

REPUBLIC OF ZAMBIA

THE FIRST REPORT

OF

THE PARLIAMENTARY REFORMS AND MODERNISATION COMMITTEE

FOR THE

FOURTH SESSION OF THE TENTH NATIONAL ASSEMBLY APPOINTED ON

23RD SEPTEMBER 2009

**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 Justice, The Hon Minister of Local Government and Housing, Hon M. D. Lungu, MP, Deputy Chairman of Committees of the Whole House, Dr. K. Kalumba, MP, Mr. D. Matongo, MP, Mr. E. Kasoko, MP, Mrs. F. B. Sinyangwe, MP, and Mr. B. Y. Mwila, MP.

THE HONOURABLE MR SPEAKER

NATIONAL ASSEMBLY

PARLIAMENT BUILDINGS

LUSAKA

Sir, following the guidance that your Committee should table the Report of the Committee for the Third Session of the Tenth National Assembly, your Committee studied the Report in detail and adopted it on 15th October, 2009. The membership of the Committee for the Third Session of the Tenth National Assembly comprised the following members: -

Mr. E. C. Mwansa, MP (Chairperson), The Hon. Minister of Finance and National Planning, The Hon Minister of Justice, The Hon Minister of Local Government and Housing, Hon M. D. Lungu, MP, Deputy Chairman of Committees of the Whole House, Dr. K. Kalumba, MP, Mr. D. Matongo, MP, Mrs A. C. K. Mwamba, MP, Mrs. R. Musokotwane, MP, and Mr. B. Y. Mwila, MP.

Your Committee are grateful to these Hon Members for preparing this Report.

Your Committee, Mr. Speaker, now have the honour to present the Report.

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 year under review.

4.0 PROGRESS ON THE CAPACITY BUILDING COMPONENT OF PRPIII

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 is a project that 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.

Sir the Memorandum of Understanding in respect of this project was signed on 30th May, 2008. Consequently, it was agreed that the calendar for the Project for purposes of budgeting and reporting would run from 1st June to 31st May of the following year. Therefore, the first year of the Project ended on 31st May 2009.

4.1 ACHIEVEMENTS IN YEAR 1 OF THE CAPACITY BUILDING COMPONENT OF PRPIII

Your Committee are pleased to report that progress has been made in implementing the Capacity Building Component of PRPIII. From the outset, your Committee wishes to state that a number of challenges were encountered in the first year of the Project. The Memorandum of Understanding for the Capacity Building Component of PRPIII was signed on 30th May 2008. Actual receipt of funding was in October 2008 and January 2009. A problem in the process of the transfer of the funds through the Bank of Zambia caused part of the delay in receipt of the funds. This delay in receipt of the funds affected the implementation of activities. Further, the volatility in the exchange rates resulted in procurement of goods and services being done at costs significantly higher than budgeted.

Your Committee has observed that the tender processes, though necessary, are also lengthy and this, coupled with the delayed funding, led to some activities to purchase items or services being further delayed. Tender processes for the purchase of the various items were also slowed down due to unreasonable demands being made by some suppliers. Lastly, the unanticipated presidential elections in October 2008 affected a number of activities under the year 1 Work Plan that involved Members of Parliament as the House went on an unscheduled break and a number of activities were postponed.

Sir, these challenges notwithstanding, the following were the achievements in year 1 according to output:

4.1.1 Output 1: Improved Member Constituent Relations

Your Committee wish to report that a workshop was conducted for Members of Parliament on Constituency Offices, with 120 Members participating. In addition, a workshop was held for constituency staff on the management of constituency offices. These two workshops were held with a view to fostering effective management and organization of Constituency Offices, which is critical in improving Member – Constituent relations. As a result of this activity, the operation of Constituency Offices has improved as Members now better understand the role of the offices. The staff are also now able to manage the offices better.

Sir, furniture and computer equipment for 78 constituency offices were procured. Furniture included desks and chairs for the Member and staff while equipment comprised a desktop computer, a printer and radio set to enable the office monitor the Parliamentary debates via Parliament Radio.

The Constituency Office Guidebook, which is an operational manual for the management of Constituency Offices, was also updated in year 1. The update was done in view of lessons learnt in operating Constituency Offices since 2003. Further, 17 Constituency Offices were connected to the internet and the staff in the offices trained in its use. The provision of internet connectivity is intended to improve the Constituency Offices' access to information about Parliament and current national affairs. The connectivity is also expected to ease communication between the offices and Parliament. The connection of these 17 offices was a pilot. Offices connected under the pilot included those in Lusaka and Southern Provinces. An activity is currently underway to connect offices in Luapula, Copperbelt, Northern and Central Provinces to the internet in the latter part of 2009, with the rest being connected in 2010.

As the House is aware, most constituencies in Zambia are rural. Most of these constituencies cover wide areas and have poor road networks. 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. Therefore, it was decided that Constituency Offices should be provided with motorcycles to improve the mobility of the staff. To this end, your Committee wishes to report that fifty (50) motor cycles were procured in 2009. The remaining 100 motorcycles are projected to be procured in 2010.

4.1.2 Output 2: Improved Legislative Process

Your Committee planned only one activity under this output, namely, Training in Legislative Drafting and Legislative Analysis. An Assistant Legal Counsel from the Legal and Journals Department undertook a course in Legislative Drafting at the Zambia Institute of Advanced Legal Education. This activity is expected to enhance the Department's Bill Drafting unit. It is envisaged that activities to sensitise Members of Parliament on Private Members' Bills will be undertaken before the end of 2009. This training will help meet the expected increase in the demand for drafting services following this planned sensitisation.

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, most of the activities that were implemented in the first year of the Capacity Building Component of PRPIII were under this output. Five members of staff were attached to Parliaments in Kenya and Tanzania. This was intended to expose staff that support Members of Parliament to best practices. Further, Chairpersons of 16 Parliamentary Committees were trained in effective management of Committee meetings. This training was undertaken with the understanding that well managed meetings and proceedings are critical to the effectiveness of Committees.

Your Committee wishes to further report that 20 members of staff from the Committees, Journals and Research Departments were trained in Policy Analysis, Monitoring and Evaluation. This is expected to enhance their capacity to support Members of Parliament as they undertake their oversight role of ensuring that the Executive formulates and implements sound policies.

Sir, a number of activities to improve the ability of Parliament to effectively scrutinise the National Budget were also undertaken in year 1 of the Capacity Building Component of PRPIII. Twenty members of staff and 119 Members of Parliament were trained in Budget Analysis. The Economics

Association of Zambia (EAZ) provided a consultant for this training and to support the Expanded Committee on Estimates during their consideration of the 2009 National Budget. This consultant has wide experience in budget formulation and monitoring and provided technical expertise which the Committee found invaluable as they scrutinised the Budget. The same consultant was also mandated to develop Budget Analysis Guidelines for use by Members of Parliament and staff. This is intended to build capacity within the Institution in budget analysis and reduce dependence on external technical assistance.

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, the In-Magic System was procured and installed and staff trained in its use. This system is intended to automate major functions of the Library, including selection, acquisition, on-line cataloguing and circulation of library materials. Further, subscriptions to online library resources and databases were updated in year 1. Consequently, users of the Parliament Library now have access to thousands of publications in all major subjects from a wide range of renowned publishers.

A number of activities were also implemented in year 1 to enhance the capacity of the Parliamentary Reforms Programme Department (PRPD). These included the procurement of two motor vehicles to be used in monitoring the activities of Constituency Offices. Further, staff in the Department were trained in Project Management, Monitoring and Evaluation and Project Accounting. Project Management and Human Resources Management training was also provided to staff in the PRPD, Administration, Human Resources Management and Development, and Accounts Departments.

5.0 DECISIONS OF YOUR COMMITTEE

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

Sir, as stated earlier, after signing the Memorandum of Understanding with Cooperating Partners in respect of the Capacity Building Component of PRPIII in May 2008, it was agreed that the year for

the project, for budgeting and reporting purposes, would run from 1st June to 31st May of the following year. Consequently, year 1 of the project commenced on 1st June 2008 and ended on 31st May 2009. However, in practice, several challenges arose with this arrangement. As a result, the National Assembly agreed with the Cooperating Partners to realign the budgeting and reporting year to the calendar year. To achieve this, it was agreed that a six months Work Plan would be developed to run from June to December 2009. Thereafter, the normal year would resume from January to December 2010.

Your Committee wishes to report that this Work Plan was developed and approved and is currently being implemented.

5.2 CONSTRUCTION OF COMMITTEE ROOMS

One of the goals of the Parliamentary Reforms is to make Parliament more accessible to citizens. To this end, a number of measures were taken to make this a reality, including opening up Committee proceedings to the public and relaxation of the dress code for visitors. Other measures taken included publishing of Committee meetings in the press and capacity building training for staff of the National Assembly, including training in customer relations. The enabling environment provided for the public in relation to Committee proceedings has served to increase the number of members of the public observing and participating in them. However, full accessibility to Parliament, in general, and Committees, in particular, has been hampered by the inadequacies in infrastructure. The Committee Rooms, in their current state, can only accommodate a small number of members of the public at a time. Consequently, the need to increase the capacity of Committee Rooms to conform to the increased interest on the part of the public was recognised.

Sir, your Committee wish to report that construction of new Committee Rooms commenced on 1st April 2008. The construction is being undertaken by Hua Jiang Investments Limited and is funded by Cooperating Partners under the Public Expenditure Management and Financial Accountability (PEMFA) reform programme. The works include construction of five (5) new Committee Rooms, with a capacity of up to 50 persons, and thirty two (32) offices.

Sir, this construction project has reached an advanced stage with eighty-eight percent (88%) of the work completed as of 19th October 2009. The project was behind schedule by eight weeks as of that date. This meant that the new projected date of completion was end of December 2009 as opposed to the original target date of 31st October 2009. However, great effort is being made to ensure that there are no further undue delays in completing the construction.

5.3 CONSTRUCTION OF CONSTITUENCY OFFICES

In your Committee's Report for the Second Session of the Tenth National Assembly, it was reported that the construction of Constituency Offices would commence in 2009. Nine (9) offices were to be built, one in each province. However, the Treasury released funds to construct only four offices.

Your Committee wish to report that the construction of Constituency Offices was flagged off with the laying of a foundation stone at Rufunsa by the Hon Mr. Speaker on 6th August 2009. It was decided that the initial four offices would be constructed in 2009 at Chasefu, Masaiti, Mwembeshi and Rufunsa. The National Housing Authority (NHA) has already moved to all the four sites and the offices will be constructed simultaneously. Sir, it has been projected that the construction of these offices will be completed by February 2010.

Your Committee have taken seriously the Hon Mr Speaker's directive that all Constituency Offices be constructed near Parliamentary nomination centres. To this end, both the Electoral Commission of Zambia and the local authorities will be consulted during the process of selecting construction sites.

5.4 DISTRIBUTION OF MOTOR CYCLES TO CONSTITUENCY OFFICES

Sir, as mentioned earlier, fifty (50) motor cycles were procured under the Capacity Building Component of PRPIII. These motor cycles are intended to ease the transport problems that Constituency Offices are faced with. It is projected that an additional 100 motorcycles will be procured in 2010 using funds under the same programme.

Sir, in arriving at the decision as to which constituencies would benefit from the first batch of motor cycles, your Committee relied on the following criteria:

1. Party representation
2. Provincial parity
3. Rural constituencies
4. Gender of Member of Parliament.

Consequently, the first fifty motor cycles will be distributed to offices in the following constituencies:

PROVINCE	CONSTITUENCY OFFICES	NUMBER
CENTRAL	Muchinga, Nangoma, Mkushi North, Mkushi South, Serenje Central	5
COPPERBELT	Lufwanyama, Mpongwe, Masaiti, Kafulafuta, Chililabombwe,	5
EASTERN	Petauke Central, Msanzala, Milanzi, Kasenengwa, Chasefu, Luangeni	6
LUAPULA	Kawambwa, Mambilima, Mwense, Bahati, Mansa Central, Nchelenge	6
LUSAKA	Chongwe, Kafue, Chilanga, Rufunsa, Chisamba	5
NORTHERN	Lupososhi, Isoka East, Kaputa, Shiwang'andu, Lubansenshi, Lukashya.	6
NORTH-WESTERN	Chavuma, Kabompo East, Mwinilunga East, Mufumbwe, Zambezi East, Zambezi West.	6
SOUTHERN	Dundumwezi, Namwala, Itezhi-tezhi, Katombola, Sinazongwe.	5

WESTERN	Mulobezi, Mangango, Lukulu East, Lukulu West, Luena, Luampa.	6
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5.5 EXPANSION OF PARLIAMENT RADIO

Sir, one of the significant achievements of the Parliamentary Reforms Programme so far is the establishment of Parliament Radio. Parliamentary Radio was expanded with the support of the Danish Government and currently broadcasts live Parliamentary Debates to all towns on the line of rail. This has enabled members of the public in these towns and surrounding areas to be better informed about the proceedings of the House.

Your Committee wishes to report that with the commitment from the Danish Government to support the expansion of the coverage of Parliament Radio to the Provincial Headquarters that are not on the line of rail, the coverage has now been extended to Solwezi, Mansa and Kasama. Work at the sites at Chipata and Mongu have been delayed because of the difficult terrain. However, works at the Mongu site have reached an advanced stage, while works at the Chipata site are due to commence soon. It is projected that works at both sites will be completed by December 2009 to mark the end of phase two of the expansion programme. Phase three of the expansion programme will commence immediately afterwards and will entail extending the coverage of Parliament Radio to the rest of the country.

Your Committee wishes to report that the National Assembly has partnered with the Zambia National Broadcasting Corporation (ZNBC) for use of their infrastructure such as masts and transmission rooms across the country in this expansion programme. The National Assembly has set up its own masts in places where ZNBC has none. Sir, the net cost of use of ZNBC infrastructure is approximately K160, 000,000 per year while the cost of the satellite link subscription is \$10,000 per year.

6.0 OBSERVATIONS

Sir, the largest part of PRP III is in the area of infrastructure development. This has been identified as an area that requires urgent attention if the goal of Parliamentary Reform is to be achieved. For example, in order for Constituency Offices to be sustainable, the National Assembly needs to construct offices in all constituencies. However, the cost of doing this is very high. The Government has provided funds to meet the construction of four offices in 2009. At this rate, it would take almost 38 years to construct offices in all constituencies.

Therefore, the challenge for the National Assembly will be to mobilise the required resources to implement the infrastructure development necessary to meet the goal of the Parliamentary Reforms. Your Committee, therefore, appeal to well-wishers and other Cooperating Partners to come forward and lend their support to the Parliamentary Reforms in providing support for infrastructure development. Your Committee are of the view that one possible source of funds for the construction of Constituency Offices is the Constituency Development Fund (CDF) which can be used to speed up the construction of Constituency Offices.

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 wish to urge the Government to explore the possibility of directing part of CDF, in future Budgets, to the construction of Constituency Offices.
3. Your Committee wish to urge Members to utilise the Bill 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 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.

October 2009

E. C. Mwansa, MP

LUSAKA

CHAIRPERSON