

**REPORT OF THE PARLIAMENTARY REFORMS AND MODERNISATION COMMITTEE
FOR THE THIRD SESSION OF THE ELEVENTH NATIONAL ASSEMBLY APPOINTED ON
24TH SEPTEMBER, 2014**

Consisting of:

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

The composition of your Committee changed in the course of the session when Hon E Kabanshi, Minister of Local Government and Housing then was appointed to the Ministry of Community Development, Mother and Child Health. She was subsequently replaced by Hon E Chenda, Minister of Commerce then who was appointed as the new Minister of Local Government and Housing.

The Honourable Mr Speaker
National Assembly
Parliament Building
LUSAKA

Sir,

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

2. 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.

- (i) 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, organisation 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.
- (ii) 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.
- (iii) In its reports to the House, the Committee shall include recommendations of any reforms proposed in such reports.

3. Meetings/Tours of the Committee

Your Committee held fourteen (14) meetings during the period under review. Your Committee also undertook local tours to Chongwe, Lukashya and Lupososhi to assess the progress and quality of construction of the new Constituency Offices. The Committee also undertook local tours to Kasama Central, Lukashya, Malole, Mpulungu, Mbala, Lubansenshi, Lupososhi, Lunte, Mporokoso and Chimbamilonga Constituency Offices to sensitise the public on the existence and role of Constituency Offices and the functions of the Member of Parliament.

4. 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 sensitisation of the public on the existence and the role of Constituency Offices and the functions of the Member of Parliament;

- (ii) consideration of the topical issue on the new reforms to be undertaken by National Assembly of Zambia;
- (iii) consideration of the Memorandum on the construction of Constituency Offices in 2014; and
- (iv) tours to be undertaken based on the topical issues under consideration.
- (v) The Committee also considered partnership with Cooperating Partners with a view to guiding the Programme Implementation and Development of the programmes supported by co-operating partners.

5. Procedure of the Committee

Your Committee invited the following stakeholders to give an input on the first and second topical issues under consideration:

- (i) The Permanent Secretary (Economic Management and Finance) – Ministry of Finance;
- (ii) The Acting Permanent Secretary – Ministry of Information and Broadcasting Services;
- (iii) The Executive Director – Non-Governmental Organisations’ Coordinating Council (NGOCC);
- (iv) The Secretary General – National Restoration Party (NAREP);
- (v) The Secretary General – Forum for Democracy and Development (FDD);
- (vi) The Deputy National Secretary – Patriotic Front (PF);
- (vii) The Vice President – United National Independence Party (UNIP);
- (viii) The Executive Director – Civil Society for Poverty Reduction (CSPR);
- (ix) The Secretary General – Movement for Multi-party Democracy (MMD);
- (x) The Executive Director – CARITAS – Zambia;
- (xi) The Executive Director – Evangelical Fellowship of Zambia (EFZ);
- (xii) The Executive Director – MISA Zambia;
- (xiii) The Professional Assistant – Kapoche Constituency Office;
- (xiv) The Professional Assistant – Mumbwa Constituency Office;
- (xv) The Professional Assistant – Munali Constituency Office;
- (xvi) The Chairperson – Public Accounts Committee (PAC);

- (xvii) The Chairperson – Committee on Delegated Legislation;
- (xviii) The Chairperson – Committee on Government Assurance;
- (xix) The Chairperson – Committee on Estimates;
- (xx) The Chairperson – Committee on Agriculture;
- (xxi) The Chairperson – Committee on Economic Affairs, Energy and Labour;
- (xxii) The Chairperson – Committee on Communications, Transport, Works and Supply;
- (xxiii) The Chairperson – Committee on Lands, Environment and Tourism;
- (xxiv) The Chairperson – Committee on Health, Community Development and Social Services;
- (xxv) The Chairperson – Committee on National Security and Foreign Affairs;
- (xxvi) The Chairperson – Committee on Local Governance, Housing and Chiefs Affairs; and
- (xxvii) The Chairperson – Committee on Youth and Sport.

The Committee also considered and adopted the Memorandum from the Clerk of the National Assembly on the construction of Constituency Offices in 2014.

Further, the Committee undertook local tours and held public hearing sessions in all the areas visited.

Finally, the Committee considered the partnership with Cooperating partners with a view to guiding the programme implementation and development of programmes supported by Cooperating Partners.

PART I

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

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

The National Assembly of Zambia 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 which was 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 existence and role of the Constituency Offices. Further, this is compounded by the notion that people do not seem to know the roles of the Member of Parliament. Many people are of the view that the roles of the Member of Parliament is to assist people with personal needs and problems. There is also a belief that Members are to build schools, roads and clinics.

Based on the foregoing, the Committee undertook tours to probe various witnesses identified to shed light on this topical issue. The following is a synopsis of the issues presented by the various witnesses.

6.2 SITUATION ANALYSIS

The Constituency Offices were focal points where residents of a particular constituency meet with their Member of Parliament to discuss issues pertaining to the development of their area. It also serves as a forum for a Member of Parliament to provide information to the electorate on various developmental projects and other policy issues. The offices also serve as information centres where citizens can find valuable and informative literature such as Parliamentary debates, government reports, policy documents, estimates of revenue and expenditure, speeches, newsletters and other developmental information.

Most of the witnesses explained that they were aware of the establishment of the Constituency Offices in all the 150 constituencies in the country. The existence of the Constituency Offices was meant to promote the interaction between Members of Parliament and their constituents which reflected real and solid representation. However, it was stated that the interaction between Members of Parliament and their electorate continued to raise public debate in the country especially in relation to the availability of Members of Parliament. Further, it was stated that many citizens questioned the amount of time Members of Parliament spent in their Constituencies. They wondered whether Members of Parliament were overwhelmed with their official Government responsibilities, particularly those serving in the Executive arm of Government. The interaction between Members of Parliament and their electorate was important as this enabled the law makers to be familiar with the needs of their constituents.

6.3 PURPOSE OF THE CONSTITUENCY OFFICES AND THE ROLES OF THE MEMBER OF PARLIAMENT

It was submitted that many people were not aware of the functions of the offices and the Member of Parliament apart from the fact that the offices distributed the Draft National Constitution. However, the offices exist for the following reasons:

- (i) to participate and assist the local councils in planning developmental projects in the district which could be funded by the council itself, or by helping in soliciting funds from Government for intended developmental projects;
- (ii) study the needs and anxieties of the constituents so that they could be included in development programmes;
- (iii) be a link between the constituency and the legislature;
- (iv) serve as a link to Government in extending development programmes and providing direct contact and communication with the electorate;
- (v) encourage and lead the constituency in the social and economic development of their locality;
- (vi) act as an advisory office to the community on government programmes and on other issues of concern to the electorate;
- (vii) ensure effective and direct accountability to the people by the public representatives (MPs);
- (viii) offer effective and efficient administrative support to the Member of Parliament;
- (ix) act as a meeting place for the Member of Parliament and the Community members to enhance interaction between them.

6.3.1 Roles and responsibilities of the Member of Parliament

It was submitted that the following were the roles and responsibilities of the Member of Parliament:

- (i) to make laws: he/she either presents Bills himself/herself known as “Private Member’s Bills” or contributes to the Bills presented by the Government;
- (ii) to vote for money for public expenditure and approve taxation measures; and
- (iii) oversee government activities and subject them to detailed scrutiny, through such mechanisms as Questions to Ministers, Motions and participation in Parliamentary Committees and debates.

Having stated as aforesaid, it was revealed that the offices were not meeting the purpose for which they were created because of the following reasons:

- (i) some offices are not easily accessible as the constituencies covered too wide an area such that some constituents were very far from the office;
- (ii) most Constituency Offices are perceived to be partisan; these offices are supposed to be non partisan and are expected to serve all the people in the constituency regardless of their political affiliation;
- (iii) members of Parliament do not visit the offices, and if so, very rarely;
- (iv) members of Parliament do not call for meetings to interact with constituents at the offices;
- (v) members of Parliament have moved to the capital city and are not in touch with the constituencies; and
- (vi) members of Parliament only visit and interact with the community during elections.

6.4 ISSUES TO BE ADDRESSED BY THE CONSTITUENCY OFFICES

It was submitted to your Committee that developmental issues to be dealt with by Constituency Offices should focus on the following:

- (i) water and sanitation;
- (ii) construction of roads, schools and health centres;
- (iii) agriculture: Input Support Programme, extension services and food security;
- (iv) provision of information on Government programmes;
- (v) gender and women's issues such as:
 - (a) Gender based violence;
 - (b) Women Economic Empowerment and land ownership;
 - (c) Maternal health;
 - (d) Low representation of women in decision making positions especially at Parliamentary and ward levels;
- (vi) the National Constitution Making Process and the NGO Act;

- (vii) information about Zambian laws on various issues such as land and civic education issues;
- (viii) the use of Constituency Development fund;
- (ix) projects which improve the living standards of respective communities; and
- (x) issues that the constituents want the Member of Parliament to present in Parliament.

6.5 INVOLVEMENT OF STAKEHOLDERS IN THE SENSITISATION OF THE PUBLIC ON CONSTITUENCY OFFICES

It was submitted to your Committee that various organisations were not active in sensitising the public on the role of Constituency Offices and functions of Members of Parliament because the Constituency Offices are not operating in accordance with the mandate for which they were created. As a result, there is no link between these organisations and the Constituency Offices.

6.6 SUGGESTIONS ON HOW BEST THE PUBLIC CAN BE SENSITISED ON THE EXISTENCE OF THE CONSTITUENCY OFFICES AND THE FUNCTIONS OF THE MEMBER OF PARLIAMENT

Various organisations which appeared before your Committee suggested the measures set out below as effective ways to sensitise the public on the existence of the Constituency Offices and the functions of the Member of Parliament;

- (i) Members of Parliament should be available in the Constituency Offices whenever Parliament is on recess;
- (ii) The media should be used, especially community radio stations, to feature Members of Parliament and other officials to explain the role of the Constituency Offices;
- (iii) Up-to-date information desks should be established in all Constituency Offices to provide relevant and current information to the electorate;

- (iv) Constituency Offices should have permanent staff employed by National Assembly to support the Members of Parliament in their work; these officers should be used in sensitising the community about their existence and correct the negative perception that these offices are partisan;
- (v) Community awareness programmes in communities should be undertaken in partnership with existing Civil Society Organisations (CSOs) in those constituencies;
- (vi) School debates should be initiated so that the young people learn more about the Constituency Offices and their purpose;
- (vii) There should be direct interaction with people through activities such as workshops and public hearing sessions;
- (viii) Material on Parliament proceedings and the role of Members of Parliament should be produced and distributed to all the Constituency Offices.

Further, it was submitted that due to low literacy levels, the documents in the constituencies could be under utilised; therefore, it was important to translate such information into languages which the local people could easily understand.

- (ix) Constituency Offices should be properly funded to enable them employ qualified support staff and stock their libraries with relevant literature for the benefit of the public.
- (x) Representatives from youth, women, differently-abled, Civil Society Organisations, traditional leaders representatives (where applicable), the church should be incorporated in the planning, monitoring and evaluation processes of the work of Constituency Offices.

PART II

7.0 PARLIAMENTARY REFORMS AT NATIONAL ASSEMBLY OF ZAMBIA

7.1 Background to the Parliamentary Reforms at National Assembly of Zambia

Your Committee recognised that there was a gap in addressing Parliamentary Reforms at National Assembly of Zambia. It was realised that there was no clear mechanism that Members of Parliament could use to put forward their suggestions on the type of reforms they would like to embark upon. It was therefore, resolved that input be solicited from the Chairpersons of all Portfolio and General Purposes Committees with respect to the new reform agenda at National Assembly of Zambia. The submissions of Chairpersons of Parliamentary Committees were summarised below:

7.2 *Creation of the Local Government Accounts Committee (LGAC)*

It was observed that the Parliamentary Committees on Local Government, Housing and Chiefs' Affairs in its current form was overly focused on Local Government at the exclusion of other equally important policy areas.

In view of the foregoing, the Parliamentary Committees recommend that in drawing lessons from other Parliaments in the region, it would be important to amend the Standing Orders to provide for the Committee on Local Government Accounts (LGAC) and a separate Committee on Local Governance, Housing and Chiefs Affairs.

7.3 *Committee on Legal Affairs, Governance, Human Rights, Gender Matters and Child Affairs*

The Chairpersons observed that the Committee on Legal Affairs, Governance, Human Rights, Gender Matters and Child Affairs was overloaded with work and might not effectively carry out its mandate resulting in some areas suffering such as a child affairs and gender matters.

It was, therefore, recommended that the Committee on Legal Affairs, Governance, Gender Matters and Child Affairs be realigned by having some functions moved to other Committees. This will entail amending the Standing Orders.

7.4 *Creation of the Budget Office*

The Chairpersons while noting that there was already a budget line for the establishment of the Budget Office proposed that the Standing Orders amended to provide for independent analysis of the budget. The Standing Orders should clearly stipulate the functions of the office.

7.5 *Committee of Chairpersons*

The Chairpersons noted that Chairpersons of Committees have no fora to discuss matters related to Committee work. It was recommended that Standing Orders be amended to create a ***Committee of Chairpersons***. The Committee could be chaired by the Deputy Chairperson of Committees of the Whole House.

7.6 *Constituency Development Fund*

The Chairpersons noted that the disbursement of Constituency Development Fund (CDF) had been of concern to Members of Parliament and the public. Therefore, there was need to find ways of administering the CDF. The Kenyan model is effective and worth emulating in the administration of the Constituency Development Fund.

The Chairpersons proposed that CDF be administered through the National Assembly to constituency offices.

7.7 *Public Accounts Committee*

The Chairpersons observed with concern that of the member states of the Southern African Development Organisation of Public Accounts Committees

(SADCOPAC), Zambia's Public Accounts Committee is the only one still operating as a Sessional Committee which changes membership yearly while others are standing committees which function for a period of 2 to 5 years.

In light of the foregoing, the Chairpersons recommend that to strengthen the operations of the Public Accounts Committee in Zambia, there is need to allow it to function undisturbed for a period of 2½ years like the Tanzanian model. This will entail amending the relevant Standing Orders.

7.8 *Time for Consideration of the Budget*

The Chairpersons observed that the current ten (10) days provided for under Standing Order No. 82 (3) for the consideration of budget estimate was not enough and recommended that this should be increased to twenty working days to provide for adequate consultations and conducting of public hearings, if need be, until the enactment of the Budget Act.

7.9 *Time for consideration of Bills*

The Chairpersons observed that the ten (10) working days provided for the consideration of Bills should be increased to a minimum of fifteen working days so as to provide for adequate consultations and conducting of public hearings if need be, this would entail an amendment to the relevant Standing Orders.

7.10 *Paperless Parliament*

There was need to strive to make the Zambian Parliament use less paper by using ICTs so as to make Parliament paperless.

7.11 *Provision for Constituency Offices*

While noting the creation of the Constituency Offices, the Chairpersons observed that the offices were inadequately equipped in terms of transport where the office ended up using private vehicles belonging to Members of Parliament when performing national duties. It was stressed that official vehicles be provided for Members of Parliament as it was done for the

principal officers in the other two arms of Government. The motorcycles did not meet the demands of the Constituency Offices.

7.12 *Speaker's Day*

The Chairpersons while noting that the office of the Speaker was open to all Members of Parliament, were of the view that there was need to deliberately create a day when Members of Parliament could freely discuss with the Speaker on any matter pertaining to their welfare and that of the institution.

7.13 *Valedictory Service for Members of Parliament*

The Chairpersons observed that whenever a lawyer or Judge or any eminent person in the Judiciary passed on, there was a valedictory service held at the High Court.

Therefore, the Members recommended that there should be a funeral service for Members of Parliament in the Chamber.

7.14 *Conditions of Service*

The Chairpersons observed that conditions of service for Members were not explicitly spelt out in a written document, thereby, making Members unaware of what they were entitled to.

In view of this, it was recommended that the conditions of service for Members be clearly spelt out and approved by the Standing Orders Committee. The conditions of service should include among others, facilitation to mortgage for housing, medical insurance and pensions for Members of Parliament.

7.15 *Ratification of Treaties, Agreements and Conventions*

The Chairpersons observed that the National Assembly was not involved in the ratification of treaties, agreements and conventions that the Executive enters into.

The Parliamentary Committees were of the view that the ratification process of treaties, agreements and conventions be part of the mandate of the relevant Parliamentary Committees. This would entail amending the relevant Standing Orders.

7.16 *Per Diem*

The Parliamentary Committees observed that whenever a Committee was on a foreign tour, it was not paid sitting allowance as is the case with local tours so that the per diem was for the purpose it was meant for of meeting costs related to board and lodging. The Chairpersons recommended that sitting allowances be paid to Members of Parliament even on foreign tours.

7.17 *Sponsored Trips*

On sponsored trips for Members of Parliament, it was observed that the National Assembly was not up-grading Members of Parliament's tickets to acceptable National Assembly standards of business class if the Member was given a low grade by the sponsor.

It was therefore, recommended that the National Assembly should be up-grading Members to its standards especially when travelling by air.

7.18 *Parliamentary Reforms Programme Department (PRP)*

The Chairpersons observed that the Parliamentary Reform Programme Department was not adequately staffed and equipped resulting in ineffective monitoring of Constituency Offices.

It was therefore, recommended that the capacity in Parliamentary Reform Programme Department be enhanced to enable it carry out its mandate effectively.

7.19 *Offices for Members of Parliament*

While the Chairpersons noted that the creation of Parliament Offices for Members of Parliament on Parliament grounds was an expensive venture, it was of the view that the matter should be seriously considered.

7.20 *President's Question Time*

The Chairpersons observed that the contact between Parliament and the Republican President was limited to the official opening only. In order to afford Members of Parliament an opportunity to interact with the President, there should be a provision like in the House of Commons where the Prime Minister answers questions from Members of Parliament, for the Republican President to come to the House for Question Time. The current arrangement with the Vice President, who does not hold real executive power, did not afford the House an opportunity to hold the Executive to account.

7.21 *Responses by the Executive to Question on the Floor of the House*

It was the view of the Chairpersons that the manner in which questions posed by backbenchers are answered does not promote accountability. It appears that the presiding officers are equally constrained in compelling the Executive to provide genuine answers. The Chairpersons, therefore, recommended that the Standing Orders be amended to compel the Executive to give genuine answers. The House appears to be a battle ground between the Executive and the Legislature and yet it is meant to foster unity of purpose in developing the nation.

7.22 *Private Members Motions*

The Chairpersons observed that even when Private Members motions are carried by the House, there is no provision to compel the Executive to operationalize such a motion into law. It was, therefore, proposed that a mechanism be put in place to compel the Executive to implement motions that the House resolves in the affirmative. Otherwise it makes the resolutions of the House an academic exercise.

Further, the chairpersons submitted that the following reform proposals be embarked upon:

- Official vehicles be provided to Constituency Offices for the Members of Parliament to use when performing national duties in the constituency. The motor vehicle should be sold to the Member of Parliament at book value after expiry of their term of office.
- Members of Parliament should be allowed to ask more than one question during the Vice President's Question Time.
- Committees of Parliament should be allowed to examine urgent issues that might arise outside the approved Programme of Work. Funds should be set aside to allow for this eventuality.

PART III

8.0 CONSTRUCTION OF CONSTITUENCY OFFICES

8.1 CONSIDERATION AND ADOPTION OF THE MEMORANDUM ON THE PROPOSAL FOR THE CONSTRUCTION OF CONSTITUENCY OFFICES IN 2014

Your Committee wishes to inform the House that K2 million had been provided in the 2014 National Budget for construction of Constituency Offices. Therefore, based on average expenditure for constructed offices, this amount could only cover the construction of three (3) Constituency Offices. The selection of Constituencies where the offices would be constructed had in the past mainly been informed by the criteria set by your previous Committee in 2008 which focused on the following:

1. Party representation;
2. Provincial parity;
3. Urban-rural mix; and
4. Gender of Member of Parliament.

The current practice also takes into account other factors such as the condition of current offices, availability of alternative office accommodation and an increased focus on rural constituencies.

Further, in view of the erratic manner in which construction of Constituency Offices was funded by Government, the Committee approved, in advance, 15 Constituencies to benefit from that construction. This would assist the Clerk's Office to plan adequately considering that the cost of construction differs from constituency to constituency.

In this regard, your Committee resolved that the following Constituencies benefit from construction of offices in order of priority:

NO.	CONSTITUENCY	PROVINCE	PARTY OF MP	GENDER OF MP	RURAL/URBAN
1.	Chama South	Muchinga	PF	Male	Rural
2.	Namwala	Southern	UPND	Female	Rural
3.	Keembe	Central	MMD	Male	Rural
4.	Luangeni	Eastern	Independent	Male	Rural
5.	Nalolo	Western	PF	Female	Rural
6.	Sikongo	Western	MMD	Male	Rural
7.	Luena	Western	ADD	Female	Rural
8.	Chimbamilonga	Northern	PF	Male	Rural
9.	Mapatizya	Southern	UPND	Male	Rural
10.	Chembe	Luapula	MMD	Male	Rural
11.	Solwezi East	North Western	UPND	Male	Rural
12.	Msanzala	Eastern	PF	Male	Rural
13.	Nalikwanda	Western	MMD	Male	Rural
14.	Kafulafuta	Copperbelt	UPND	Male	Rural
15.	Kapoche	Eastern	MMD	Male	Rural

Considering that only three offices can be constructed in 2014, Chama South, Namwala and Keembe will benefit in terms of priority. Chama South Constituency Office was operating from a building which was old with cracks in the walls. Namwala and Keembe Offices each occupied a room which was shared between the Member of Parliament and the staff.

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 these areas to rent. Further, there were only three female represented constituencies on the list above as most of them were in urban areas.

PART IV

9.0 TOUR REPORT OF THE PARLIAMENTARY REFORMS AND MODERNISATION COMMITTEE TO CHONGWE CONSTITUENCY OFFICE AND CONSTITUENCY OFFICES IN NORTHERN PROVINCE

9.1 INTRODUCTION

Your Committee embarked on its local tours to Chongwe and Northern Province on 17th March, 2014. The tours ended on Monday, 31st March, 2014. Your Committee toured thirteen (13) Constituency Offices altogether including Chongwe Constituency in a period of twelve (12) days. The Constituencies toured in Northern Province were as follows:

- (i) Kasama Central
- (ii) Lukashya
- (iii) Malole
- (iv) Mpulungu
- (v) Mbala
- (vi) Senga Hill
- (vii) Lubansenshi
- (viii) Lupososhi
- (ix) Chilubi
- (x) Lunte

- (xi) Mporokoso
- (xii) Chimbamilonga

The purpose of the tour to Chongwe and Lukashya Constituency Offices was to physically assess the construction of Constituency Offices. Lupososhi Constituency also had an office building under construction and was among the buildings to be physically assessed in terms of the quality of construction.

The other purpose of the tour to Northern Province was to sensitise the public on the existence and role of Constituency Offices and the functions of the Members of Parliament.

9.2 PROCEDURE

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

- (i) conducted tour of the respective Constituency Office including those under construction;
- (ii) held public hearing sessions on the existence and role of the Constituency Offices and the functions of the Member of Parliament;
- (iii) requested members of the public to raise points of clarifications on the topical issues under consideration; and
- (iv) made clarifications on the concerns and comments as brought out by members of the public.

9.3 ELABORATION OF THE TOUR OF THE THIRTEEN (13) CONSTITUENCY OFFICES

9.3.1 Conducted Tour of Constituency Offices

Before touring any Constituency Office, your Committee started by paying courtesy calls on the respective District Commissioners who were accompanied by the Council Secretaries and other Heads of Departments. In Kasama, however, your Committee paid a courtesy call on the Provincial Minister, who was accompanied by the Provincial Permanent Secretary, the District Commissioner for Kasama District and other Government Heads at provincial and district levels.

It was your Committee's mandate as per the Programme of Work to assess the quality of the newly constructed offices and those under construction like Lupososhi Constituency Office. When these offices were inspected, the following was observed in each case:

(i) **Chongwe Constituency Office**

- The surroundings of the office were in a mess due to the digging done all round the building.
- The office floor was painted with inferior paint known as Mwandaba and not necessarily the Red Oxide meant for the floor.
- The fittings in the bathroom were loose and had some leaking taps.
- The ceiling was rather too low for the building. One could easily touch the ceiling in all the rooms.

Generally the Committee observed that Chongwe Constituency Office was constructed in a shoddy manner.

(ii) **Lukashya Constituency Office**

- There were signs of a leaking roof in nearly all the rooms in the buildings.
- Taps had no running water.
- There were pronounced cracks in the walls in some rooms.
- The sink in the kitchen area was not properly fixed.
- The cistern in the Gents toilet was almost falling off.
- Moisture and water covered the bathroom and toilet floors.
- Plastering and painting of the building was poorly done.
- The office was not yet connected to power.

The Lukashya Constituency Office had many defects. It is not conducive for habitation though staff have already moved into the building. Sanitation is a major problem for the building.

(iii) **Lupososhi Constituency Office**

- The construction of the building is basically completed. What remained are the fittings and painting including the ceiling.
- The workmanship of this building was good.

9.3.2 Public Hearing Sessions

After the conducted tour of the Constituency Offices, your Committee held Public hearing sessions in all the places they visited. The public hearing sessions were held in the presence of Government Officials. The public hearings were held to sensitise the public on the roles of the Constituency Offices and the functions of the Member of Parliament.

Issues which were raised in line with your Committee's tour purpose were as set out below:

- Absence of Members of Parliament in their constituencies except for a few.
- Role of Constituency Staff and whether they belonged to the party from which the Member of Parliament belonged.
- Why Constituency Development Fund (CDF) was not being handled by the Constituency Offices rather than the Councils.
- Why Parliament Radio coverage was limited to Provincial Centres as it was an important information network on Parliamentary issues.
- Why Parliament was not constructing its own Constituency Offices but rather relying on rented buildings.

- Why some elected representatives opt to only see their party cadres and yet are Members of Parliament for everyone in the constituency.
- Why some Members of Parliament do not visit their constituencies even when they are on recess.
- Why some Government officials shunned working in collaboration with Members of Parliament even on developmental issues.
- Whether Members of Parliament were allowed to enter any Government Office in the constituency and demand to check on various developmental projects taking place.
- Whether Members of Parliament were allowed to disrespect traditional leaders.
- Why most Members of Parliament promise developmental projects such as building schools, constructing roads and bridges, supplying farming inputs quickly and yet failing to live up to their pledges once voted into office.
- Whether Members of Parliament could assist in linking Co-operating Partners to Members of the constituency or groupings of development in the constituencies.
- How one could differentiate between the roles of the Member of Parliament and the councilor as they often saw conflict between them.
- What Parliament had done to cushion the unequal distribution of CDF in districts where there are two to three constituencies while other districts had one constituency in the entire region.
- Who is to attend to developmental problems/hurdles in the constituency between the Members of Parliament, the District Commissioner or the Council Secretary.
- Whether the Member of Parliament's office belonged to any Government Department.

- From 1964 to 1992, there was no office from where the area Member of Parliament could operate from. An explanation was sought on why it had to delay that far to have it.
- Whether any particular concern brought to the Constituency Office could be forwarded for action to Member of Parliament.
- Why Members of Parliament are more harassed by state police when performing their roles in their respective constituencies.
- Why some Members of Parliament find it easy to cross the floor even when they know that they could still function as members of the opposition.
- Why officers in the Constituency Offices do not undertake outreach activities to popularise the operations of the Constituency Offices and the roles and functions of the Member of Parliament as well as staff in the offices.
- Whether Members of Parliament truly represent the electorate as the level of development in certain areas leaves much to be desired.
- Whether the word “BOMA” means the political party in power and should exclusively be used as such.
- Why some District Commissioners refuse to work with the Members of Parliament and whether this is good for development at the local level.
- Whether the Member of Parliament has authority to work in another Member’s constituency and check on developmental projects in that constituency.
- If an area had no Member of Parliament or Councillors, could development take place in such an area.
- Whether a Member of Parliament needs to segregate on projects as if he/she is aware of who voted in his/her favour.

- Whether a Member of Parliament needs to have a permit from police to address the people on developmental projects or indeed to inspect projects in his/her constituency.
- Whether Members of Parliament have authority or power to form Committees or clubs in spearheading development in their areas.
- Why Members of Parliament in the same district fail to work together when one is from the ruling party and the other from the opposition as if they were not all working for the same government.
- Whether Councillors also have immunity like Members of Parliament when they are discharging their duties as local government leaders.
- Whether the Member of Parliament as the people's representative should be feared by the electorate.
- When delimitation would take place as some constituencies were too big.
- Whether the District Political Secretary's Office should be in the same building with a non partisan Office like the Constituency Office for the Member of Parliament like it exists in Chilubi.
- Whether the Member of Parliament has authority to block developmental projects from being implemented.
- Whether the Member of Parliament has some authority over the use of the CDF.
- Whether the Member of Parliament has any role to ensure the crocodiles devastating people's lives in Chilubi and the surrounding islands are cropped or eliminated.
- Whether the Member of Parliament has authority to hire and fire Constituency staff.
- Whether it was feasible or appropriate for the public to visit the Constituency Office when the Member of Parliament does not at all visit the office.

9.4 EXPLANATIONS TENDERED IN BY THE MEMBERS OF THE COMMITTEE ON ISSUES RAISED BY MEMBERS OF THE PUBLIC

The Members of your Committee responded to some of the queries raised in the following manner:

On what the Government or “BOMA” means, it was explained that the Government was made up of three (3) wings, namely the Executive, the Judiciary and the Legislature. Loosely, people referred to Government as “BOMA”. “BOMA” was a word used to describe Government in the colonial era and it stood for “British Overseas Military Administration”. This was charged with the function of administrating over the native governments in Africa by the British Government through military controls. When used correctly, people informally look at the Government of the day as “BOMA” and narrowly referring to the Executive Arm of Government. This perception was explained as a misconception as Government is all the three (3) arms of Government working together. Therefore, once a Member of Parliament is voted into power, he/she equally becomes part of Government or loosely speaking part of “BOMA”. He/she also becomes a Member of Parliament not only for the people who voted for him/her but also for those who did not vote at all or voted for another candidate.

The Members also explained that all the electorate in the constituency should feel free to interact with the elected officials as he/she was for everybody. He/she was there to represent everyone in the constituency on any developmental concerns and problems.

Thereafter, they ventured to explain on the roles of the Members of Parliament. They stated that any Member of Parliament has three (3) major roles to play at national level namely, representation, oversight and approving the national budget. People were encouraged to bring concerns or developmental issues before them so that they could, on behalf of the

electorate, engage the relevant Ministers to ensure development is brought by the Executive to their respective constituencies. At this point, the Members of the Public were informed that, they needed to use the Constituency Offices which were created for that purpose.

It was upon the realisation that Members of Parliament were busy for the most part of the year attending to the business of the House and in Committees and therefore, had little time to interact with their constituents that the Constituency Offices were created. The Constituency Office, therefore, facilitates the presence of the Member of Parliament who otherwise might not be physically present at his/her office through the officers employed to manage the office.

All developmental concerns and issues could be forwarded to this office which would also be forwarded to the Member of Parliament to act upon as if he/she were actually present in the office. Apart from that, the Constituency Office acts as a meeting place for the Member of Parliament and his/her constituents. Whenever the Member of Parliament finds time and visits the constituency, he/she could arrange to have a meeting with his/her constituents so that he/she could get their developmental concerns or issues to bring to the attention of the Executive for implementation. It was further stated that the Constituency Office was an information centre where an electorate should feel free to visit and use the information in the Library to update themselves and enlighten themselves on the developments taking place in the constituency and nation as a whole.

People were urged to visit the Constituency Offices all the time to obtain information on various issues including the Constituency Development Fund (CDF). It was explained that the CDF had been a contentious issue where it was implemented. People usually wanted to take the Member of Parliament to task that he/she did not use the money appropriately when things go wrong. However, the Member of Parliament despite being a Member of the CDF Committee does not handle the cash and is not a signatory to the CDF account.

This is handled by the Council Secretary and his team at various Councils. At this point, the Members explained the composition of CDF as follows:

- Member of Parliament;
- Two (2) traditional leaders;
- Religious leaders representation;
- Council Secretary;
- Town Clerk; and
- A youth representative.

Clearly, the composition of the CDF Committee did not entail that the CDF money was solely used by the Member of Parliament but the Council Administration as implementer of the projects.

On whether it was the responsibility of the Member of Parliament to build roads, bridges, schools and hospitals in their respective constituencies, the Members of the Committee explained that the principle of separation of powers did not give that mandate to the Members of Parliament. They explained that the roles of the Members of Parliament was to lobby Government or rather the Executive wing of Government to ensure schools, roads, bridges and hospitals are built in needy areas. Since Members of Parliament approve the National Budget, they also have an oversight function on the Executive to ensure that the money once released, is used on the intended projects. Therefore, it was the role of the Member of Parliament to tour government offices to check on any government projects being undertaken in any of the constituencies. It was stressed that this role was not only limited to Members of Parliament from the ruling party but also to those in the opposition including independent Members of Parliament.

Further, the Members of Parliament explained that the above scenario serves to show that Members of Parliament regardless of political affiliation are all part of government and partners in development. Therefore, all Constituency Offices and the electorate should be allowed to work or carry out their oversight role in the respective constituencies undisturbed.

Equally, the officers working in the Member of Parliament's office should be treated as officers belonging to the Legislature and be accorded the necessary co-operation as they discharge their functions on behalf of their respective Members of Parliament.

The Members of your Committee also explained that Members of Parliament in one constituency could not go to inspect developmental projects in other constituencies unless these were joint programmes/projects in one district. However, when Members of Parliament were touring the country as national leaders, they were free to inspect developmental projects in any part of the country through various Committees of the National Assembly. They explained that when the electorate see the Members of Parliament from other areas touring their constituencies, they should never think that they were interfering in the projects of the respective Member of Parliament because it was part of their mandate as Members of the various Committees of Parliament.

PART V

PARTNERSHIP WITH COOPERATING PARTNERS

The Parliamentary Reforms and Modernisation Committee (PRMC) considered the partnership with Cooperating Partners supporting National Assembly programmes and guided the implementation and development programmes supported by the following Cooperating Partners:

- (i) Strengthening Financial Co-operation with Zambia through Kreditanstalt for Wiederranfbau (KfW) – a development agency of the German Government.
- (ii) UNDP Programmes/Activities
- (iii) EU support to Parliamentary Budget processes

A detailed progress report of the above programmes is indicated at Annex 1 of this report.

PART VI

10.0 OBSERVATIONS AND RECOMMENDATIONS ON SENSITISATION OF THE PUBLIC ON THE EXISTENCE AND ROLES OF CONSTITUENCY OFFICES AND THE FUNCTIONS OF THE MEMBER OF PARLIAMENT

Arising from various submissions from all the stakeholders who submitted their memoranda before your Committee on the above subject matter, your Committee makes the following observations and recommendations:

- (i) Your Committee observes that sensitisation on the existence and roles of the Constituency Offices is usually being spearheaded or carried out by the Members of the Parliamentary Reforms and Modernisation Committee especially as they tour the country. Good as it may be, this is quite inadequate as there is need to use various means and ways of doing the sensitisation.

In view of the foregoing, your Committee is urging National Assembly Management through the Honorable Mr Speaker to publicise the roles and functions of the Members of Parliament through print and electronic media and through general public sensitisation programmes.

Further, the National Assembly should consider building the capacity of Constituency Office staff in the use of interactive Information and Communication Technology (ICT) facilities such as face-book. This could be used as means of raising awareness on the role of Constituency Offices and role of Members of Parliament.

- (ii) Your Committee observes that the Constituency Offices rarely network with Civil Society and faith based organisations.

In view of the foregoing, your Committee urges National Assembly Management through the Hon Mr Speaker to encourage all Constituency

Offices to establish links with CSOs and faith based organisations to assist in sensitising them on roles and functions of Members of Parliament.

Further, there is need to strengthen working relationships with local government structures and the executive line ministries and departments.

- (iii) Your Committee observes with great concern that the general public is to a great extent unaware of the roles of the Constituency Offices and the functions of the Member of Parliament because of failure by some Members of Parliament to regularly visit their Constituency Offices to explain those issues. Some Members of Parliament who visit their Constituency Offices, meet a few people mostly cadres, thereby restricting the dissemination of key information on the roles of the Constituency Offices and the functions of the Member of Parliament.

In view of the foregoing, your Committee urges all Members of Parliament to publicise their visit and prepare schedules as they visit their Constituency Offices and indicate their activities in the constituencies. These schedules should be put on the notice boards at Constituency Offices and distributed in the Constituency by constituency staff. That way, all the people in the constituency will be encouraged to interact with the Member of Parliament.

- (iv) Your Committee observes with concern that some Government Officers have little knowledge on the roles of the Constituency Offices and the Members of Parliament.

In view of the foregoing, your Committee recommends that sensitisation on the existence and role of Constituency Offices and the functions of the Member of Parliament be extended to all Government Officers.

- (v) Your Committee observes that some media houses are not aware of the existence of Constituency Offices and the roles they play.

In view of the above, your Committee urges the media houses to visit Constituency Officers in order to familiarise themselves with Constituency Offices.

- (vi) Your Committee observes that for the sensitisation to be effective, there is need to involve key stakeholders such as local leadership in the Constituency.

In light of the foregoing, it is recommended that all Members of Parliament be facilitated adequately with necessary resources to establish links to fully engage local leadership to assisting in popularising the existence and role of Constituency Offices and the functions of the Member of Parliament.

- (vii) Your Committee observes that the limited Zambia National Broadcasting Corporation (ZNBC) signal to remote areas does contribute in making a huge rural population ignorant on the existence and role of the Constituency Offices and the functions of the Members of Parliament.

In view of the foregoing, your Committee recommends that the Government through the Ministry of Information and Broadcasting should install transmitters in rural areas to ensure ZNBC signal is received in rural areas.

- (viii) On sensitisation on Constituency Offices and functions of Members of Parliament, Constituency Office staff bemoaned lack of funding for outreach activities.

In this regard, your Committee recommends that, Constituency Offices be funded adequately to cater for outreach and awareness activities.

11.0 OBSERVATIONS AND RECOMMENDATIONS ARISING FROM THE DELIBERATIONS ON THE NEW PHASE OF THE REFORMS TO BE UNDERTAKEN AT NATIONAL ASSEMBLY OF ZAMBIA.

Following submissions from the Chairpersons of various Committees, the following observations and recommendations are made by your Committee.

A. AMENDMENTS RELATING TO THE STANDING ORDERS, PARLIAMENTARY PROCEDURES AND PRACTICES

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

Your Committee observes that the Committee on Local Government, Housing and Chiefs' Affairs in its current form is overly focused on Local Government at the exclusion of other equally important policy areas.

In view of the foregoing, your Committee recommends that in drawing lessons from other Parliaments in the region, it would be important to amend the Standing Orders to provide for the Committee on Local Government Accounts (LGAC) and the Committee on Local Governance, Housing and Chiefs Affairs.

(ii) Committee on Legal Affairs, Governance, Human Rights, Gender Matters and Child Affairs

Your Committee observes that the Committee on Legal Affairs, Governance, Human Rights, Gender Matters and Child Affairs is overloaded with work and might not effectively carry out its mandate resulting in some areas suffering such as a child affairs and gender matters.

Therefore, your Committee recommends that the Committee on Legal Affairs, Governance, Gender Matters and Child Affairs be realigned by having some functions move to other Committees. This will entail amending the Standing Orders.

(iii) *Creation of the Budget Office*

Your Committee notes that there is already a budget line for the establishment of the Budget Office. However, your Committee is concerned that the Act to bring the Bill to actualise the Budget has not yet been tabled for the creation of the Budget Office.

In view of the foregoing, your Committee recommends that the Bill to actualise the Budget Office be expedited.

(iv) *Committee of Chairpersons*

Your Committee notes that Chairpersons of Committees have no fora to discuss matters related to Committee work. It is recommended that standing Orders be amended to create a Committee of Chairpersons. The Committee could be chaired by the Deputy Chairperson of Committees of the Whole House.

(v) *Constituency Development Fund (CDF)*

Your Committee notes that the disbursement of Constituency Development Fund (CDF) has been of concern to Members of Parliament and the public. Therefore, there is need to find ways of administering the CDF. Kenya has been effective and a model worth emulating in the administration of the Constituency Development Fund.

Your Committee recommends that CDF be administered through the National Assembly to Constituency Offices.

(vi) *Time for Consideration of the Budget*

Your Committee observes that the current ten (10) days provided for in the Standing orders No. 82 (3) for the consideration of budget estimates is not enough and recommends that this should be increased to twenty working days to provide for adequate consultations and conducting of public hearings if need be, until the enactment of the Budget Act.

(vii) *Time for consideration of Bills*

Your Committee observes that the ten (10) working days provided for the consideration of bills should be increased to a minimum of fifteen working days to provide for adequate consultations and conducting of public hearings if need be.

(viii) *Ratification of Treaties, Agreements and Conventions*

Your Committee observes that the National Assembly is not involved in the ratification of treaties, agreements and conventions that the Executive enters into.

Your Committee is of the view that the ratification process of treaties, agreements and conventions should be part of the mandate of the relevant Parliamentary Committee. This will entail amending the relevant Standing Orders.

(ix) *Vice President's Question Time*

Your Committee observes that Members of Parliament are only allowed to ask one question during the Vice President's Question Time. The Committee resolved to strengthen and improve on the Vice President's question time.

In view of the foregoing, your Committee recommends that Members of Parliament should be allowed to ask more than one question during the Vice President's Question Time and the time allotted for this venture be increased to one hour. This entails amending the relevant Standing Orders.

(x) *Parliamentary Reforms Project (PRP)*

Your Committee observes that the PRP Department is not adequately staffed and equipped resulting in ineffective monitoring of Constituency

Offices. It is therefore, recommended that the capacity in the PRP Department be enhanced to enable it carry out its mandate effectively.

(xi) *Approved Programme of Work*

Committees of Parliament should be allowed to examine urgent issues that might arise outside the approved Programme of Work. Funds should be set aside to allow for this.

(xii) *Public Accounts Committee*

Your Committee observes with concern that among the member states of the Southern African Development Organisation of Public Accounts Committees (SADCOPAC), Zambia's Public Accounts Committee is the only one still operating as a Sessional Committee which changes membership yearly while others are standing committees which function for a period of 2 to 5 years.

In light of the foregoing, your Committee recommends that to strengthen the operations of the Public Accounts Committee in Zambia, there is need to allow it function undisturbed for a period of 2½ years like the Tanzanian model. This will entail amending the relevant Standing Orders.

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

(i) *Provision for Constituency Offices*

While noting the creation of the Constituency Offices, your Committee observes that the offices are inadequately equipped in terms of transport. In certain cases, the Members of Parliament end up using own private vehicles when performing national duties. Your Committee recommends for provision of official motor vehicles to Constituencies

urgently. The motorcycles do not meet the demands of the Constituency Offices.

(ii) *Speaker's Day*

Your Committee while noting that the office of the Speaker was open to all Members of Parliament, it is of the view that there is need to deliberately create a day when members of Parliament can freely discuss with the Speaker on any matter pertaining to their welfare and that of the institution.

(iii) *Valedictory Service for Members of Parliament*

Your Committee observes that whenever a lawyer or Judge passes on, a valedictory service was held. Your Committee therefore, recommends that such a service be held for Members of Parliament in the Chamber.

(iv) *Conditions of Service*

Your Committee observes that conditions of service for Members of Parliament were not explicitly spelt out in a written document. This has resulted in Members not being aware of their entitlements.

In view of this, your Committee recommends that the conditions of service for Members of Parliament be clearly spelt out and approved by the Standing Orders Committee. The conditions of service should include among others, house mortgage, medical insurance and pensions for Members of Parliament.

(v) *Paperless Parliament*

There was need to strive to make the Zambian Parliament use less paper by using Information Communication Technologies (ICTs) so as to make Parliament paperless.

(vi) *Per Diem*

Your Committee observes that whenever your Committee was on a foreign tour, it is not paid sitting allowance as is the case with local tour so that the per diem is for the purpose it is meant for, of meeting costs related to board and lodging.

Your Committee recommends that Members of Parliament be paid sitting allowances even on foreign tours.

(vii) *Sponsored Trips*

On sponsored trips for Members of Parliament, it has been observed that the National Assembly does not up-grade the Member of Parliament to acceptable National Assembly standards if the Member of Parliament is given a low grade by the sponsor.

Your Committee therefore, recommends that the National Assembly up-grades Members to its standards especially when travelling by air.

(viii) *Offices for Members of Parliament*

Your Committee observes that the creation of Constituency Offices at Parliament grounds is an expensive venture.

Your Committee recommends that the matter of constructing Constituency Offices for Members of Parliament at National Assembly premises be considered seriously.

(viii) *Parliamentary Service Commission*

Following the meetings with His Honour the Vice President, Minister of Finance and Minister of Justice on the establishment of the Parliamentary Service Commission even before the enactment of the draft Constitution, your Committee was assured of Government backing for this noble cause

as it would be a good piece of legislation catering for all Members of Parliament including staff at National Assembly. After all, the other wings of Government have already their Service Commissions functioning.

In view of the foregoing, your Committee recommends that the Parliamentary Service Commission be established urgently through a Private Member's Bill starting with the amendment to the Constitution to establish and provide for it and later with a Bill to promulgate further the functions of the Parliamentary Service Commission.

12.0 OBSERVATIONS AND RECOMMENDATIONS ARISING FROM THE LOCAL TOURS

Arising from the queries from members of the public and the subsequent explanations from Members of the Parliamentary Reforms and Modernisation Committee, the following observations and recommendations have been made:

- (i) Your Committee observes with concern that the issue of absence of some Members of Parliament in their respective constituencies is by and large prevalent in nearly all the constituencies visited except for a few.

In view of the foregoing, your Committee urges all the Members of Parliament to visit their constituencies and work from the Constituency Offices at least twice or thrice a year and this will give the necessary authority and credence to the created Constituency Offices, thereby reducing the unnecessary tension and complaints on the absences of the Members of Parliament in their constituencies.

- (ii) Your Committee observes with concern that constituency staff are often misunderstood to belong to the party from where the respective Members of Parliament belong and because of that, the members of the public who do not belong to the current Member of Parliament's party shunned Constituency Office.

In view of the above observation, your Committee recommends that there is need to strengthen the recruitment process of the constituency staff by strengthening the consultation between Members of Parliament and the National Assembly Administration. This will emphasise their neutrality as they work in their respective Constituency Offices.

- (iii) Your Committee observes with sadness that some Government officials shunned working in collaboration with Members of Parliament.

In view of the above position, your Committee urges the Government to impress upon its workers countrywide to change their work culture of looking at Members of Parliament as enemies of Government but rather as partners with the Government with a common cause of developing the nation.

Further, Government is urged to advise its workers countrywide to allow Members of Parliament to enter any Government office in their respective constituencies and districts to check on various developmental projects taking place.

- (iv) Your Committee observes with concern that from 1964 to 1992, the Legislature was not represented among the Government structures in the provinces and later on the districts.

In view of the foregoing, your Committee recommends that the Government should adequately fund the Constituency Offices to make these offices visible and operate effectively and efficiently as an extension of the Legislature in the provinces and districts.

- (v) Your Committee observes with sadness that there is a tendency to harass Members of Parliament while executing duties in their Constituencies.

In view of the foregoing, your Committee recommends that Government should impress upon the Law enforcement agencies to treat all Members of

Parliament with dignity and honour in the same way they treat Ministers as they perform their official duties.

- (vi) Your Committee observes with concern that some Constituency Offices share the same building with some political party offices as the situation is at Chilubi Constituency Office. It is observed that this contributes to the Constituency Office being shunned by members of other parties from visiting the offices as it is perceived to be also a political office.

In view of the above scenario, your Committee recommends that the Council as the landlord of the building in Chilubi, removes the District Political Secretary's Office from the building where the Constituency Office is as Parliament is paying rent for the whole building. Further, the Committee recommends that where such a situation is prevailing, the two offices should be separated to avoid Constituency Offices being perceived as political entities.

- (vii) Your Committee observes with concern the level of ignorance and lack of knowledge from the people or general public on the operations of the Legislature.

In view of the foregoing, your Committee reiterates the need for continued sensitisation on the roles of the Members of Parliament and Government as a whole. It recommends that your Committee be allowed to undertake sensitisation tours two to three times in each year to speed up the process.

- (viii) Your Committee observes with concern that the Freedom of Information Bill is still a challenge and yet this will assist greatly in disseminating information by other stakeholders other than the Government on the affairs or business of Parliament once the Bill is presented and passed by Parliament.

In view of the foregoing, your Committee urges the Government to bring to Parliament the Freedom of Information Bill so that Civil Society Organisations can assist to sensitise members of the public on Parliamentary business as well as the roles of the Constituency Offices and functions of the Members of Parliament.

- (ix) Your Committee observes the need for the Constituency Development Fund (CDF) to be administered from the Constituency Offices unlike from the local authorities as the practice is currently.

In light of the foregoing, your Committee recommends that the Management and disbursement of Constituency Development Fund (CDF) be placed under the operations of the Constituency Offices.

- (x) Your Committee observes that the issue of sensitising the public on the role of the Constituency Offices and the functions of the Members of Parliament needs to be one of the core functions of the constituency staff through their outreach activities. However, this is seemingly being hampered due to the absence of a budget line for outreach activities and reliance on inappropriate transport (motorcycles) provided to the Constituency Office.

In view of the foregoing, your Committee recommends that the issue of sensitising the public on the role of the Constituency Offices and the functions of the Members of Parliament become part of the core functions of the constituency staff.

Further, in order to improve on their mobility to cover huge areas of the constituencies, it is recommended that the offices be provided with 4 X 4 Land cruiser pick-ups and the offices be funded adequately to enable Constituency Offices to undertake outreach activities on the sensitisation programmes especially in rural Constituencies.

- (xi) Your Committee observes with concern that the office of the Member of Parliament is not adequately funded like that of a Minister and as such cannot function as effectively as the office of the Minister. If the Member of Parliament's office is equated to the Minister's Office, there will not be issues of failure by Members of Parliament to visit their constituencies as adequate resources and transport will be availed to them.

In view of the foregoing, your Committee recommends that the Member of Parliament's office be equated to the Minister's office in terms of funding and accompanying conditions of service.

13.0 OBSERVATIONS AND RECOMMENDATIONS ON CONSTRUCTION OF CONSTITUENCY OFFICES

Arising from the above observations on the construction of Constituency Offices during the local tours, your Committee makes the following recommendations:

- (i) There is need for landscaping of the Chongwe Office surroundings to assist in uplifting the face of the office.
- (ii) All the loose fittings and leaking taps in the newly constructed office buildings in Chongwe and Lukashya should be repaired urgently.
- (iii) National Housing Authority Management should be urged to revisit Chongwe and Lukashya Constituency Offices to address the poor workmanship.
- (iv) All the Constituency Offices constructed including those being constructed by Parliament should be fitted with ceramic or PVC tiles as this is the modern floor structure obtaining currently.
- (v) The Construction of the Constituency Offices should always be monitored or supervised by the Director of works from the respective Councils through the Council Secretary or the Town Clerks as contractors need close supervision to carry out quality work. In this regard, National Assembly is encouraged to liaise with the local authorities.
- (vi) Your Committee observes that the National Housing Authority is the only one constructing Constituency Offices

In view of the foregoing, your Committee recommends that, the tender for the construction of Constituency Offices be opened to other contractors rather than restricting it to National Housing Authority to enhance quality and workmanship. Further PRP should be equipped with a Civil Engineer to supervise the construction of Constituency Offices.

14.0 Conclusion

Your Committee wishes to register its appreciation to you, Mr Speaker, for the guidance rendered to it throughout its deliberations during the Committee Meetings and the local tours to Chongwe District and Northern Province. Appreciation is also extended to all witnesses especially the Chairpersons of Parliamentary Committees that submitted memoranda and appeared before your Committee. Special tribute goes to all Members of the public who attended and contributed their ideas on the topics under consideration during the public hearing sessions in the Constituency Offices visited.

Finally, your Committee also wishes to express its gratitude to the Office of the Clerk of the National Assembly and her staff for the services rendered throughout the period under review.

S Katuka, MP
CHAIRPERSON

Annex 1

PROGRESS ON COOPERATING PARTNERS SUPPORTED PROJECTS

1.0 Introduction

The National Assembly has entered into partnership with various cooperating partners aimed at moving the Parliamentary reform agenda forward. Currently, the Institution is receiving bilateral support from KfW, Irish Aid, UNDP and EU.

The following is a brief update of achievements scored under four projects supported by Cooperating Partners referred to above.

2.0 Strengthening Parliamentary Control in Zambia Project

This is a two year KfW supported project and has four components outlined below.

- a. Component 1-Construction of Constituency Offices and provision of furniture and equipment
- b. Component 2-Development of education kit and training of Constituency Office Staff
- c. Component 3-Expanding of Parliament radio and establishing of Parliament TV
- d. Component 4 –Consultancy Services

The only notable achievement scored is under Component 2 of the project. Under this component, Consultants have been engaged to facilitate the development of an education toolkit and conduct trainings for Professional Assistants and Administrative Assistants from all Constituency Offices. The toolkit has been developed and five workshops have been conducted so far with 141 Constituency Office staff trained on the work and operations of Parliament, as well as the role and functions of Constituency Offices. The remaining Constituency Office staff will be trained by end of July 2014.

The implementation of component 1 and 3 of the project has not commenced as the tender process for engaging an implementation consultant has not been concluded. This tender process is expected to be concluded in June 2014.

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

This is an Irish Aid supported project and is largely focusing on capacity strengthening of the three Committees, namely, Committee on Education, Science and Technology, Committee on Health, Community Development and Social Welfare

and the Estimates Committee. Further, the project is also aimed at rolling out selected activities in the National Assembly Communication Strategy for 2011-15.

The selection of the three committees was informed by the Irish Aid's development assistance framework which has prioritised education, health and public finance sectors.

The project goal is to contribute to improved policy implementation and accountability in the education, health and public finance sectors. The project objectives are as follows:

- i. To enhance oversight and legislative capacities of MPs in 3 selected Committees: - Committee on Education, Science and Technology, Committee on Health, Community Development and Social Welfare and the Estimates Committee.
- ii. To increase citizenry and stakeholder participation in the work of National Assembly and the Parliamentary Committees.

To achieve the objective I, the National Assembly will undertake the following activities:

- a) Capacity Development Workshops for members of 3 Selected Parliamentary Committees focusing on budget analysis;
- b) Engage a Consultant to develop a Skills and Knowledge transfer mechanisms from Committee Clerks to Members; and
- c) Knowledge and Lesson Sharing workshops focusing on topics identified by each Committee.

The key activities under objective ii are as follows:

- a) Mobile and Mounted Road Shows in Masaiti and Chasefu Constituencies;
- b) Broadcast of selected parliamentary programmes on 16 community radio stations; and
- c) Parliamentary programmes on ZNBC and Muvi TV.

This is a one year project with a total contract value of €125,000. Preparatory work leading to the execution of planned activities has commenced. Concept notes for various activities have been developed to ensure a common understanding among various departments involved in project implementation.

Overall, this project is on course and all the planned activities are expected to be accomplished by the end of 2014.

4.0 Enhancing Oversight Capacity of Parliament

This is a UNDP supported project whose objective is to enhance the oversight capacity of the National Assembly. In 2013, the following activities were implemented:

- (i) Two retreats for the Programme Management Committee and the Parliamentary Reforms and Modernisation Committee to make recommendations for the next phase of parliamentary reforms.
- (ii) A research was carried out to assess the operations of Constituency Offices, Parliament Radio and the impact of trainings of Members of Parliament and a draft report has been submitted to National Assembly.
- (iii) Community Mobilisation workshops were carried out for constituency staff in five (5) provinces, namely; Copperbelt, Western, Muchinga, Northern and North Western.
- (iv) A draft Strategic Plan, Implementation Plan and Communications Strategy for the Women Parliamentarians Caucus was developed and validated.
- (v) Two staff were trained in Financial Management of Donor Funded Projects and Monitoring and Evaluation.
- (vi) Participation of female MPs in the Annual Summit of the Women in Parliament Global Forum held from 27th to 29th November, 2013 in Brussels, Belgium. The forum enabled the parliamentarians to share experiences, challenges and lessons learnt with other female MPs. In addition, the experience will be cardinal during the finalization of the Women Parliamentarian Caucus Strategic Plan.
- (vii) Commemoration of the International Day of Democracy was an opportunity for National Assembly of Zambia to sensitise the public on the work of parliament through mounted and road shows.

In 2014, UNDP will support National Assembly with US \$ 685, 119 to implement various activities aimed at enhancing the oversight capacity of the institution.

As part of this project, some activities in the Zambian Women Parliamentarians Caucus Implementation Plan will be supported. One of the activities is the finalization and launch of the Caucus Strategic Plan and the establishment of a Caucus Secretariat. In this line, the National Assembly of Zambia has seconded a member of staff to facilitate Caucus activities prior to the recruitment of full time staff.

The community mobilization trainings that commenced in 2012 will be finalized with staff from Southern, Luapula, Eastern and Lusaka Provinces being trained 2014.

In 2014, Public Hearings for the Committee on Estimates, Committee on Education Science and Technology, Committee on Health, Community Development and Social

Welfare and the Committee on Legal Affairs, Governance, Human Rights, Gender Matters and Child Affairs were supported. The Constituency Offices are expected to facilitate feedback to the public on the outcomes of the hearings after approval of reports by Parliament.

UNDP is also supporting the development of the National Assembly Strategic Plan for the period 2014 to 2018. A draft Strategic Plan has been developed and is being reviewed by management and will be submitted to the Committee in due course.

5.0 Support Programme to Public Finance Management Accountability and Statistics

This is a three (3) year European Union supported project aimed at strengthening the ability of the National Assembly of Zambia to perform its role as the apex of the accountability process in Public Finance Management and National Budget. The project will be in the form of Technical Assistance in the establishment of a Budget Office at the National Assembly of Zambia. The total budget for the project is €3.2 million.

The expected results are as follows:

- a) Creation of in-house technical expertise to enable the provision of continuous professional support to the Estimates Committee, PAC, and portfolio committees in matters pertaining to economic, fiscal and budgetary policy, and the management of public finances.
- b) Enhanced ability of the Estimates Committee to analyse the draft Budget during the formulation process leading up to appropriation, and make substantive and timely policy and financial allocation enquiries to the executive regarding proposed appropriations.
- c) Enhanced ability of the PAC to scrutinise the implementation of the Budget following appropriation by NAZ, and ensure that its recommendations, as well as those of the Office of the Auditor-General, are systematically followed-up by the executive.

The project has not commenced but the procurement process for a Consultant has reached an advanced stage. The procurement process is expected to be completed in July, 2014.

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