

12.1.2 Purpose of the Tour

The purpose of the tour to the Parliament of Kenya was threefold, namely:

- i. to study and benchmark on the management and implementation of the Strategic Plan;
- ii. to study and benchmark on the establishment and operations of the Parliamentary Service Commission (PSC); and
- iii. to study and benchmark on the establishment and operations of the Parliamentary Budget Office (PBO).

The Committee had several meetings in order to realize the purpose of the visit to the Parliament of Kenya. The following is what was discussed and achieved.

12.1.3 The Management and Implementation of the Strategic Plan

The Strategic Plan of the Parliament of Kenya was implemented in two levels namely; 2000 to 2012 and 2008 to 2018. It was stated that in the year 2000, the Parliamentary Service Commission took the bold step of Planning for the National Assembly for a period of 12 years through the Strategic Plan covering the period 2000 to 2012. For the first three (3) years or so, the Parliamentary Service Commission concentrated on improving the Organizational Structure and providing a good working environment for the Members of Parliament (MPs) and staff. The renovation of Continental House to provide office space for Members of Parliament was a major achievement of the Strategic Plan. Further, the Strategic Plan established a sound organizational structure for the Parliamentary Service Commission, leading to the creation of directorates as centres of excellence in service delivery. The Strategic Plan was also able to provide for the recruitment of highly competent staff for the Parliamentary Service, acquire computer facilities and provide additional office space for both Members and staff.

The enactment of the Strategic Plan was as a result of a long participatory and consultative process. It was notable that within the

last two years of the Strategic Plan, implementation and significant achievements have been realized. These include renovations of the National Assembly chambers, revision of the Standing Orders that have made the Members to be more vibrant in their work, increased ICT services, enhanced staff performance, the establishment of a working organizational structure and enhanced capacity of staff, and the improvement of services and facilities for the welfare of MPs and staff. However, there were also areas where targets were not achieved, challenges were encountered and lessons learnt in the process of its implementation.

In reviewing the Strategic Plan, the Kenyan Parliament had taken into account the demands on Parliament in the new constitutional dispensation. The need to prepare various facilities and services for a larger National Assembly and for the new Senate became necessary. Parliament played an important role in the implementation of the Constitution and the Vision 2030 which were Kenya's long term development blueprints. The Vision 2030 envisioned a country that was "globally competitive and prosperous with a high quality of life". The Strategic Plan at the Parliament of Kenya addressed the goals that had to be achieved in line with the Vision 2030. The Parliamentary Service Commission was, therefore, firmly grounded in the Strategic Plan of the Kenyan Parliament.

The Strategic Plan for the Parliament of Kenya provided home-grown solutions. It was formulated through involvement of staff and the Commission. This provided higher acceptance and enthusiastic implementation. Management dedicated all its efforts and resources to the monitoring of its performance in its implementation as a core management responsibility.

12.1.4 The Establishment and Operations of the Parliamentary Service Commission

The discussion on the Parliamentary Service Commission began with a brief historical background on Kenya as a whole and the Legislature in particular. The Committee was informed that Kenya became independent in 1963 with Jomo Kenyatta as the first Republican President in 1964. At independence, the Parliament of Kenya was modelled on the West Minister Parliamentary System of Government. Parliament then was a Bicameral Legislature, consisting of the House of Representatives with 129 Members and the Senate with 41 Members. A constitutional amendment effected in 1967 saw the amalgamation of the two Houses to form the National Assembly of Kenya.

In 1991, multi-party politics were re-introduced in Kenya. The National Assembly became a vibrant institution and has reclaimed its rightful place in the governance of the country. Prior to 1999, the legislative staff were employed through the Executive. Parliament was a department in the Office of the President and was considered a hardship zone where all Government staff with disciplinary cases or difficult to work with were seconded. The paradox of that situation was that the oversight functions on the Executive were compromised. Therefore, in its quest to attain autonomy and independence from the Executive, the Eighth Parliament enacted the Constitution of Kenya (Amendment) Act No.3 of 1999 which established the Parliamentary Service Commission (PSC) and the Parliamentary Service.

In 2000, the Parliamentary Service Act was enacted to operationalize the Constitution of Kenya (Amendment) Act No.3 of 1999. The Parliamentary Service is established by Article 127 of the Kenyan constitution. Therefore, Parliamentary Reforms in Kenya started in 1999 and have acquired greater momentum, enabling Parliament to reassert its authority and expanded parliamentary democracy. On 27th August, 2010, the new Constitution of Kenya was promulgated with Parliament playing a central role in the process. The new constitutional

dispensation established a bicameral legislature known as the Parliament of Kenya, consisting of the National Assembly and the Senate and composed of 350 and 68 Members, respectively. With this arrangement in place, the Parliamentary Service Commission became re-energized, thereby making the Legislature truly independent.

With the Commission in place, the Legislature was able to hire and fire its own staff, control its own budget and superintend over the improved welfare of Members of Parliament and staff. The Parliamentary Service Commission has, therefore, become a permanent feature in the country's Constitution. The current Parliamentary Service Commission has the following components:

i. Composition of the Parliamentary Service Commission;

The Committee was informed that the current composition of the Parliamentary Service Commission of the Kenyan Parliament was as stated hereunder:

- a. the Speaker of the National Assembly as Chairperson;
- b. Seven (7) Members of Parliament (Four (4) from the National Assembly and three (3) from the Senate;
- c. two (2) persons appointed by Parliament who are experienced in Public affairs but are not Members of Parliament;
- d. the Clerk of the Senate (the Secretary of the Commission).

ii. Functions of the Parliamentary Service Commission

It was stated that the PSC was responsible for the overall policy development and administration of Parliament. Article 127 (6) of the Constitution of Kenya provides for the functions of the Commission as follows:

- a. Providing services and facilities to ensure the efficient and effective functioning of Parliament;
- b. Constituting Offices in Parliamentary Service and appointing and supervising Office holders;

- c. Preparing annual estimates of expenditure for submission to the National Assembly and exercising budgetary control;
- d. Undertaking, singularly or jointly with other relevant organizations, programmes to promote the ideals of parliamentary democracy; and
- e. Performing other functions necessary for the well being of Members and staff of Parliament as prescribed by national legislation.

iii. *Committees of the Parliamentary Service Commission*

The Committee was informed that the Parliamentary Service Commission operates through six (6) Committees which consider matters forwarded to them by the Board of Senior Management as follows:

- a. Committee on Finance – This oversees all financial matters and funding for the Commission including preparation of the budget of Parliament.
- b. Committee on Staff Welfare – This considers recruitment, appointments, promotions, discipline and all matters related to staff welfare.
- c. Committee on Members’ Welfare – This considers all matters of Members’ welfare including remuneration, provision of facilities such as car grants and offices.
- d. Committee on Tender and Procurement – This ensures procurement follows the laid down procurement laws, regulations and procedures.
- e. Committee on Security and Development – This ensures security for MPs and staff.
- f. Committee on Information and Public Communication – This is responsible for the outreach programmes in Parliament and fostering a positive image of Parliament.

During the tour of Parliament, the Committee was able to get a submission from the Committee on Security and Development where it was stated that the Committee facilitates the provision of state security to Parliament and to each Member of Parliament. It was also the same Committee which facilitates the development of parliamentary infrastructure, in the newly acquired Parliamentary Square. Therefore, the Committees of the Commission are cardinal to the operations of the Parliamentary Service Commission.

iv. Achievements of the Parliamentary Service Commission

It was revealed to the Committee that Parliamentary Service Commission in Kenya had made several achievements since its inception in 1999. Among others, these achievements include:

- a. improved welfare for MPs and staff through policies;
- b. provision of offices for all MPs;
- c. increased finances to facilitate both Houses in discharging their constitutional mandates;
- d. establishment of Constituency and County Offices;
- e. establishment of key technical departments such as Research and Legal, all of which have a crucial role of advising MPs and staff;
- f. provision of car grant, mileage allowance for Members, mortgage schemes, personal accidents cover and enhanced pension for Members and staff;
- g. development of the Strategic Plan 2000 to 2012 which has now been revised to accommodate constitutional changes and which has been used as a road map for development;
- h. establishment of a fully-fledged Parliamentary Budget Office (PBO); and
- i. establishment of a Centre for Parliamentary Studies and Training (CPST) to provide training in parliamentary work for Members and staff including County Assemblies and other

persons interested in knowing parliamentary work and business.

v. ***The Centre of Parliamentary Studies and Training (CPST)***

The Committee was taken on a conducted tour of the Centre for Parliamentary Studies and Training (CPST). The Director of the Centre informed the Committee that the mandate of CPST was to initiate and conduct research studies, courses in form of modules appropriate for the exposition and enhancement of the knowledge, skills and capacity of Members of Parliament as well as staff serving in Parliament and other persons whose functions or work relate to or interact with that of the Parliament. The anticipated impact of all these interventions is to contribute to the effective and efficient transaction/execution of the role and function of Parliament in democratic governance.

It was further revealed that the majority of Members at the beginning of each Parliament do not have prior knowledge and interaction with Parliamentary processes and procedures. As a result, continuous and coordinated training for Members is critical, hence the need for the Centre where this training can be carried out. In addition, it was stated that Kenya has been a leader in parliamentary democracy in Africa, and with increasing inter country collaboration and engagement in trade and governance, CPST could play an even greater role in the East African region and on the continent in general, providing technical support to the emerging democracies like South Sudan and Somalia. The Centre also provides the much needed technical support to the County Assemblies which are part of the new devolved governance structure in Kenya.

vi. *Conducted Tour of Kenya Parliamentary Broadcasting Studios*

The Committee had a conducted tour of Kenya Parliamentary Broadcasting Studios. It is, however, important to state that the Kenya Parliamentary Broadcasting Studios do transmit radio and television parliamentary proceedings through use of staff from the Kenya National Broadcasting Services. They have a dedicated channel from the National Broadcasting. This arrangement, both radio and television are able to cover the whole country. This is something that the Parliament of Zambia can emulate in order to cover the whole country.

12.1.5 *The Establishment of the Parliamentary Budget Office (PBO)*

The Committee was informed that one of the key departments emanating from the Strategic Plan of Parliament of Kenya was the Parliamentary Budget Office (PBO). It was stated that the PBO was a non-partisan professional office of Parliament of the Republic of Kenya. The primary function of the office was to give direction in respect of the budget process, to the Committees of Parliament.

It was explained to your Committee that with the inception of the PBO at the Parliament of Kenya, Committees of Parliament were able to meaningfully participate in setting Budget ceilings for the operations of various Ministries and invited Ministers to shift certain provisions in the National Budget. That kind of business transactions in the Kenyan Parliament was not previously attainable. Further, with the Budget Office in place, Parliament of Kenya was also actively participating in Budget making by easily engaging the public on the outcome of the National Budget before subjecting it for approval in the House. This ensured transparency and accountability for the country's budget process. Therefore, the Budget Office at the Parliament of Kenya strengthens the tenets of democracy in the country as its oversight on the National Budget cannot be overemphasized.

The Chairperson of Parliamentary Budget Committee for the Parliament of Kenya explained to your Committee that the PBO deals with the Parliamentary Budget, National Budget and all matters related to appropriation. The Parliamentary Budget Committee is charged with functions of scrutinizing the national budget through the technical support of the PBO. The Parliamentary Budget Committee is serviced by officers from the PBO.

It was further stated that as soon as Members are appointed to serve on the Parliamentary Budget Committee, the PBO introduces them to the intricacies of the Budget. The Budget Committee also provides direction on the budget discussion to other Members of Parliament in the House.

12.2 Observations and Recommendations on the Tour to the Parliament of Kenya

Arising from the interactions between your Committee and the Parliament of Kenya on the three topical issues, the following were the key lessons learnt;

i. Management and Implementation of the Strategic Plan

Your Committee observes that the Strategic Plan for the Parliament of Kenya was consultative, participative and all embracing.

- a) Therefore, the Committee recommends that there is need for the Zambian Parliament to be as consultative and participatory as possible in formulating the Institutions' Strategic Plan if it has to be fully accepted by all stakeholders. Due commitment should be given to its implementation. It needs to be owned by the staff body and Members of Parliament in order to realize its benefits.
- b) The Strategic Plan should guide all the activities of the institution. It should provide direction in all that institution embarks on.
- c) Management needs to commit all its resources and efforts to the formulation and implementation of the institution's Strategic Plan to enable the institution to deliver services effectively and efficiently.
- d) All the proposed reforms and development in the institution should be drawn from the institution strategic plan. In this way,

the institution's resources allocated for various reforms and development would be utilized effectively and efficiently.

ii. Establishment and Operations of the Parliamentary Service Commission

The Committee observes that the establishment and operations of the Parliamentary Service Commission of Kenya is firmly grounded in the country's Constitution and in the Institution's Strategic Plan.

- a) In view of the above, the Committee recommends that the establishment of the Parliamentary Service Commission of the National Assembly of Zambia should be firmly grounded in the Constitution and in the Institutions' Strategic Plan. There is need to speed up the enactment of the Constitution (Amendment) Act which should facilitate the establishment of the Parliamentary Service Commission at National Assembly of Zambia.
- b) As the National Assembly of Zambia establishes the Parliamentary Service Commission, it would be important to tailor it to the tested model of the Kenyan Parliament with regard to its composition and mandate.
- c) There is need to budget adequately for the establishment of the Parliamentary Service Commission and its eventual operations. The Kenyan Parliament invested heavily for the establishment and eventual operations of its Parliamentary Service Commission.
- d) The establishment and operations of the Centre for Parliamentary Studies and Training (CPST) is one of the great achievements of the Parliamentary Service Commission for the Kenyan Parliament. The PRMC recommended that the National Assembly of Zambia makes use of the services of the CPST as this would enhance the capacities of the new Members of Parliament and staff.

iii. Establishment and Operations of the Budget Office

The Committee observes that the establishment and operations of the Parliamentary Service Commission entrenched the PBO at the Parliament of Kenya.

- a) Similarly, the Committee recommends that the establishment and eventual operations of the Parliamentary Service Commission at the National Assembly of Zambia would speed up the establishment and operations of the Budget Office which is in its infancy currently.
- b) Like the PBO of Kenya which is managed by the technical staff grounded in finance, economics and commerce, the Zambian Parliamentary Budget Office should also be manned by staff firmly grounded in those fields and should ably give direction and support to Members of Parliament and staff particularly those belonging to the Committees on Estimates; Economic and Labour; and Public Accounts Committee.
- c) It would also be appropriate and ideal to train the staff so seconded to the Budget Office at the Parliament of Zambia by attaching them at the Budget Office of the Parliament of Kenya or send them to the CPST to follow an official training programme in the operations of the Budget Office. This sort of training could be extended to Members of Parliament appointed to serve on Committees of Estimates; Economic Affairs and Labour as well as Public Accounts Committee.
- d) As a long term measure, the Clerking officers for the Committee on Estimates; Economic Affairs and Labour; and Public Accounts Committee be drawn from the Parliamentary Budget Office as such staff fully understand the intricacies of finance, economics, business administration and commerce. This will strengthen the oversight of Parliament on the National Budget.

PART VII

13.0 GUIDING THE IMPLEMENTATION OF CO-OPERATING PARTNERS SUPPORTED PROJECTS

13.1 Consideration of the Topical Issues on Guiding the Implementation of Co-operating Partners Supported Projects.

To support implementation of the reform agenda, the National Assembly of Zambia has partnered with various cooperating partners. The institution is currently implementing four projects namely: those supported by the United Nations Development Programme (UNDP), European Union (EU), Irish Aid and KfW.

Below is an update on implementation of projects supported by co-operating partners.

13.1.1 Enhancing Oversight Capacity of the National Assembly

Your Committee was informed that this project is supported by UNDP and the objective is to enhance the oversight capacity of the National Assembly. During the 2014 project implementation, the following were some of the achievements.

- i. Enhanced capacity of the National Assembly in Strategic Planning and management through the attachment of staff to the Parliaments of Uganda and Zimbabwe. Key lessons from the attachments were incorporated in the development process of the draft Strategic Plan. Further, a training for staff in Strategic Planning and Management was undertaken at the Centre for Parliamentary Studies and Training in Kenya. One of the expected results is a coordinated approach to the implementation of the Strategic Plan and a draft implementation plan for the Strategic Plan.
- ii. A Research on the training of MPs, operations of Constituency Offices and Parliament Radio was conducted. Findings of the research have since been incorporated in the draft National Assembly of Zambia 2015-2019 Strategic Plan and are expected to guide interventions in these areas.
- iii. Development of an Annual Performance Assessment tool to be used for analysing the performance of Constituency Offices in relation to their core mandates and contribution towards the work of Parliament. The roll out of the tool commenced in 2015.

- iv. Finalisation of Community Mobilisation trainings for staff from all the 150 Constituency Offices. The trainings have enhanced the capacity of constituency staff to mobilize communities for National Assembly activities.

Your Committee was further informed that the Parliamentary Reforms Programme (PRP) Department has been coordinating support to the Zambia Women Parliamentarians Caucus. During the period, the Caucus received support from UNDP in the areas set out below.

- i. Development and subsequent launch of the Caucus 2014 -2016 Strategic Plan.
- ii. The Caucus was facilitated to develop collaborative partnerships with Demo Finland, an organization that facilitates interparty interactions and projects among Finnish female Parliamentarians.
- iii. Process of recruiting full time Secretariat staff for the Caucus.
- iv. Participation in the 2015 Global Women in Parliament Summit held in Addis Ababa, Ethiopia. The theme of the summit was “New Leadership for Global Challenges.”
- v. Identified a project to build boarding houses for a girl child in Constituencies where there are female MPs – the workshop was held at Chaminuka Lodge.

13.1.2 Support to Public Finance Management Accountability and Statistics

Your committee was informed that in 2014, the National Assembly, with support from the European Union, began implementing a three (3) year project aimed at enhancing economic governance in Zambia through improved Public Finance Management, strengthened accountability processes and increased management for results. The main focus of the project is to build the capacity of staff and Members of Parliament by creating in-house technical expertise to enable the provision of continuous professional support to the Estimates Committee, Public Accounts Committee, and Committee on Economic Affairs, Labour and Energy in matters pertaining to economic, fiscal and budgetary policy, and the management of public finances. The project is also expected to contribute to the establishment of a Parliamentary Budget Office.

Achievements of the project are outlined below.

- i. Setting up of a project office with two Key Experts and secondment of three National Assembly staff to the Project Office.
- ii. Setting up a Project Steering Committee to provide policy guidance for the project.
- iii. Development of a Knowledge and Information Management Framework and Action Plan to facilitate integration of the work of the project into the National Assembly systems and procedures.
- iv. Development of a Parliamentary Budget Office Systems and Procedures Framework to inform the establishment and running of the Parliamentary Budget Office.
- v. A project brochure was developed to enhance the visibility of the project.

Various capacity building interventions were also carried as outlined below.

- i. Intensive training in Budget Analysis for staff.
- ii. Technical support to the Estimates Committee during the Budget Approval stage.
- iii. Technical support to the Committee on Economic Affairs, Energy and Labour during its Committee Sitting.
- iv. Technical assistance to the Public Accounts Committee during its sitting.
- v. Training for members of the Estimates Committee, Committee on Economic Affairs, Energy and Labour and the Public Accounts Committee.

13.1.3 Support to Parliamentary Oversight and Legislative Functions through Strengthening of Selected Parliamentary Committees and Increased Access to Parliamentary Information Project

Your Committee was informed that this project focuses on capacity strengthening of the Committee on Education, Science and Technology, Committee on Health, Community Development and Social Services and the Estimates Committee. Further, the project is aimed at rolling out selected activities in the National Assembly Communication Strategy for 2011-15. The following are some of the achievements during the period.

- i. Two (2) mobile and mounted road shows were undertaken in Masaiti and Chasefu Constituencies in 2014 and another was undertaken in 2015 in Lukashya Constituency. The mobile and mounted road shows created platforms for the public and stakeholders to appreciate the work and operations of Parliament, role of the Constituency Office and the functions of Parliament. This initiative is expected to contribute to increased participation of the citizenry in the work of Parliamentary Committees such as public hearings.
- ii. Production of a series of 12 radio programmes by the National Assembly and airing on 18 community radio stations. The programme raised awareness on the work of Parliament including the role of Members of Parliament and roles of Constituency Offices.
- iii. During the period under review, the National Assembly entered into a Memorandum of Understanding with ZNBC under the auspices of “Parliament and You” TV documentary. The TV documentary is expected to be aired during the second quarter of 2015. The TV programme is expected to compliment other National Assembly awareness raising programmes.
- iv. A workshop on Millennium Development Goals (MDGs) and Sustainable Development Goals(SDGs) for members of the Committees on Estimates; Health, Community Development and Social Services; and Education, Science and Technology; and Chairpersons of other Portfolio and General Purposes Committees, was conducted. The workshop focused on taking stock of Zambia’s accomplishments in relation to MDGS as well as increase members’ understanding of the challenges related to achievements of the MDGS and possible mitigation measures to improve future outcomes. One of the key outcomes of the workshop was the resolution by Members of Parliament to move the agenda of the Parliamentary Caucus on MDGs and SDGs in order to enhance oversight in relation to their roll-out. A similar workshop was conducted for staff to equip them to effectively support Parliamentary Committees and Members of Parliament in general in their oversight functions.
- v. Technical support was provided to the Committee on Estimates in Budget Tracking. The initiative was aimed at increasing the knowledge and skills of the Committee in budget tracking as well as equip the Committee on Estimates for

the budget tracking exercise of the utilisation of the sovereign bond. Another workshop was facilitated for the Committee on Estimates focusing on Fiscal Decentralisation and an overview of the National Decentralisation Policy.

- vi. A Consultant was engaged to develop Skills and Knowledge transfer mechanisms to enhance the support from committee clerks servicing parliamentary committees.
- vii. A budget analysis workshop for the Expanded Committees on Estimates; Committee on Health, Community Development and Social Services; and Committee on Education, Science and Technology was conducted. One of the notable immediate outcomes of the workshop was that it created a platform for the Members of Parliament to identify areas that need improvement in relation to the budget review and approval process.

13.1.4 Strengthening Parliamentary Control in Zambia

Your Committee was informed that this project is supported by KfW and the objective is to increase the population's understanding of Parliamentary work and their means to influence this work in a way that the oversight and legislative functions of Parliament become more efficient and effective. This is expected to contribute to good governance in Zambia including effective oversight of the Executive by the Legislature.

Progress of project implementation is outlined below.

Component 1-Construction of Constituency Offices and provision of furniture and equipment

During the initial project design, an estimated ten (10) Constituency Offices were expected to be constructed. However, after receiving further funding from KfW, it was agreed that six more offices be constructed bringing the total number to 16. Consultants have since been engaged and have commenced their work. Further, site visits on the approved construction sites have also commenced.

The constructed offices will be provided with furniture, computer, telephone, fax and internet facilities to create a conducive working environment and enhance

communication. Further, solar power equipment will be provided for offices not connected to the national power grid.

Component 2: Communication and Educational Work

Achievements under this component include the following.

- i. Development of a training manual for Constituency Office staff focusing on the work and operations of Parliament.
- ii. Capacity strengthening workshops for all Constituency Office staff based on the developed training manual formed part of the activities under this component.
- iii. Production of Popular Version Publications on the work and operations of Parliament. The process to translate the popular version into the seven major local languages has also reached an advanced stage. Friedrich Ebert Stiftung (FES) is also in the process of re-printing selected National Assembly abstracts which will be distributed at Constituency Office level.

Component 3: Improvement of National Assembly of Zambia's means of communication

The project intends to reinforce the broadcasting facility of Parliament Radio to ensure that its coverage is extended to other areas, especially those to be served by Constituency Offices to be constructed under this project. In addition, technical infrastructure for the establishment of Parliament TV will be provided. Parliament Building will be equipped to facilitate the establishment of a TV channel for broadcasting of the Parliamentary debates and Committee activities in collaboration with the Zambia National Broadcasting Corporation. Consultants have been engaged and draft concept notes for the expansion of Parliament Radio and establishment of Parliament TV have been developed pending a no objection from KfW

Component 4: Consultant services

KfW has provided financial support to the National Assembly to procure consultancy services to serve as project managers for implementation of components 1 and 3 of the project. Consultants have been engaged.

The Committee notes the submission.

PART VIII

14.0 ACTION TAKEN REPORT ON THE REPORT OF THE PARLIAMENTARY REFORMS AND MODERNISATION COMMITTEE (PRMC) FOR THE THIRD SESSION OF THE ELEVENTH NATIONAL ASSEMBLY APPOINTED ON 25TH SEPTEMBER, 2013.

The Committee considered the Action-Taken Report (ATR) item by item as shown below:

PART 1

14.1 SENSITISATION OF THE PUBLIC ON THE EXISTENCE AND ROLES OF CONSTITUENCY OFFICES AND THE FUNCTIONS OF THE MEMBER OF PARLIAMENT.

i. Observation

The Committee observes that the response given by National Assembly Management does not adequately address the question. Parliament's efforts in the sensitisation process is inadequate as most citizenry know very little about the roles of Constituency Offices and the functions of Members of Parliament.

Recommendation

The Committee recommends that it awaits an update report on ensuring that National Assembly as an institution leads the process of sensitization on the roles of the Constituency Offices and functions of the Members.

ii. Observation

The Committee observes that if other stakeholders have to network with Constituency Offices, there is need to sensitise them on why the Constituency Offices were created. Otherwise, it would be difficult to bring them on board to interact meaningfully with the Constituency Offices and to get them to assist in sensitizing the general public on the role of Constituency Offices and the functions of the Member of Parliament.

Recommendation

The Committee requests for a progress report on bringing on board other stakeholders to assist with sensitizing the public on the roles of Constituency Offices and functions of the Members of Parliament.

iii. Observation

The Committee observes with concern that Government officials in other wings of Government fail to recognize the office of the Member of Parliament due to lack of information from National Assembly.

Recommendation

The Committee recommends that National Assembly Management should convene meetings and organize workshops for all Heads at departmental, district and provincial levels to sensitise them on the roles of Constituency Offices and functions of the Member of Parliament. Further, the Committee recommends that the Clerk of the National Assembly be requested to write a letter to the Secretary to the Cabinet on recognizing the office of the Member of Parliament at all Government functions whether such a Member is from the ruling or opposition party. The Committee recommends for the creation of budget line for the meetings and workshops for Government officials to be sensitised.

iv. Observation

The Committee observes that the use of “Road Shows” to sensitise the public on the roles of the constituency offices and the functions of the Members of Parliament is not complimented with the use of Parliament Radio.

Recommendation

The Committee recommends that the use of “Road Shows” to carry out the sensitization programme be complimented by the use of Parliament Radio and Community Radio Stations. Further, a budget line for this purpose be put in place. An updated report on the matter was awaited.

v. Observation

The Committee observes that the Professional Assistants and Administrative Assistants in Constituency Offices are not proactive in sensitizing the public in their respective areas on the roles of Constituency Offices and the functions of the Member of Parliament.

Recommendation

The Committee recommends that the Professional Assistants and Administrative Assistants be encouraged to appear on Parliament Radio and Community Radio stations in their respective areas to explain to the public on the role of Constituency Offices and the functions of the Member of Parliament. An update report was awaited on the matter.

vi. Observation

The Committee observed that Community Radio stations have not been engaged to assist with sensitizing the public on the roles of Constituency Offices and the functions of the Members of Parliament.

Recommendation

The Committee recommended that National Assembly engages Community Radio stations to assist with the sensitization programmes of the roles of Constituency Offices and the functions of the Member of Parliament. Further, the Committee recommended that National Assembly, should sign a Memorandum of Understanding with Zambia National Broadcasting Corporation (ZNBC) regarding of a possible partnership in respect of Parliament TV. An update report was awaited on the matter.

vii. Observation

The Committee observed that the strategies being suggested for resource mobilization were basically on paper and were not practical. More should be done to find funds for sensitizing the public on the roles of Constituency Offices.

Recommendation

The Committee recommended that practical steps be taken to ensure that Constituency Offices are being funded adequately for outreach and awareness activities. An update report was awaited on the matter.

PART II

14.2 NEW PHASE OF THE REFORMS TO BE UNDERTAKEN AT NATIONAL ASSEMBLY OF ZAMBIA

i. Creation of the Local Government Accounts Committee (LGAC)

Observation

The Committee observed that this recommendation by the Committee is straight forward which did not need further studying but implementation after presenting the issue to the Standing Orders Committee. The need to create two separate Committees on Local Government Accounts (LGAC) and the Committee on Local Government, Housing and Chief Affairs was supported by your Committee

Recommendation

An update report on the matter and the time frame in which two separate Committees would be created was awaited.

ii. Committee on Legal Affairs, Governance, Human Rights, Gender Matters & Child Affairs.

Observation

As observed above, the Committee stated that the recommendation was straight forward and required no further studying but presentation to the Standing Orders Committee for implementation. There was need to realign some functions of the Committee to other Committees.

Recommendation

An update report on the matter and the time frame in which the realignment would be done was awaited.

iii. Creation of the Budget Office

Observation

The Committee observes that the whole response on the creation of the Budget Office required more specific action by the legislature in expediting the enactment of the Budget Bill. The Budget Bill was late to come to the House to formalize the creation of the Budget Office at National Assembly.

Recommendation

The Committee recommends to await an update report on the matter.

iv. Committee of Chairpersons

Observation

The Committee observes that the creation of a Committee for all Chairpersons was a welcome development at National Assembly.

Recommendation

The Committee recommends a specific time frame be requested in which the Standing Orders Committee would effect this establishment. An update report was requested.

v. Constituency Development Fund (CDF)

Observation

The Committee observes that the administration and disbursement of CDF is still being handled by the Ministry of Local Government and Housing.

Recommendation

The Committee recommends that Government should come up with a Bill to regulate this matter so that the administration and disbursement of CDF is through the National Assembly and Constituency Offices. An update report was awaited.

vi. *Time for Consideration of the Budget Estimates*

Observation

The Committee observes that the twenty (20) days proposed for the consideration of the budget estimates before the enactment of the Budget Act was forwarded to the Standing Orders for determination.

Recommendation

The Committee recommends to await a progress report on the matter.

vii. *Time for Consideration of Bills*

Observation

The Committee observes that the fifteen (15) working days proposed for the consideration of bills to provide for adequate consultations and conducting of public hearings if need be was forwarded to the Standing Orders for determination.

Recommendation

The Committee recommends to await a progress report on the matter.

viii. *Ratification of Treaties, Agreements and Conventions*

Observation

The Committee observes that the matter of stating that it was a Constitutional mandate is not good enough. There is need for the clause in the Constitution to be urgently attended to for Parliament to be involved in ratification of Treaties, Agreements and Conventions.

Recommendation

The Committee recommends to await a progress report on the matter.

ix. *Vice President's Question Time*

Observation

The Committee was pleased to learn that the Standing Orders Committee would determine the way forward on how many questions each Member of Parliament vis-à-vis the increase of time for the vice President's Question Time.

Recommendation

The Committee recommended that the matter be forwarded to the Standing Orders Committee for determination on the way forward. The Committee resolved to await a progress report on the matter

x. Parliamentary Reforms Programme (PRP)

Observations

The Committee observed that the staff establishment in PRP Department has not been strengthened to enhance the supervision and monitoring of Constituency Offices.

Recommendation

The Committee recommended that the recruitment process of Assistant Programme Officers and Programme Assistants be speeded up to enhance the staff establishment in the PRP Department. An update report was awaited.

xi. Approved Programme of Work

Observation

The Committee notes the response that budget allocations for activities outside the programme of work for Committees would be discussed with the Ministry of Finance.

Recommendation

The Committee recommended to get the outcome of the discussion with the Minister of Finance as soon as possible. The progress report was awaited on the matter.

xii. Public Accounts Committee

Observation

The Committee were satisfied with the response given. It was reported that the Standing Orders Committee would consider increasing the tenure of membership for the Public Accounts Committee to 2½ years.

Recommendation

The Committee recommended to await a progress report on increasing the tenure of Membership for the Public Accounts Committee.

PART III

14.3 REFORMS RELATING TO THE WELFARE OF MEMBERS OF PARLIAMENT AND THE INSTITUTION AS A WHOLE

i. Provision for Constituency Offices

Observation

The Committee observes that the response was insufficient. Management needed to come up with a clear position on the provision of motor vehicles to Constituency Offices and not necessarily stating that the provision of motor vehicles is dependent on resources provided for in the National Budget.

Recommendation

The Committee urges the National Assembly to provide a budget line for the provision of motor vehicles for Constituency Offices. An update report was awaited on the matter.

ii. Speaker's Day

Observation

The Committee observed that the creation of the Speaker's Day would accord Members an opportunity to air views to the Speaker on various issues taking place in the institution and the country.

Recommendation

The Committee recommended for an update report on the matter.

iii. Valedictory Service for Members of Parliament

Observation

The Committee observed that Uganda and Seychelles conduct valedictory services for their Members in Chambers once deceased. Other Parliaments consulted have other forms of paying their last respect to their deceased Members.

Recommendation

The Committee recommends to await a progress report on the matter once referred to the Standing Orders Committee for determination.

iv. *Conditions of Service*

Observations

The Committee observes that their gratuity payment at the dissolution of Parliament was not 100% because very often, the House is dissolved before the full five years contract had expired, thereby losing out the income for some months.

Recommendation

The Committee recommends that the Standing Orders Committee should be urged to deal with the tenure of office for the Members of Parliament so that a constitutional amendment was made for the Member of Parliament to acquire a full (100%) gratuity at dissolution of Parliament. A progress report was awaited on the matter.

v. *Paperless Parliament*

Observations

The Committee observes that the answer provided was vague. It needed explicit explanation. The National Assembly should begin to use less paper by using information communication technologies (ICTs) and put in a time frame for when this programme will be implemented and state when the programme would be put in place.

Recommendation

The Committee recommended that the ICT Master Plan copies be made available to all Members of Parliament. The Committee also urges the National Assembly to avail all Members of Parliament with either laptops or tablets and allow them to use these gadgets freely in the House. The Standing Orders Committee should be apprised of the need to change the rules of the House to this effect. A progress report was awaited on the matter.

vi. Per Diem

Observation

The Committee observed that the idea of comparing their per diem rates and sitting allowances with other Parliaments was not good enough as their salaries and allowance rates were among the least in Africa.

Recommendation

The Committee recommended that there was need to raise the Per Diem for Members of Parliament as they travel abroad on Parliamentary business. An update report is awaited on the matter.

vii. Sponsored Trips

Observation

The Committee observes that the Standing Orders Committee would determine the request on upgrading Members of Parliament to National Assembly standards when travelling on sponsored trips which have issued them with tickets in the lower class.

Recommendation

The Committee recommends that it awaits a progress report on the matter.

viii. Offices for Members of Parliament

Observation

The Committee observed that the matter of constructing offices for Members of Parliament at National Assembly premises was a good undertaking.

Recommendation

The Committee recommended to await a progress report on the matter.

ix. Parliamentary Service Commission

Observation

The Committee observed that National Assembly was already showing due commitment in ensuring that the Parliamentary Service Commission is

established at National Assembly. The draft Bills on the Parliamentary Service Commission had already been prepared.

Recommendation

The Committee recommended to await a progress report on the establishment of a Parliamentary Service Commission.

PART IV

14.4 OBSERVATION AND RECOMMENDATIONS ARISING FROM THE LOCAL TOURS

i. Observation

The Committee observes that the response was adequate in ensuring that Members of Parliament visit their Constituency Offices. The development of Annual Work Plans and the open days have assisted in making Members of Parliament visit their Constituencies.

Recommendation

The Committee recommended to have the matter closed.

ii. Observation

The Committee observed that the response on the recruitment process to ensure neutrality of staff working in the Constituency Offices was quite adequate.

Recommendation

The Committee recommended to have the matter closed.

iii. Observation

The Committee observed that nothing tangible was done to ensure Government workers developed a positive attitude towards Members of Parliament as partners in the development of the country.

Recommendation

The Committee urges the National Assembly to develop mechanisms for practical resolution of the matter. An update report was awaited on the matter.

iv. Observation

The Committee observed that the response given on adequate funding of the Constituency Office was theoretical as opposed to being practical.

Recommendation

The Committee recommended that Government should adequately fund the Constituency Offices to make them visible as extensions of the legislature in the provinces and districts. An update report was awaited on the matter.

v. Observation

The Committee observed that nothing concrete was done to ensure that Members of Parliament were accorded the same treatment as given to Ministers when they visited their Constituency Offices in their official capacity.

Recommendation

The Committee recommended that a practical response be given to the Committee on the Committee's recommendation on the matter. An update report was awaited.

vi. Observation

The Committee observed that National Assembly has addressed the matter as the District Political Secretary's Office has been removed from the building where the Constituency Office is housed.

Recommendation

The Committee recommended that the matter be closed since it has been addressed.

vii. Observation

The Committee observed that the response given should have addressed the possibility of the Committee undertaking sensitization tours two to three times in a year to speed up the process.

Recommendation

The Committee urges that adequate measures are taken to make it possible for the Committee to undertake tours two to three times a year.

viii. Observation

The Committee observed that nothing tangible was done on the recommendation to bring the Freedom of information Bill to the attention of the relevant Ministry.

Recommendation

The Committee recommended for a practical action on the matter. An update report was awaited.

ix. Observation

The Committee observes that the strategies being suggested for resource mobilization to enable Constituency Offices conduct outreach activities were basically on paper and were not practical.

Recommendation

The Committee recommended that practical steps be brought out to show that Constituency Offices are funded adequately for outreach and awareness activities. An update report was awaited on the matter.

PART V

14.5 OBSERVATIONS AND RECOMMENDATIONS ON CONSTRUCTION OF CONSTITUENCY OFFICES

i. Observation

The Committee observes that the response on landscaping of the Chongwe Office surroundings has been fully addressed.

Recommendation

The Committee resolved to have the matter closed.

ii. Observation

The Committee observes that the issues of loose fittings and leaking taps in the newly constructed offices have been addressed.

Recommendation

The Committee recommended that the matter be closed.

iii. Observation

The Committee observed that National Assembly has engaged National Housing Authority to follow up the matter of addressing poor workmanship for the Chongwe and Lukashya Offices.

Recommendation

The Committee recommended to await a progress report on the matter.

iv. Observation

The Committee observed that the cost of ceramic or PVC tiles which are being recommended in newly constructed Constituency Offices were not very expensive.

Recommendation

The Committee recommended that the floor structure of the newly constructed offices should be fitted with either PVC tiles or ceramic tiles. This should be included in the budgets for construction of Constituency Offices. An update report was awaited on the matter.

v. Observation

The Committee observed that no concrete measures had been undertaken by the National Assembly to engage local authorities to have Directors of Works supervise contractors building Constituency Offices.

Recommendation

The Committee recommended that National Assembly should urgently attend to the matter to avoid substandard works. An update report was awaited.

vi. *Observation*

The Committee observed that the response given on the matter was adequate. It has been observed that construction of Constituency Offices is now subjected to competitive bidding as opposed to single sourcing.

Recommendation

The Committee resolved to have the matter closed.

The Committee notes the conclusion and the attached appendix 1 on the Emoluments for Members of the Zambian Parliament.

15.0 CONCLUSION

Your Committee wishes to record their gratitude to you, Mr Speaker, for according them the opportunity to serve on your Committee and for your invaluable advice rendered during the session. Of particular importance, your Committee wishes to thank you, sir, for according it the opportunity to undertake both local and foreign tours.

Special tribute is given to all Members of the public who attended public hearing sessions and shared their ideas on the topic under consideration. Due appreciation is extended to all co-operating partners for the material and financial support to various Parliamentary programmes and projects.

Finally, your Committee also wishes to express its profound gratitude to the Clerk and her staff for the advice and services rendered throughout the period under review. I thank you.

P M Mucheleka, MP
CHAIRPERSON