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REPUBLIC OF KENYA



TWELFTH PARLIAMENT



(THIRD SESSION)

PARLIAMENT
OF KENYA
LIBRARY

SIXTH REPORT OF THE COMMITTEE ON MEMBERS' SERVICES AND
FACILITIES

ON

IMPROVEMENT OF MEMBERS' SERVICES AND FACILITIES

	
THE NATIONAL ASSEMBLY PAPERS LAID	
DATE: 19 MAR 2019	DAY: TUESDAY
TABLED BY:	HON. OMBAKI MACHOGU, CHAIRPERSON
CLERK-AT THE-TABLE:	

Office of the Clerk
National Assembly
Parliament Buildings
NAIROBI

MARCH, 2019

FOREWARD

The Parliamentary Service Commission is established under Article 127 of the Constitution. Article 127(6)(a) confers on the Commission the responsibility of **providing services and facilities to ensure the efficient and effective functioning of Parliament**. Article 127(6)(e)(i) of the Constitution further bestows upon the Commission the constitutional duty of **performing functions that are necessary for the well-being of the Members and Staff of Parliament**.

Parliament has a wide range of Members' facilities including but not limited to: buildings, parking bays, gymnasium, offices, office equipment (*such as computers and photocopying facilities*), office furniture and fittings, committee rooms; and, mortgage and car loan facilities. Pursuant to the provisions of Article 127 of the Constitution, the Commission extends an array of services to Members such as cleaning services, telephone services, printing services, medical services, catering services, security services, information services, library services and catering services. The Commission has the mandate of ensuring that the said services and facilities are extended.

It is against this backdrop that the National Assembly Standing Order No. 212B established the Select Committee on Members' Services and Facilities which is charged with the mandate of receiving and considering views of Members of the National Assembly on the services and facilities provided to them by the Commission for their benefit and well-being. The Committee is also charged with advising and reporting on all matters connected to these services and facilities. The Committee is therefore the forum through which the Members of the National Assembly channel views regarding their welfare to the Commission.

While recognizing that for Members to be effective and efficient in undertaking their constitutional tasks, they must be equipped with the necessary facilities and services by the Commission, the Committee wishes to establish that the activities being undertaken by the Commission are in line with letter and spirit of Article 127 (6) of the Constitution.

Article 254 (1) of the Constitution provides that, "*As soon as practicable after the end of each financial year, each commission, and each holder of an independent office, shall submit a report to the President and to Parliament*". Article 254 (2) further provides that, "*At any time, the President, the National Assembly or the Senate may require a commission or holder of an independent office to submit a report on a particular issue*".

In light of the above, the Committee observes that, in the Second Session of the Twelfth Parliament, it had tabled several reports before the National Assembly outlining an array of recommendations to the National Assembly. The Second Report of the Committee was debated and approved by the House without amendments. The Committee has also made observations drawn from facilitation of Members of Parliament from other legislatures with key interest on how Members are facilitated with accommodation of offices, parliamentary committees work and accommodation while attending parliamentary business in Parliament.

From the foregoing, the Committee recommends to the National Assembly:

- (1) The Parliamentary Service Commission in accordance with the provisions of Article 254 (2) reports on legislative interventions, regulatory frameworks and/or policies or otherwise to the House on improvement of services and facilities in Parliament and the well-being of Members of Parliament.



- (2) The Parliamentary Service Commission in accordance with the provisions of Article 254(2) of the Constitution submits a report on the implementation status of all the specific resolutions of the House contained in the Second Report of the Committee adopted by the House on August 15, 2018.
- (3) The reports referred to in paragraphs (1), (2) and (3) above be published and publicized as required under Article 254(3) of the Constitution.
- (4) The Parliamentary Service Commission expedites the construction of the Multi-Storey Office Block with a view to addressing office accommodation and Committee Rooms shortage within Parliament.

May I take this opportunity to thank all the Members of the Committee for their input and valuable contributions and time during the deliberations and writing of this report. The Committee also takes this opportunity to thank the Offices of the Speaker and of the Clerk of the National Assembly for the logistical support accorded to it during the exercise. It is therefore, my pleasant duty and privilege, on behalf of the Select Committee on Members' Services and Facilities, to present this Sixth Report to the National Assembly for consideration.

Signature:
The Hon. Ezekiel Machogu Ombaki, MP

.....12-03-2019
Date

Chairperson, Select Committee on Members' Services and Facilities



1.0 ESTABLISHMENT AND MANDATE OF THE COMMITTEE

The Select Committee on Members' Services and Facilities is established under the National Assembly Standing Order No. 212B and charged with the mandate of receiving and considering views of Members of the National Assembly on the services and facilities provided to them by the Commission. The Committee is also charged with advising and reporting on all matters connected to these services and facilities. It is therefore the forum through which the Members of the National Assembly channel their views regarding their welfare to the Commission. The Committee was constituted by the House on Thursday, December 14, 2017, reconstituted on February 21, 2018 and further re-constituted on February 20, 2019. Currently, the Committee comprises of the following:-

- Chairperson:** The Hon. Ezekiel Machogu Ombaki, M.P.
- Vice Chairperson** The Hon. Catherine Waruguru, MP
- Members:**
- The Hon. Janet Nangabo Wanyama, MP
 - The Hon. Samwel Moroto Chumel, MP
 - The Hon. Silas Kipkoech Tiren, MP
 - The Hon. Rigathi Gachagua, MP
 - The Hon. Eng. Nzambia Thuddeus Kithua, MP
 - The Hon. Charity Kathambi Chepkwony, MP
 - The Hon. Florence Chepngetich Koskey, MP
 - The Hon. Christopher Wangaya Aseka, MP
 - The Hon. Elisha Odhiambo, MP
 - The Hon. Elsie Muhanda, MP
 - The Hon. Rehema Hassan, MP
 - The Hon. Walter Owino, MP
 - The Hon. Aisha Jumwa Katana, MP

SECRETARIAT OF THE COMMITTEE

- Mr. John N. Mutega, Principal Clerk Assistant I
- Dr. Kefa Omoti Misuko, Principal Research Officer
- Ms. Emma Essendi, Legal Counsel I
- Mr. Douglas Odhiambo Katho, Clerk Assistant III
- Ms. Zainabu Wario, Serjeant-At-Arms



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1. Background

1. The Parliamentary Service Commission is established under Article 127 of the Constitution. Article 127(6)(a) confers on the Commission the responsibility of providing services and facilities to ensure the efficient and effective functioning of Parliament. Article 127(6)(e)(i) of the Constitution further bestows upon the Commission the constitutional duty of performing functions that are necessary for the well-being of the Members and Staff of Parliament.
2. Parliament has a wide range of Members' facilities including but not limited to: buildings, parking bays, gymnasium, offices, office equipment (such as computers and photocopying facilities), office furniture and fittings, committee rooms; and, mortgage and car loan facilities. Pursuant to the provisions of Article 127 of the Constitution, the Commission extends an array of services to Members such as cleaning services, telephone services, printing services, medical services, catering services, security services, information services, library services and catering services. The Commission has the mandate of ensuring that the said services and facilities are extended.
3. The National Assembly Standing Order No. 212B establishes the Select Committee on Members' Services and Facilities which is charged with the responsibility of receiving and considering views of Members of the National Assembly on the services and facilities provided to them by the Commission for their benefit and well-being. The Committee is also charged with advising and reporting on all matters connected to these services and facilities. The Committee is therefore the forum through which the Members of the National Assembly channel views regarding their welfare to the Commission.
4. It is believed that, one of the reasons behind the establishment of the Committee in the National Assembly was to handle matters which were otherwise handled under the *Speaker's Kamukunji*, an informal gathering of all Members chaired by the Speaker. This therefore formalizes deliberations of the said informal meetings and provides a channel through which the said issues can find their way to the House by way of a Report.



5. The Committee recognizes that, for Members to be effective and efficient in their constitutional obligations, they must be sufficiently provided with the necessary facilities and services as enunciated under Article 127 (6) of the Constitution.
6. The Committee is guided by the provision Article 254 (1) of the Constitution which provides that, “*As soon as practicable after the end of each financial year, each commission, and each holder of an independent office, shall submit a report to the President and to Parliament*” and Article 254 (2) which further provides that, “*at any time, the President, the National Assembly or the Senate may require a commission or holder of an independent office to submit a report on a particular issue*”.
7. The Committee, during the Second Session of the Twelfth Parliament, tabled several reports to the National Assembly outlining an array of recommendations to the National Assembly. All the recommendations contained in the Second Report of the Committee were adopted by the House requiring the Commission to implement certain specific issues.

1.1. Objectives of the Report

Main Objective of the Report

8. The main objective of this Report is for the National Assembly to require the Parliamentary Service Commission to submit a report on all the specific issues contained in the Second Report of the Committee.

Specific Objectives of the Report

9. The specific objectives of this Report are-

- (a) to invoke the provisions of Article 254(2) of the Constitution and require the Parliamentary Service Commission to submit a report on implementation status of all the specific resolutions of the House contained the Second Report of the Committee.
- (b) to call upon the Commission to apprise the National Assembly on the successes and failures of the Commission, if any, during the Second Session and recommend to the House on the best way forward to enhance the effective and efficient functioning of Parliament;



- (c) to require the Commission to make specific recommendations on legislative interventions, regulatory frameworks and/or policies or otherwise to the House geared towards the improvement of services and facilities in Parliament and the well-being of Members of Parliament.

2. Methodologies and Strategies Used to Collect and Collate Views on Services and Facilities

10. In the realization of its objectives, the Committee-

- (a) reviewed the responsibilities of the Commission as provided for under Article 127(6) of the Constitution, the mode of reporting of the Commission, like any other constitutional commission or independent offices as provided under Article 254(1) of the Constitution and the recommendations of the Committee as contained in its Second Report;
- (b) undertook inspection visits to the various facilities within Parliament; and,
- (c) drew lessons from other Parliamentary Jurisdictions.

2.1. Responsibilities of the Parliamentary Service Commission and reporting by the Commission to the House

11. The Commission under Article 127 (6) of the Constitution is responsible for providing services and facilities to ensure the efficient and effective functioning of Parliament. Article 127(6)(e)(i) of the Constitution further bestows upon the Commission the constitutional duty of performing functions that are necessary for the well-being of the Members and Staff of Parliament.

12. Article 254 (1) of the Constitution provides that, "*As soon as practicable after the end of each financial year, each commission, and each holder of an independent office, shall submit a report to the President and to Parliament*" and Article 254 (2) which further provides that, "*At any time, the President, the National Assembly or the Senate may require a commission or holder of an independent office to submit a report on a particular issue*".

Resolutions of the House on Services and Facilities

13. During its sitting held on 15th August, 2018, the National Assembly considered the First and Second Reports of the Committee and approved the same without amendments.

14. Among others, the House resolved that:



- (1) *the Commission ensures prompt implementation of the House resolutions relating to Members' Services and Facilities;*
- (2) *the Commission constitutes an Inspection Committee to regularly undertake random daily inspections of high priority areas and random weekly inspections on all matters that would require maintenance and cleanliness;*
- (3) *the Commission equips all Members' offices with furniture and fittings;*
- (4) *the Commission to consider installing suggestion boxes for feedback on the quality of cleaning services to be operated jointly with the service provider;*
- (5) *the Commission facilitates repair and maintenance of the various facilities of Parliament key among them, Members' Offices, lavatories, catering unit and health club;*
- (6) *the Commission considers setting up a second gymnasium on the ground floor in the New Wing of Main Parliament Buildings by taking up part of the area reserved for parking and utilizing it as a temporary gym pending the completion of the multi storey building;*
- (7) *the Commission provides Members of the National Assembly with monthly statements of their allowances both in the Chamber and in the Committees;*
- (8) *the Commission engages Ms. Liaison Healthcare Ltd with a view to improve on the medical insurance cover for Members of Parliament;*
- (9) *the Commission to consider giving full per diem and giving the Member's the option of securing their own accommodation;*
- (10) *the Commission restructures the Catering Unit to facilitate the operation of a profit and loss account and allow the Catering Unit to independently source and price food items competitively;*
- (11) *the Commission facilitates the audit of the Catering Fund within three (3) months from the date of adoption of the said Report;*
- (12) *the Commission facilitates the formulation of Catering Fund Regulations for the administration of the Catering Fund;*
- (13) *the Commission facilitates a staff skills audit in the Catering Unit for purposes of getting skills gaps and training needs;*
- (14) *the Commission extends the Parliamentary ICT services to the constituency offices;*
- (15) *the Commission facilitates renovations and refurbishments of the existing Committee rooms;*



- (16) *the Commission facilitates Members with a Constituency Offices Management Guide;*
- (17) *the Commission sets up two (2) more cafeterias on the Ground Floor of the Red Cross Building and on the Ground and First Floors of the County House;*
- (18) *the Commission facilitates procurement of new uniforms for the Catering Staff;*
- (19) *the Commission considers employing a Public Health Specialist to be advising on food safety, hygiene and general cleanliness in Parliament;*
- (20) *the Commission considers designating at least one restaurant as an exclusive dining point for Members and visiting dignitaries;*
- (21) *the Commission considers installing a Catering Information Management System to enhance internal controls and boost efficiency in the Catering Unit;*
- (22) *the Commission expedites the construction of the “New Multi-Storey Office Block” to guarantee more Committee Rooms and allocation of offices to all Members within the Parliamentary square;*
- (23) *the Commission to facilitate construction of ramps and other equipment for use by Persons Living With Disability (PWLD) within Parliament Buildings in line with the requirements of Persons with Disabilities Act, No. 14 of 2003;*
- (24) *the Commission facilitates an integrated ICT system that tracks members’ activities and contributions at Committees and Chambers;*
- (25) *the Commission facilitates an Integrated Management Security System within Parliament Buildings to facilitate security and safety measures;*
- (26) *the Commission formulates a policy on asset disposal based on the Public Procurement and Asset Disposal Act, No. 33 of 2015 to ensure that any asset not in use is disposed in accordance with the law;*
- (27) *the Commission prioritizes disposal and replacement of obsolete health club equipment through the existing mechanism under the procurement laws and facilitates purchase of individual member items such as towels;*
- (28) *the Commission engages the Salaries and Remuneration Commission on the members’ mileage allowance, car grant, salaries and other allowances for members;*
- (29) *the Commission facilitates the implementation of the “Lactating Mothers Policy”.*

Multi-Storey Office Block

15. With regard to office accommodation in Parliament, the Committee also observed that the Parliamentary Service Commission is in the process of coming up with a Multi-Storey



Office Block. The Office Block was initiated by the Tenth Parliament to address the shortage of offices for Members of Parliament and committee rooms. It was also observed that there was a poor working environment in the Continental House, Parliament Buildings as the offices in Continental House are small and without proper ventilation. The location of the health club in the basement of Continental House was also not viewed as an ideal location.

16. The proposed building comprises of 26 floors above ground, four basements and a tunnel linking the building to Main Parliament. The following facilities will be provided in the building: -

- (a) Members offices (19 floors with a total of 319 offices for members);
- (b) 21 committee rooms (4 floors);
- (c) Restaurant (23rd floor);
- (d) Health Club (24th and part of 25th floor); and
- (e) Four basement parking floors with a capacity of 350 cars;
- (f) The ground floor will house the reception areas and security operations spaces;
- (g) The Fourth floor has an open sky garden.

17. The Committee observed that, during the design it was noted that Members needed to be facilitated to move quickly to the chamber especially when the division bell is rung. This necessitated the construction of the pedestrian tunnel with the access building that will enable members to access three floors of the main Parliament Building.

Lessons Drawn from other Parliamentary Jurisdictions on Salaries and Allowances to Members of Parliament

18. During the Second Session of the Twelfth Parliament, the Committee undertook study visits to the Parliament of India, Parliament of New Zealand and the National Assembly of Zambia. The Committee drew some lessons as summarized hereunder-

(a) Parliament of India

19. Article 106 of the Constitution of India provides that the members of either House of Parliament shall be entitled to receive salaries and allowances as may from time to time be



determined by Parliament. The Salary, Allowances and Pension of Members of Parliament Act, 1954, enacted pursuant to the constitutional provision, governs the salaries and allowances of the members.

A Joint Committee of the two Houses, constituted from time to time, frame rules, after consultation with the Government of India, to provide for matters like medical, housing, telephone facilities, etc. and for regulating the payment of daily and travelling allowances under the said Act. The Act and the rules made there-under have been amended from time to time, in keeping with the changing requirements.

According to the official website of Lok Sabha, this information is an attempt to provide in one document, the salaries, allowances, other entitlements and all amenities and facilities available to members of Lok Sabha so that members, especially the newly elected ones, know them at a glance. However, the information contained in this publication is not exhaustive.

Entitlements of Members in Lok Sabha:

- 1. Salaries and Allowances** -The salaries and allowances of members are governed by the Salary, Allowances and Pension of Members of Parliament Act, 1954, as amended from time to time, and the rules made thereunder.
- 2. Other than the monthly salary, allowances include** - Daily Allowance; Constituency Allowance; Office Expense Allowance; Travelling Allowance (TA) and Travel Facilities (*including facilities for Spouse of a Member*); Telephone allowance; Water and Electricity; Medical Facilities; Advance for Purchase of Conveyance (*equivalent of mortgage loan*); and, accommodation allowance.

Accommodation in Lok Sabha:

- Transit Accommodation:** After every General Election for Lok Sabha, arrangements are made for stay of newly-elected members temporarily in State Governments' Guest Houses/Bhawans, Hotels, etc. in New Delhi. Such accommodation is treated as transit accommodation. During stay in transit accommodation, a member shall be provided single suite free of licence fee till such time regular accommodation is made available.



- **Regular Accommodation:** Each member is entitled to a rent-free flat or hostel accommodation throughout the term of office. A member allotted housing accommodation in the form of a bungalow on request shall pay full normal licence fee if entitled to such accommodation. Members of Lok Sabha or their families can retain Government Accommodation for a maximum period of one month after their term ends or resignation/removal or ceasing to be a member of Lok Sabha on payment of the same rent/licence fee, if any, which they were paying immediately before the occurrence of any of the events mentioned above.

The family of a deceased Member of Parliament may retain Government accommodation for a maximum period of six months from the date of death of such a member on payment of the same rent/ licence fee, if any, prior to the occurrence of aforementioned event.

- **Guest Accommodation:** The guests of members can be offered accommodation at Western Court Hostel, Janpath.
- **Other Facilities:** Other facilities enjoyed by members include washing of sofa covers and curtains every three months; furniture within the monetary ceiling of Rs 60,000 in respect of durable furniture and Rs 15,000 for non-durable furniture; and also 25 per cent remission in the rents on account of any improvement or addition made to it or any additional service provided thereto by way of furniture, electrical equipment and other services.

(b) New Zealand Parliament

20. Members of Parliament are paid according to their position in Parliament as recognised by Remuneration Authority Determination¹. Pursuant to section 8 of the Members of Parliament (Remuneration and Services) Act 2013 and to the Remuneration Authority Act 1977, the Remuneration Authority makes the following determination (to which is appended an explanatory memorandum).

MPs are entitled to a Wellington Housing Allowance of approximately \$4000 towards their housing costs. The accommodation allowance subsidizes the cost of renting a house in Wellington if the MPs are from out of town.

¹ Parliamentary Salaries and Allowances Determination 2017

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(b) New Zealand Parliament

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¹ Parliamentary Salaries and Allowances Determination 2017

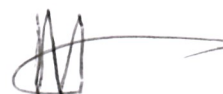
(c) National Assembly of Zambia

21. The Zambian model for accommodation of Members of the National Assembly closely mirrors the South African model. The National Assembly has a Motel that offers accommodation to Members who have no residence in Lusaka and free transport to and from Parliament.

3. Observations by the Committee

22. Drawing from the above resolutions of the House, the Committee observed that, out of the raft of Resolutions made by the House, very few had been fully implemented by the Commission. The Committee is therefore concerned and wishes to invoke the provisions of Article 254 (2) of the Constitution and recommend to the National Assembly to require the Commission to Report on implementation of the following matters as contained in the Second Report of the Committee which was adopted on August 15, 2018 -

- (1) Establishment of an Inspection Committee to regularly undertake random daily inspections of high priority areas and random weekly inspections on all matters that would require maintenance and cleanliness.
- (2) Equipping of Members' Office with furniture and fittings.
- (3) Installation of suggestion boxes for feedback mechanism.
- (4) Repair and maintenance of Members' Offices, Committee Rooms, Lavatories, Catering Unit and Health Club.
- (5) Setting up of a gymnasium on the ground floor in the New Wing of Main Parliament Buildings.
- (6) Provision of monthly statements pay advice.
- (7) Feedback on engagements with Ms. Liaison Healthcare Ltd on improvement of the medical insurance cover for Members of Parliament.
- (8) Status of Improvement of Services in the Catering Unit, Audit of the Catering Fund, Formulation of Catering Fund Regulations, and Staff Skills Audit in the Catering Unit.
- (9) Status of the coverage of the Parliamentary ICT services.
- (10) Status of Preparation of a Constituency Offices Management Guide.
- (11) Setting up of Cafeterias on the Ground Floor of the Red Cross Building and on the Ground and First Floors of the County Hall.



- (12) Status of procurement of new uniforms for the Catering Staff.
- (13) Employment of a Public Health Specialist for Parliament.
- (14) Designating one restaurant as an exclusive dining point for Members and visiting dignitaries.
- (15) Procurement of a Catering Information Management System.
- (16) Progress Report of the “New Multi-Storey Office Block”.
- (17) Procurement of an Integrated Management Security System within Parliament Buildings.
- (18) Formulation of an Asset Management and Disposal Policy.
- (19) Status of negotiations with the Salaries and Remuneration Commission on the members’ mileage allowance, car grant, salaries and other allowances of members.
- (20) Implementation of the “Lactating Mothers Policy”.
- (21) The construction of the Office Block was initiated by the Tenth Parliament and therefore was taking unnecessarily long to be completed. The Committee also was of the view that on the proposed Fourth floor with an open sky garden, the Commission should set aside spaces for Gift Shop among other financial services.
- (22) The Parliamentary Service Act, 2000 has not been amended since the promulgation of the Constitution on August 27, 2010.

23. The Committee also observed that, during the Financial Year 2018/2019, among other programmes, the Commission budgeted for facilitation of Members accommodation when they come to Nairobi to discharge their legislative work. The Committee observed that the said had budget may not have been expended was therefore interested in knowing the status of implementation of the specific allocation.

4. Recommendations by the Committee

24. At its meeting held on March 12, 2019, the Committee deliberated on the above observations and recommended to the National Assembly that-

- (5) The Parliamentary Service Commission in accordance with the provisions of Article 254 (2) reports on legislative interventions, regulatory frameworks**



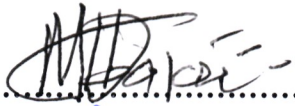


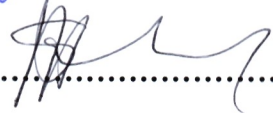

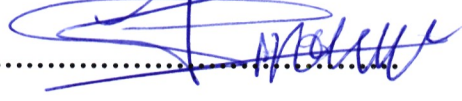


and/or policies or otherwise to the House on improvement of services and facilities in Parliament and the well-being of Members of Parliament.

- (6) The Parliamentary Service Commission in accordance with the provisions of Article 254(2) of the Constitution submits a report on the implementation status of all the specific resolutions of the House contained in the Second Report of the Committee adopted by the House on August 15, 2018.**
- (7) The reports referred to in paragraphs (1), (2) and (3) above be published and publicized as required under Article 254(3) of the Constitution.**
- (8) The Parliamentary Service Commission expedites the construction of the Multi-Storey Office Block with a view to addressing office accommodation and Committee Rooms shortage within Parliament.**



ADOPTION OF THE SIXTH REPORT OF THE SELECT COMMITTEE ON MEMBERS' SERVICES AND FACILITIES

During a meeting of the Committee held on ^{12th} March, 2019, the Honourable Members of the Select Committee on Members' Services and Facilities, present, adopted the report by affixing their signatures to this *Sixth Report on Members' Services and Facilities* to affirm their approval and confirm its accuracy, validity and authenticity:

1. The Hon. Ezekiel Machogu Ombaki, M.P. **Chairperson**.....
2. The Hon. Catherine Waruguru, MP **-Vice Chairperson**
3. The Hon. Aisha Jumwa Katana, MP
4. The Hon. Janet Nangabo Wanyama, MP.....
5. The Hon. Samwel Moroto Chumel, MP.....
6. The Hon. Silas Kipkoech Tiren, MP.....
7. The Hon. Rigathi Gachagua, MP
8. The Hon. (Eng.) Nzambia Thuddeus Kithua, MP
9. The Hon. Walter Owino, MP.....
10. The Hon. Charity Kathambi Chepkwony, MP.....
11. The Hon. Florence Chepngetich Koskey, MP.....
12. The Hon. Christopher Wangaya Aseka, MP.....
13. The Hon. Elisha Odhiambo Ochieng, MP
14. The Hon. Elsie B. Muhanda, MP
15. The Hon. Rehema Hassan, MP



MINUTES OF THE FIFTH SITTING OF THE SELECT COMMITTEE ON MEMBERS SERVICES AND FACILITIES HELD IN THE CPA ROOM, MAIN PARLIAMENT BUILDINGS ON TUESDAY, MARCH 12, 2019 AT 11.30AM

MEMBERS PRESENT

1. The Hon. Ezekiel Machogu Ombaki, M.P. - **Chairperson**
2. The Hon. Catherine Waruguru, M.P. – **Vice Chairperson**
3. The Hon. Janet Nangabo Wanyama, M.P.
4. The Hon. Samwel Moroto Chumel, M.P.
5. The Hon. Christopher Wangaya Aseka, MP
6. The Hon. Elsie Muhanda, MP
7. The Hon. Elisha Odhiambo, MP
8. The Hon. Florence Chepngetich Koskey, M.P.
9. The Hon. Walter Owino, MP
10. The Hon. Rehema Hassan, M.P.
11. The Hon. Rigathi Gachagua, M.P.
12. The Hon. (Eng.) Nzambia Thuddeus Kithua, MP

APOLOGY

1. The Hon. Silas Kipkoech Tiren, M.P.
2. The Hon. Charity Kathambi Chepkwony, M.P.
3. The Hon. Aisha Jumwa Katana, MP

IN ATTENDANCE:

NATIONAL ASSEMBLY

- | | |
|-----------------------|-------------------------------|
| 1. Mr. Harrison Owino | - Chief ICT Officer |
| 2. Mr. John N. Mutega | - Principal Clerk Assistant I |
| 3. Ms. Emma Esendi | - Legal Counsel I |
| 4. Mr. Douglas Katho | - Clerk Assistant III |
| 5. Ms. Zainabu Wario | - Serjeant-at-arms |

MIN. NO. NA/DCS/MSF/2019/015:

PRELIMINARIES AND INTRODUCTIONS

The sitting's proceedings commenced with a word of prayer by the Hon. (Eng.) Nzambia Thuddeus Kithua, MP and thereafter the meeting's agenda was adopted by Members present.

MIN. NO. NA/DCS/MSF/2019/016:

CONFIRMATION OF THE MINUTES OF THE PREVIOUS SITTING

The minutes of the 4th Sitting held on Thursday, 7th February, 2019 were confirmed as true records of proceedings of that meeting after being proposed by the Hon. Janet Nangabo Wanyama, M.P and seconded by the Hon. (Eng.) Nzambia Thuddeus Kithua, MP.

MIN. NO. NA/DCS/MSF/2019/017:

MATTERS ARISING THEREOF

Under Minute NO. MIN. NO. NA/DCS/MSF/2019/013:

1. Inspection of the Upcoming Multi-Storey Building

The Committee resolved to undertake and inspection of the building to ascertain its status and progress on the Thursday 21st March, 2019 at 12 Noon. The Members also sought to know the budgetary allocation for the Upcoming office block. The project implementation



Committee was to be informed of the inspection visit in good time for them to prepare adequately.

2. Budget Implementation review on the Services and facilities extended to Members of National Assembly.

The Committee resolved to invite the DFA to provide the status of budget implementation with regard to the services and facilities that are extended to the Members of the National Assembly.

3. Staff scheme of Service at the Catering Unit

The Members were informed that there were changes in the waiters in the catering unit. The members advised that the changes need to be gradual and that an enhanced scheme of service need to be in place to ensure that the staff are motivated. The Committee resolved to invite the Catering Manager to provide a report on the staff changes.

4. Regarding foreign travels to build the capacity of the Members of the Committee through study visits.

The Committee was informed that correspondences have been sent out to Rwanda and Ethiopia awaiting responses. The Committee also tasked the Secretariat to explore the possibility of getting response from Botswana National Assembly.

MIN. NO. NA/DCS/MSF/2019/018: CONSIDERATION AND ADOPTION OF THE SIXTH REPORT OF THE COMMITTEE ON IMPROVEMENT OF SERVICES FACILITIES EXTENDED TO THE MEMBERS OF THE NATIONAL ASSEMBLY

During the meeting, the Committee observed that, out of the raft of Resolutions made by the House, very few had been fully implemented by the Commission. The Committee was therefore concerned and wishes to invoke the provisions of Article 254 (2) of the Constitution and recommend to the National Assembly to require the Commission to Report on implementation of the following matters as contained in the Second Report of the Committee which was adopted on August 15, 2018 -

- (1) Establishment of an Inspection Committee to regularly undertake random daily inspections of high priority areas and random weekly inspections on all matters that would require maintenance and cleanliness.
- (2) Equipping of Members' Office with furniture and fittings.
- (3) Installation of suggestion boxes for feedback mechanism.
- (4) Repair and maintenance of Members' Offices, Committee Rooms, Lavatories, Catering Unit and Health Club.
- (5) Setting up of a gymnasium on the ground floor in the New Wing of Main Parliament Buildings.
- (6) Provision of monthly statements pay advice.



- (7) Feedback on engagements with Ms. Liaison Healthcare Ltd on improvement of the medical insurance cover for Members of Parliament.
- (8) Status of Improvement of Services in the Catering Unit, Audit of the Catering Fund, Formulation of Catering Fund Regulations, and Staff Skills Audit in the Catering Unit.
- (9) Status of the coverage of the Parliamentary ICT services.
- (10) Status of Preparation of a Constituency Offices Management Guide.
- (11) Setting up of Cafeterias on the Ground Floor of the Red Cross Building and on the Ground and First Floors of the County Hall.
- (12) Status of procurement of new uniforms for the Catering Staff.
- (13) Employment of a Public Health Specialist for Parliament.
- (14) Designating one restaurant as an exclusive dining point for Members and visiting dignitaries.
- (15) Procurement of a Catering Information Management System.
- (16) Progress Report of the “New Multi-Storey Office Block”.
- (17) Procurement of an Integrated Management Security System within Parliament Buildings.
- (18) Formulation of an Asset Management and Disposal Policy.
- (19) Status of negotiations with the Salaries and Remuneration Commission on the members’ mileage allowance, car grant, salaries and other allowances of members.
- (20) Implementation of the “Lactating Mothers Policy”.
- (21) The construction of the Office Block was initiated by the Tenth Parliament and therefore was taking unnecessarily long to be completed. The Committee also was of the view that on the proposed Fourth floor with an open sky garden, the Commission should set aside spaces for Gift Shop among other financial services.
- (22) The Parliamentary Service Act, 2000 has not been amended since the promulgation of the Constitution on August 27, 2010.

The Committee adopted the above Report and resolved to recommend to the National assembly that-

- (1) The Parliamentary Service Commission in accordance with the provisions of Article 254 (2) reports on legislative interventions, regulatory frameworks and/or policies or otherwise to the House on improvement of services and facilities in Parliament and the well-being of Members of Parliament.**
- (2) The Parliamentary Service Commission in accordance with the provisions of Article 254(2) of the Constitution submits a report on the implementation status of all the specific resolutions of the House contained in the Second Report of the Committee adopted by the House on August 15, 2018.**



- (3) The reports referred to in paragraphs (1), (2) and (3) above be published and publicized as required under Article 254(3) of the Constitution.
- (4) The Parliamentary Service Commission expedites the construction of the Multi-Storey Office Block with a view to addressing office accommodation and Committee Rooms shortage within Parliament.

MIN. NO. NA/DCS/MSF/2019/019: ANY OTHER BUSINESS AND
ADJOURNMENT

And there being no other business, the meeting was adjourned at Forty minutes past One O'clock. The next meeting was scheduled for Thursday 14th March, 2019 at 12.00 Noon.

SIGNED.....
(CHAIRPERSON)

DATE.....14-03-2019.....

MINUTES OF THE FOURTH SITTING OF THE SELECT COMMITTEE ON MEMBERS SERVICES AND FACILITIES HELD IN THE COMMITTEE ROOM 9, MAIN PARLIAMENT BUILDINGS ON THURSDAY, MARCH 07, 2019 AT 12.00PM

MEMBERS PRESENT

1. The Hon. Ezekiel Machogu Ombaki, M.P. - **Chairperson**
2. The Hon. Janet Nangabo Wanyama, M.P.
3. The Hon. Charity Kathambi Chepkwony, M.P.
4. The Hon. Christopher Wangaya Aseka, MP
5. The Hon. Elsie Muhanda, MP
6. The Hon. Elisha Odhiambo, MP
7. The Hon. Florence Chepngetich Koskey, M.P.
8. The Hon. Silas Kipkoech Tiren, M.P.
9. The Hon. Walter Owino, MP
10. The Hon. Rehema Hassan, M.P.
11. The Hon. (Eng.) Nzambia Thuddeus Kithua, MP

APOLOGY

1. The Hon. Catherine Waruguru, M.P. – **Vice Chairperson**
2. The Hon. Samwel Moroto Chumel, M.P.
3. The Hon. Aisha Jumwa Katana, MP
4. The Hon. Rigathi Gachagua, M.P.

IN ATTENDANCE:

NATIONAL ASSEMBLY

- | | |
|-----------------------|--|
| 1. Ms. Joan Awinja | - Deputy Director, Administrative Services |
| 2. Mr. Harrison Owino | - Chief ICT Officer |
| 3. Mr. John N. Mutega | - Principal Clerk Assistant I |
| 4. Ms. Emma Esendi | - Legal Counsel I |
| 5. Mr. Douglas Katho | - Clerk Assistant III |

MIN. NO. NA/DCS/MSF/2019/011:

PRELIMINARIES AND INTRODUCTIONS

The sitting's proceedings commenced with a word of prayer by the Hon. (Eng.) Nzambia Thuddeus Kithua, MP and thereafter the meeting's agenda was adopted by Members present.

In his introductory remarks, the Chairperson, informed the committee that the Liaison Committee has developed a guideline that Committees are required to adhere to when requesting for additional funds for a foreign visit. The Committee on Members Services was informed that the remaining balance for the financial year 2018/2019 is about Ksh. 800,000/-. The Committee tasked the Secretariat to use the guidelines provided by the Liaison Committee to request for additional funds for at least one foreign travel in line with the Committees' mandate before the end of the financial year 2018/2019.

The Chair also informed the Committee that Article 254 requires that as soon as practicable after the end of each financial year, each commission, and each holder of an independent office, shall submit a report to the President and to Parliament. It also states that at any time, the President, the National Assembly or the Senate may require a commission or holder of an independent office to submit a report on a particular issue; and that every report required from a commission or holder of an independent office under this Article shall be published and publicized.

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The meeting thereafter resolved to invite the Chief Maintenance Engineer provides an exhaustive brief to the Committee and thereafter the Committee will make a determination on the way forward.

MIN. NO. NA/DCS/MSF/2019/014: ANY OTHER BUSINESS AND
ADJOURNMENT

And there being no other business, the meeting was adjourned at Forty minutes past One O'clock. The next meeting was scheduled for Tuesday 12th March, 2019 at 11.30am.

SIGNED.....
(CHAIRPERSON)

DATE..... 12.03.2019

