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**PARLIAMENTARY SERVICE COMMISSION**



**COMMISSION PAPER NO. 64**

**REPORT OF THE STUDY VISIT TO THE  
PARLIAMENTS OF FINLAND, BELGIUM,  
BENELUX AND THE U.K.**

**FROM OCTOBER 07 TO 17, 2001**

**PRESENTED TO THE COMMISSION  
ON NOVEMBER 04, 2001**

**PARLIAMENT BUILDINGS  
NAIROBI**

**NOVEMBER, 2001**

# **PARLIAMENTARY SERVICE COMMISSION**

## **DRAFT REPORT OF THE STUDY VISIT TO THE PARLIAMENTS OF FINLAND, BELGIUM, BENELUX AND THE UNITED KINGDOM**

### **1.0 SUMMARY OF THE SUBJECT**

The contents of Commission Paper No. 64 relate to:

- a) the Commission's visit to the Parliaments of Finland, Belgium, Benelux and the United Kingdom;
- b) the administration and management of the Parliaments visited.

## **2.0 BACKGROUND TO THE STUDY VISIT**

- 2.1 The study visit to Finland, Belgium and the United Kingdom was the second such visit undertaken by the Parliamentary Service Commission, the first one having been to Canada in May, 2001. This visit was fully sponsored by AWEPA except for the group of four Commissioners and one staff who proceeded to the U.K. AWEPA paid for their air tickets only.
- 2.2 The rationale for these visits is that the Parliamentary Service Commission is a recent constitutional invention in Kenya. It was therefore important to visit other parliamentary jurisdictions with a long history of parliamentary autonomy as well as some significant similarity with the Kenya Parliament. This would immensely assist the Commission in charting out its course.
- 2.3 No Parliament fits this criterion more than the Finish Parliament. Finland itself was a colony of Sweden for almost six centuries and of Russia for one century. The Finnish Parliament has 200 Members in total out of a population of about 5,000,000 people. It is not a rich country but it is not poor either. It is a country which is tucked between the communist countries that paraded themselves under the Warsaw Pact military alliance at the behest of the former Soviet Union and Western liberal democracies under the N.A.T.O. military alliance with the U.S.A. as the main player. The word Finlandisation in cold war parlance came to signify neutrality imposed on a country by the imperatives of geopolitics.
- 2.4 The P.S.C. had informed AWEPA that during their study visit to the Parliament of Finland and Belgium, they would like to focus their attention on the following areas:
  - (i) to meet Members running the equivalent body to the Commission in the two Parliaments.

- (ii) to meet Chief Officers of the two Parliaments.
- (iii) to meet the Chairpersons of the Housekeeping or Standing Committees.
- (iv) to have a tour of the facilities and services provided for the use of Members.

2.5 This report covers extensively the Commission's visit to the Parliament of Finland. This is because the programme in Finland was tailored along the focal points stated above. The Commissioners expressed their desire (at the end of the visit) to send officers on attachment to the Finnish Parliament because they were very impressed with their organization and style of administration.

2.6 In Belgium, the programme not only focused on the Belgium Parliament. Being the headquarters of the European Parliament, Brussels is an international city where several commercial treaties are negotiated. The Commissioners found themselves involved in very serious discussions on the politics and economics of international development, trade issues and the role that European countries could play to rectify some of the anomalies that distort international trade and development. Even Benelux Parliamentarians were excited about issues concerning world politics; globalization and how small countries could make their influence to be felt in international affairs. They were very keen to hear how the newly launched East African Community was getting on. The delegation implored the Benelux Members to champion the interest of developing countries, especially in having fair trade terms with the industrialized North.

2.7 The visit to the United Kingdom was entirely different. AWEPA had nothing to do with the content of the programme. But the first day and half of the second day of the visit were taken over by politics which centered on the Moi succession, constitutional review process, strengthening institutions of governance to enhance democracy and the fight against corruption and bilateral relations between Kenya and the U.K.

2.8 The Parliamentary Service Commission delegation comprised the following:

- (i) The Hon. Francis X.K. ole Kaparo, EGH, M.P.- Chairman  
and  
Leader of the  
Delegation.
- (ii) The Hon. Peter Oloo Aringo, EGH, M.P. -Vice-  
Chairman.
- (iii) The Hon. Abubakar M. Badawy, M.P.
- (iv) Dr. the Hon. Abdullahi I. Ali, M.P.
- (v) The Hon Daniel L. Khamasi, M.P.
- (vi) The Hon. George O. Ngure, M.P.
- (vii) The Hon. David M. Musila, M.P.
- (viii) Mr. Peter C. Owino Omolo - Deputy Clerk/Secretary  
to the Delegation
- (ix) Mr. Michael R. Sialai – First Clerk Assistant.

2.9 The same delegation proceeded to Belgium without Mr. Speaker who had to leave for Nairobi on October 10, 2001. The delegation was thus in Brussels between 10<sup>th</sup> and 13<sup>th</sup> October 2001 after which it was split into two with the following going to London while the rest headed for Nairobi.

- (i) The Hon. Peter Oloo Aringo, EGH, MP - Vice-Chairman  
and Leader of  
the delegation
- (ii) The Hon. Abubakar Badawy, MP

- (iii) Dr. the Hon. Abdullahi I. Ali, MP
- (iv) The Hon. Daniel L.Khamasi, MP
- (v) Mr. Peter C. Owino Omolo - Deputy Clerk/Secretary to the Delegation.

### **3.0 EXECUTIVE SUMMARY**

- 3.1 The Executive Summary is done for each country visited in the trip.

#### **FINLAND**

- 3.2 The Commissioners arrived in Finland on 7<sup>th</sup> but started their programme on 8<sup>th</sup> October and completed it on 10<sup>th</sup> October, 2001.

Finland is an extremely open society – the first in the world to give women the right to vote. Women hold very important posts in the country. The media personnel who cover Parliament are even allowed to patronize some Parliamentary facilities like the gym and have unlimited access to Parliamentary budget and how it is utilized by officers of the House.

- 3.3 Political parties in Finland are financed from public funds in order to prevent companies, private organizations and rich individuals from usurping state power. For each Member a party has in Parliament, the Government pays that party Finnish Mark 7,100. This money is used by the party to hire staff. Since most of the time there is a coalition Government in power, it is the parliamentary groups which decide who among them is to serve as a Minister in the Cabinet.
- 3.4 The research done by the Finnish Parliament is in-house, non-partisan and the Members are the main clients. There is very fluent record of all the inquiries made and the response given. Even lawyers in Finland use the Parliamentary Library for their legal research.

- 3.5 Finally, the institution of the Ombudsman was of special interest to the Commissioners. The Ombudsman exercises his functions on behalf of Parliament which elects him by secret ballot for a four year term. The office has 40 employees majority of whom are lawyers, administrators and investigators who do not have Police powers. But the Ombudsman report is always submitted to Parliament through the Constitutional Law Committee. The report consists of the various recommendations, critical opinions and advice made as a result of the numerous complaints on maladministration, bureaucratic inertia, Government lethargy and/or excesses and Executive inaction which must be done in writing without legal advice. Even prisoners are allowed to present their complaints. The wide and extensive media coverage of the Ombudsman's report puts a lot of pressure on those public officers who are adversely reported on.

### **BELGIUM**

- 3.6 The Commissioners stayed in Brussels between 10<sup>th</sup> and 13<sup>th</sup> October 2001.

Belgium is a multilingual country whose national institutions have been moulded to take this fact into account. For example, to be a Minister, a Member must be able to speak both Dutch and French. Ministers cannot leave the Chamber during debate. There are a total of 20 Standing Committees each of which has 17 Members. Belgians refer to themselves fondly as Champions of the Compromise.

- 3.7 The whole country is divided into 20 constituencies with each constituency having between 2-20 Members; 150 Members in total. The Senate can only suggest an amendment but it is the Lower House that has to decide. The Speaker is elected every session and the House sits every Tuesday, Wednesday and Thursday with each Sitting lasting about 8 hours. Question Time lasts between 60-90 minutes with each Question not taking more than 5 minutes. The Court of Audit is appointed by the House.

- 3.8 The staff of the Belgium Parliament are recruited through exams administered by an outside body like University professors. One criterion for joining the House Administration is that an officer must be able to speak at least two languages. They are paid salaries which are 20% higher than in the mainstream civil service and the officers must be available and present whenever they are needed for duty.
- 3.9 In order to be a Member either of the Houses, a candidate must be 21 years of age. This is a legacy from 1831 when the age of the drafters of the independence Constitution was 28 years. The women gained the right to vote in 1948 but immediately after WWI, they could be voted to Parliament!
- 3.10 In 1954, Belgium became the first country in Europe to have electronic voting system. Every Thursday, there are about 30 votes (Bills and Motions) to be taken and at least 76 Members of Parliament must be present to realize the quorum. For a resolution to be valid at least 38 Members must vote in favour.
- 3.11 Business in the House is arranged in the following priority:
- First - the budget
  - Second- Government Bills
  - Third - Private Members' Bills but it is nearly impossible for such a Bill to come to the floor of the House. Tabling a Private Bill is therefore meant more as a way of attracting public attention to an issue and not necessarily to debate it. Each Standing Committee decides what agenda will be given priority and they are all chaired by Deputy Speakers (i.e., Deputy Presidents).
- 3.12 Private funding of political parties is prohibited. This law was passed in 1989 when a private company from which the Government had bought a large number of helicopters was discovered to have heavily funded the party in power during the elections. In order to qualify for funds from the Government, a party must have at least one Member of Parliament. The amount



of money given to a party corresponds to the number of votes it won during the election. Secondly, a party must enshrine in its Constitution respect for individual freedoms and human rights or else it cannot attract state funding.

- 3.13 If at all a private individual has to give a donation to a political party, he/she must be registered and such fundraising events must also be registered. Money spent both by individual party candidates and by parties sponsoring them in an election is also limited by law. Even the size of posters a candidate makes is also controlled; the size must not be more than 4sq metres. A minister, for instance, cannot put his picture/photograph to a Government brochure during election or it will be counted as part of his/her election expenditure.
- 3.14 These strict rules were made so that limitation of financial resources at the disposal of a candidate during election does not impede or reduce his/her chances of being elected.
- 3.15 Finally, the immunity enjoyed by Members of Parliament in Belgium was extensive prior to 1997 in that a Member could not be interrogated, searched or prosecuted if Parliament had not waived his immunity.

### **THE UNITED KINGDOM**

- 3.16 The Commissioners arrived in London on 13<sup>th</sup> October but started their programme on Monday 15<sup>th</sup> October, 2001. They wound up on 17<sup>th</sup> October, 2001.
- 3.17 The special ties between Kenya and the United Kingdom make the two countries take each for granted at times. As mentioned elsewhere in this report, there was more politics in the programme not quite unexpected taking into account that Kenya's High Commission in London is the most important foreign mission in so many respects. The long European trip had also taken its toll on the Commissioners so there were few questions to do with how the House of Commons Commission runs the show at the Palace of Westminster. In any case, most of the practices, procedures and

traditions followed in the Kenya Parliament have their historical origins from the British Commonwealth

3.18 All the same, the Commissioners were impressed with the facilities at the disposal of a British Member of Parliament to discharge his constitutional mandate in the House business and fulfill the aspirations of the constituents as an elected representative.

## **A. FINLAND**

### **4.0 INTRODUCTION**

The foundation of independent Finland's political system took shape in 1917-1919 when it broke away from the Russian Empire in 1917.

On 6<sup>th</sup> December, 1917, Parliament approved the declaration of independence and the Republican Constitution adopted in 1919 and defined the Finland's parliamentary system as follows; "**Sovereign power in Finland belongs to the people, who are represented by Parliament**"

Under the provisions of the Constitution, Parliament in Finland passes legislation, decides on the state budget and supervises the activities of the Government and the agencies which operate under it. Parliament also approves international treaties and participates in the national preparation of matters which are decided by the European Union.

### **4.1 ELECTION OF MEMBERS OF PARLIAMENT**

Finland's 200 Members of Parliament are elected directly by secret ballot on a proportional basis.

Every citizen who is at least 18 years of age and is a registered voter is entitled to vote during election. Voters can also cast ballots in advance. The tenure for each Parliament is 4 years. The country is divided into 15 electoral districts with the number of Members of Parliament voted for by each district depending on the population of the district.

The provincial state offices appoint an election Board in each district to prepare lists of candidates and to approve the election results. Candidates are selected by party referendums or electoral organizations. The Ministry of Justice is ultimately responsible for elections.

The relative strength of each party in Parliament following the 1999 general elections is as follows: -

Social Democratic Party	51
Centre Party	48
National Coalition Party	46
Left Wing Alliance	20
Swedish People's Party	12
Christian League	11
Greens	10
Rural Party/True Finns	1
Others	1

#### **4.2 SESSIONS OF PARLIAMENT**

The annual session of Parliament generally begins in February and consists of two terms, the spring term which lasts until end of June, and the autumn term which lasts from the beginning of September to Christmas. Parliament sits for 260 days a year on average. At the start of an annual session of Parliament, the nation's political leaders and their guests attend a special worship service and thereafter proceed to Parliament House where the President of the Republic formally open the session.

#### **4.3 THE PRESIDENT OF THE REPUBLIC AND THE GOVERNMENT**

##### **4.3.1 Election of the President of the Republic**

The President of the Republic of Finland, who must be a native-born Finnish citizen, is elected by a direct vote for a term of six years. A president serves for a maximum of two consecutive terms only. A candidate who receives more than half of the votes cast is elected President.

A presidential candidate may be nominated by a registered parliamentary political party as well as by any group of twenty thousand persons who have a right to vote. In the event of death of a president or inability to carry out the duties of the presidency, a new president must be elected as soon as possible. When the President is prevented from carrying out his duties, the Prime Minister takes over. The President makes decisions in Government on the basis of proposals for decisions put forward by the Government.

However, the President performs the following duties without a proposal for a decision from the Government:-

- a) issuance of an order concerning extra-ordinary parliamentary elections in the event of passage of motion of no confidence against the Government or its resignation.
- b) Presidential pardons.

However, on matters relating to military orders, he makes decisions in conjunction with the responsible Minister.

#### **4.3.2 The Government in Finland**

The Government in Finland consists of the Prime Minister (PM), who is elected by Parliament and thereafter appointed by the President; and Ministers appointed by the President in accordance with a proposal made by the Prime Minister.

Ministers must be Finnish citizens known for their honesty and competence and are responsible to Parliament for their actions in office.

Before the Prime Minister is elected, the groups represented in the Parliament negotiate on the political programme and composition of the Government. One is elected Prime Minister if he has been supported by more than half of the votes cast in an open vote in the Parliament. If in the first and the second elections, no nominee receives more than

half of the votes cast, the person receiving the most votes is elected Prime Minister.

The President dismisses the Government or a Minister, if either of them no longer enjoys the confidence of Parliament, even if no request is made.

#### **4.3.3 Suspension of the Office of a Representative and release or dismissal from Office**

A Representative is suspended from office when he is either serving as a Member of the European Parliament or during military service.

If a Member essentially and repeatedly neglects his or her duties, Parliament, after having obtained the opinion of the Constitutional Law Committee, can dismiss him/her from office permanently or for a given period by a decision supported by at least two thirds of the votes cast.

#### **4.4 THE SPEAKER AND THE SPEAKER'S COUNCIL**

The Speaker and two Deputy Speakers are elected by Parliament through secret ballot for each parliamentary session. The Speaker, the Deputy Speakers and the Chairpersons of Parliamentary Committees form the Speaker's Council, which issues instructions on the organization of parliamentary work and decides on the procedures to be followed in the consideration of matters in the Parliament based on the provisions of the Constitution and Rules of Procedure.

#### **4.5 COMMITTEES OF THE PARLIAMENT**

Parliament appoints, for each electoral term, the Grand Committee, the Constitutional Law Committee, the Foreign Affairs Committee, the Finance Committee and other 11 Standing Committees. *Ad hoc* Committees may also be formed to inquire into a given matter.

The Committees compositions reflect the relative strengths of the parliamentary groups. Each Committee has 17 Members and 9 alternate Members, with the exception of the Finance Committee (21) and the

Grand Committee (25). Each Committee elects its own chairperson and deputy chairperson, taking into account the parties' strengths in the House. A quorum is constituted when at least two-thirds of a Committee's Members are present. Committees are appointed for the life of a Parliament and they retain the same composition throughout the term of Parliament in spite of changes that may take place.

Committee meetings are not public and are, therefore, generally closed to the press. However, a Committee may decide to make a meeting open in order to obtain background information on a matter at hand. The Committees make reports to Parliament for adoption.

#### **4.6 ADMINISTRATION OF PARLIAMENT**

##### **OFFICE COMMISSION**

The Office Commission consists of the Speaker, 2 Deputy Speakers and four Members elected by the Parliament from among its Members, and four alternative Members. The quorum of the Commission is five, and in the event of a tied vote, the Speaker has a casting vote.

Matters to be deliberated upon by the Commission are presented by the Secretary General, the Director of Administration as well as by any other officials designated by the Commission as presenting officials.

If a matter within the competence of the Office Commission is so urgent that there is no time to present it to the Commission, the Speaker and the Deputies shall make a provisional decision upon the presentation of a presenting official. The decision is later presented for approval by the Office Commission.

The Commission generally meets on alternate Thursdays during sitting days. The Office Commission is the equivalent to the Parliamentary Service Commission in the Kenya Parliament.

##### **4.6.1 Preparation of Papers to be presented to the Commission**

01 02 03 04 05 06 07 08 09 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

Papers (articles) to be presented to the Commission are prepared by the Administrative Department and other relevant departments under the direction of the Secretary General.

There is an extensive consultation on papers and matters to be taken before the Office Commission. The Speaker's Council and heads of Department are consulted. A meeting of all heads of Department is held on a Monday before the Commission meets on Thursday for brainstorming on the Agenda. This builds a consensus and ensures that the papers to be presented are acceptable to the Speaker's Council and the staff generally. The papers to be presented are distributed on Tuesday before consideration the following Thursday.

Before the start of the Commission meeting, a general debate is held on papers slated for future discussion. This allows room for gauging the mood of the majority of the Commission Members and ensures that all shades of opinion and facts are included in the papers.

The prior preparation and wide-consultation has ensured that most Commission Papers have been accepted without deferments.

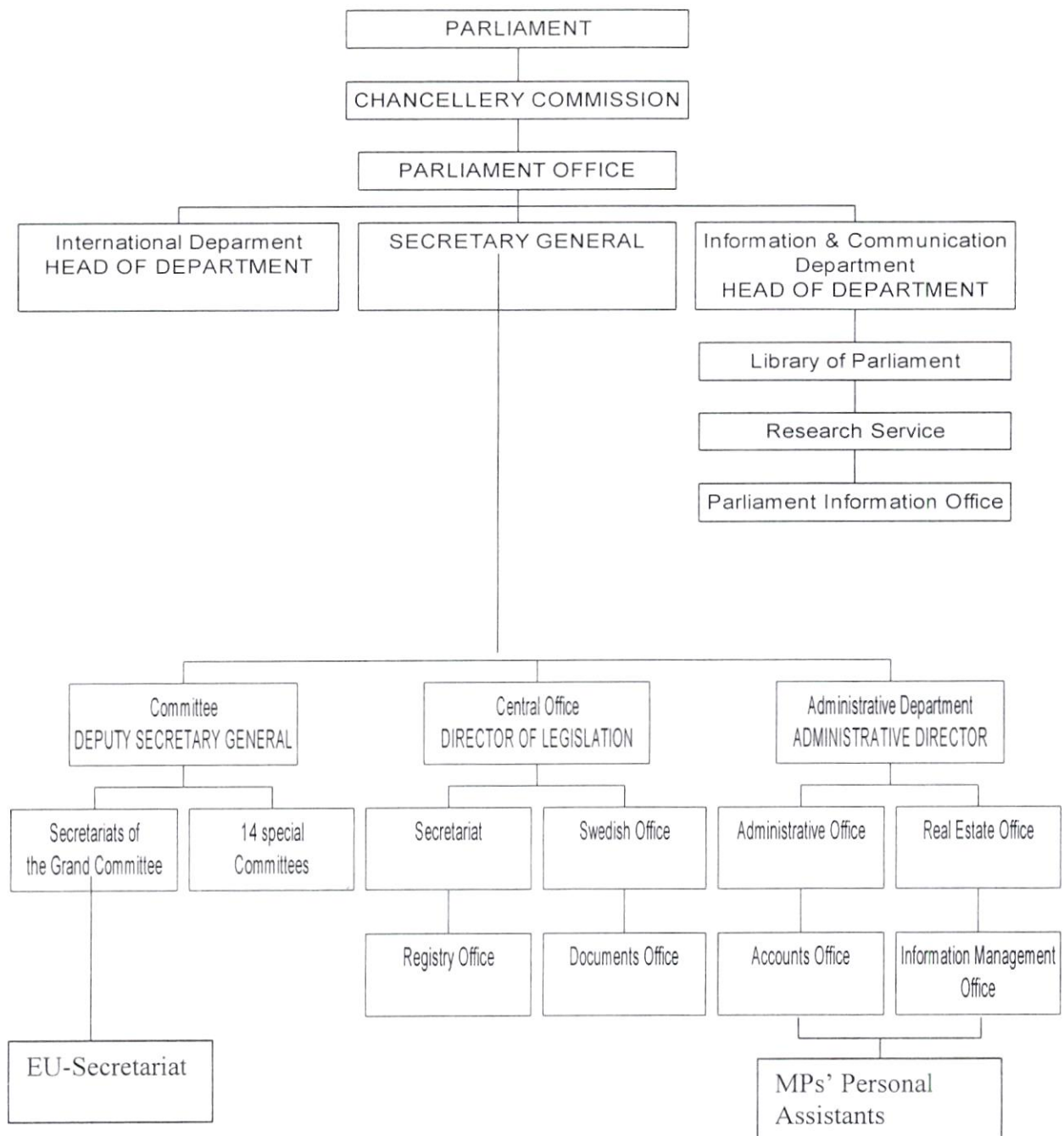
The Minutes of the Commission are open to the public and are put in the Parliament *intranet*. However, materials thought to be of secret nature are not published.

In order to ensure speeding implementation of the Commission decisions, the Heads of Department meet the same afternoon after the Commission meeting to initiate implementation of the decisions arrived at.

#### **4.6.2 Parliamentary Office**

The Parliamentary Office is responsible for creating the proper conditions for Parliament to carry out its tasks as an organ of state. The office is divided into the Central Office, the Committee Secretariat and the Administrative Department as shown in the following Organizational Chart.





The Secretary General who is elected by Parliament heads the Parliamentary Office.

He/she acts as the Secretary of the Office Commission. In the absence of the Secretary General, the Deputy Secretary General performs the duties of Secretary General, and in his

absence, the Speaker invites a suitable person to perform the duties of the Secretary General.

#### **4.6.3 Functions of each Department**

(a) The Central Office:

This department prepares, executes and services tasks related to plenary sessions of Parliament, the preparation and publication of parliamentary documents and registers; the distribution and storing of documents and the procurement of the information necessary for parliamentary business.

The Central Office headed by the Director of Legislation includes the Registry Office, the Swedish Office and the Documents Office.

(b) Committee Secretariat

This department is headed by the Deputy Secretary General and is charged with the responsibility of taking care of secretarial services required by the Committees, prepares matters to be discussed by the Committees and arranges related supporting activities.

Falling under the department is the Grand Committee, 14 Special Committees and the EU Secretariat. The Grand Committee deals with EU matters.

The EU secretariat is responsible for links on matters related to EU Conferences, Parliamentary visits by representatives of the EU's organs and the national parliaments, and seminars at the EU level.

(c) Administrative Department

The Department is charged with the responsibility of preparing the Office Commission meetings and implementing the decisions made at these meetings.

It also handles the following matters:-

- Parliament's budget and financial management as well as the planning of activities and finances;
- personnel administration.

It is a key producer of services including office services, information and communications technology, occupational health, training, catering, payroll and other money traffic, property management and the management of facilities and furnishings.

The department headed by the Administrative Director comprises the Administrative Office, the Accounts Office, the Real Estate Office and the Information Management Office.

The Parliamentary Office's International Department, Information Unit and head of Security are directly subordinate to the Speaker and the Secretary General.

#### **4.7 PARLIAMENTARY GROUPS AND PERSONAL ASSISTANTS TO THE MEMBERS OF PARLIAMENT**

##### **4.7.1 Parliamentary Groups**

All Members of Parliament belong to a parliamentary group generally consisting of representatives of the same party. Apart from having their say on the composition of the various parliamentary bodies, on participation in government responsibilities and on the appointment of Ministers, the parliamentary groups take stand on bills and matters of current interest. The groups generally meet on Thursdays to take decisions and arrive at positions on various issues.

In order to facilitate the functions of the parliamentary groups, each parliamentary group has been allocated its own office in

Parliament House and funds are appropriated in the state budget for this purpose and for engaging their own staff. Parliamentary political parties received an allocation of FIM (Finnish mark) 70 million in the current budget. Each member of the parliamentary group is paid FIM 7,521 per month for employing staff. parliamentary group chairs receive a monthly supplement of FIM 5,000 if the Group has 16 or more Members and FIM 3,000 if it has 3-15 Members. No supplement is paid if a group has only one or two Members. At the moment there are about 50 personnel working as political secretaries and clerks serving the parliamentary groups.

#### **4.7.2 Personal Assistants to Members of Parliament**

The system of engaging Personal Assistants to Members of Parliaments has existed for the past 4 years and is based on parties represented in the House.

The Personal Assistants (PAS) who are now 70 in number are employed by the Parliamentary Office and their employment contracts signed by the Administrative Director in consultation with the Members of Parliament concerned who determine the PAS to be engaged. Although organizationally the MPs' Personal Assistants come mainly under the Administrative Department and are on the parliamentary office's payroll, Parliamentary Office do not supervise their work as they work under the direction of the Members of Parliament.

Ministers are entitled to employ Personal Assistants even though they would normally have other personnel in their ministerial offices.

#### **4.8 MEMBERS OF PARLIAMENT'S PAY AND COMPENSATION OF EXPENSES**

The financial benefits enjoyed by Members of Parliament of Finland are determined on the Representatives' Salaries Act. MPs' pay and remuneration is a contentious issue in Finland just as it is in other parts of the world where the public and in particular the media, think that MPs are

already over-paid and should not therefore receive any increments in their salaries, allowances and other benefits.

In Finland, the MPs' pay had lagged behind and Ministers used to earn 7 times more than an M.P. However, with the amendments of the Representatives' Salaries Act, in June, 2000, the pay to Members has since been reviewed upwards. The benefits comprise salaries, reimbursements of costs and expenses and entitlement to free travel. Under the amended legislation, the amounts to be paid to Representatives as salary are approved by the Office Commission after receiving recommendations from an independent Committee called Salaries Committee.

The Commission has the discretion to either confirm the salaries as proposed or refer the proposals back to the Salaries Committee for further deliberation.

#### **4.8.1 Salaries Committee**

The Chair and other two members of the Salaries Committee, are chosen by the presidency of Parliament for a four-year term. (The presidency comprise the Speaker and two Deputy Speakers). Members of the House of Representatives are not eligible to serve in the Salaries Committee.

The presidency issues supplementary, mainly administrative regulations concerning the work of the Committee. All members must be present at every Committee meeting for a quorum to exist. The first Salaries Committee consisted of a retired ambassador, a lawyer and a former Deputy Parliamentary Ombudsman. An Attorney was appointed the Secretary. The members should be people who have served in senior positions in the Government.

The Committee's costs are paid out of parliamentary funds. The Chair, members and secretary are entitled to charge a reasonable fee. In order to facilitate its performance, the Salaries Committee is entitled to receive from authorities information which it needs in its work, and the documents of the Committee are public, subject to the provisions of legislation regulating the publicity of official actions.

The following pay and compensation for Members' expenses was endorsed as recommended by the Salaries Committee on 1<sup>st</sup> September, 2000:-

#### **4.8.2 MPs' pay and compensation for expenses**

##### MPs' monthly salary:

-Under 12 years in Parliament - 27 000 FIM (4 100 USD)

-Over 12 years in Parliament - 29 000 FIM (4 400 USD)

-Speaker's salary - 48 000 FIM (7 300 USD)

-Deputy Speaker's salary - 40 000 FIM (6 100 USD)

-Committee Chairperson's supplement 3 000-5 000 FIM (450-750\$)

-Part group leaders' supplement - 3 000-5 000 FIM (450-750 USD)

Salaries and supplements are entirely taxable  
(income tax is 38-48%)

##### MPs' compensation for expenses:

In addition to salary, MPs receive compensation for expenses on 15<sup>th</sup> of each month.

a) If MP's home is in Helsinki metropolitan area  
5 400 FIM (800 USD)

b). If MP's home is over 30 km from Parliament  
7 200 FIM (1 100 USD)

c). If MP's home is in other part of Finland and he/she has a flat/apartment in Helsinki metropolitan area  
9 900 FIM (1 500 USD)  
Compensations are tax-free

The MPs' Salaries were increased by 50% while the Speaker's and Deputy Speakers' salaries were doubled. These salaries are subject to 38-48% taxation. In addition to salary, the compensation MPs receive is intended to cover work-related costs and is tax-free. Compensation for expenses is calculated as a percentage of basic pay for civil servants in class A27-30%, 40% or 55% depending on where an MP lives.

The Speaker and the two Deputies receive a tax free monthly supplements of FIM 3,000 and FIM 1,800 respectively to cover special costs and expenses related to their duties, while all MPs receive a tax free allowance for telecommunications, which is currently FIM 400 a month. The FIM 400 is for use by MPs to meet the costs of Mobile Phones provided by Parliament.

#### **4.8.3 Travel**

Members of Parliament are entitled to travel free of charge by rail, scheduled flight and bus in Finland and by taxi in the Helsinki Metropolitan area for purposes related to legislative work. When travelling between Parliament and their homes, they can also use their own cars for which Parliament pays mileage, at the rate of civil servants allowance. All Members' reimbursements of costs and expenses as well as travel entitlements are tax-free.

#### **4.8.4 Facilities provided Members of Parliament**

Members of Parliament are provided with offices in Parliament, which are equipped with computers, printers and telephone services. They are also provided with home computers and portable computers for their assistants. The offices which the Members of Parliament share with their Personnel Assistants are very small and congested.

### **4.9 PARLIAMENTARY STAFF**

#### **4.9.1 Hiring of Staff**

All public servants working in Parliamentary Office are employed by the Office Commission under a separate Act from that of the

Public Service. However, as explained elsewhere, the Secretary General is elected by Parliament as per Section 75 of the Constitution of Finland. In the past, ministry employees used to be enjoined in the Parliamentary Service.

At the end of the year 2000, the Parliamentary Office had a total of 348 posts, of which 27 were temporary and 18 were vacant. This number does not include the personal assistants of the Members of Parliament, who totalled 178 at the end of the year 2000 and the Library of Parliament staff who numbered 59. Pay for Parliamentary Personnel and MPs' personal assistants, including side costs, amounted to 39% of total expenditure and clearly was Parliament's largest outlay.

#### **4.9.2 Salaries for Parliamentary Personnel**

-Secretary General	52 700 FIM (8 000 USD)
-Deputy Secretary General	44 800 FIM (6 800 USD)
-Administrative Director	43 500 FIM (6 600 USD)
-Director of Legislation	43 500 FIM (6 600)
-Head of Administrative Office	30 500 FIM (4 600)
-Office Secretaries	11 900 FIM (1 800 USD)
-Doorman	10 500 FIM (1 600 USD)
-Cleaner	9 200 FIM (1 400 USD)

MPs personal assistants' salary 10 500 – 13 600 FIM (1 600 – 2 100 USD).

Average monthly earnings of the employees in Finland in the year 2000 was 12.000 FIM (1.820 USD).

#### **4.9.3 Parliamentary budget**



Parliament decides on the state budget including the parliamentary budget. The budget process begins with a preliminary debate in early September when the Minister for Finance presents to Parliament the main themes of the budget. At the end of the debate, the proposal is referred to the Finance Committee which completes its report in early December. Following the report from the Finance Committee which may contain some changes, Parliament debates the proposals in a single reading which lasts several days and include hundreds of votes.

Parliament prepares its budget, which is then forwarded to the Ministry of Finance for inclusion in the state budget. The Parliamentary Office is charged with the responsibility of preparing parliamentary budget. While preparing the budget, the Parliamentary Office liaises with contact person in the Ministry of Finance. Traditionally, the Ministry of Finance does not effect any changes to parliamentary budget. The whole budget is subsequently referred to the Finance Committee of the House which has the power to effect changes. Should there be any changes to the parliamentary budget proposals, the Finance Committee would normally inform the Office Commission. The parliamentary budget share is normally 0.5% of the total national budget. Over the years, it was observed that this figure (ratio) has been going down.

In the annual budget of 2000, Parliament spent a total of FIM 353 million (Kshs.4,236 billion), out of which 25% was spent on MPs' pay together with compensation for expenses and travels within Finland, while pay for parliamentary officers and MPs' personal assistants, including side costs, accounted for 39% of Parliament's total expenditure.

Parliament's special administrative units, the office of the State Auditors, the Office of the Parliamentary Ombudsman and the Library, accounted for 12% of the total expenditure. Some funds carried forward from 1998 and 1999 budgets were spent on planning a new annex for providing additional facilities to Parliament by the end for 2003.

#### **4.9.4 Auditors of Parliament**

Parliament elects from among its Members three auditors and a designated deputy for each auditor to audit parliamentary accounts. The three Members of Parliament come from three main political parties.

The three auditors will select a fourth Member, who will normally be a professional accountant to assist them in accounting and auditing of the Parliamentary Finance and Accounts. The auditors normally engage services of a professional firm of auditors to audit the books of Parliament.

An Annual Audit Report on the finances and administration of the Parliaments is submitted to the House by the Auditors.

#### **4.9.5 Research Service**

The department of Research Service falls under the recently established Information and Communication Department. Library of Parliament and Parliament Information Office fall under this department as well.

The Research Service department provides in-house service only and does not serve outsiders. It receives about 5,500 requests a year. It services the political and legislative needs of the Parliament as well as the general information required by MPs. It also provides research services to Parliamentary Committees.

At the moment, the Department has 9 employees, 7 of them with university degree and additional training in the information field; 2 serve secretaries who have intermediate level training. The employees work in shifts. The type of work done for the MPs is confidential and non-partisan.

The Research Unit, however, does not offer procedural service, as this is done by the Central Office.

#### Facilities required to establish a Research Unit

- MPs and their assistants should have computers (PCs), which should be connected to the Parliament's Computer Network. This allows them to browse the Parliament's server.
- Internet and Database facilities.
- Library facilities – The Unit should be as close to the Library as possible.
- Qualified personnel in various fields e.g. History, Sociology, Political Science, Law, Economics, etc.
- Network to Government Ministries. This should be both human and Internet connection.

#### **4.9.6 The Library of Parliament**

The Library of Parliament falls under the Department of Information and Communication but operates as a separate unit and is directly subordinate to the Speaker and the Secretary General.

Apart from serving the Parliamentarians, it also operates as the nation's Central Legal and Political Science Library. It is open to the MPs., their assistants and members of the public.

The largely independent Library of Parliament is managed by a Board of the Library elected by Parliament each electoral term. Other than managing services of the Library, the Board submits an annual report to the Parliament. It is opened 6 days a week and has an establishment of 59 staff, contains 600,000 books and several hundreds of periodicals, magazines and pamphlets. Other than the MPs., the Library's main customers include law firms, students and Government officials.

In addition to books that are bought to replenish the stock, most of the periodicals, pamphlets and magazines are obtained free of charge through an exchange programme. The Library also organizes exhibitions on various themes.

The national libraries can also access parliamentary information through the Internet.

#### **4.9.7 Parliament Information Office**

The Parliament Information Office falls under the larger Department of Information and Communication. However, it is directly subordinate to the Speaker and the Secretary General of Parliament.

The Unit performs the following functions among others: -

- It attends to Mr. Speaker's press contact.
- Arranges press conferences for parliamentary groups and associated bodies.
- Covers certain Committees of the House.
- Reports on the parliamentary business, e.g., legislation, Committee work, etc.
- Does the verbatim report of the House proceedings.

Parliament has strived to improve the dissemination of information by providing facilities for the media in Parliament House. Usually one hundred members of the press and the electronic media are accredited to report on Parliament.

The Unit Staff answer queries, provide information over the phone, produce materials on Parliament, assist visitors and keep Parliament's Website up to date.

## Staff

The unit has an establishment of 10 members of staff, five of whom have university degrees in the following fields; Political Science, Economic Management, Information and Journalism.

The establishment is as follows:

- a) Chief of the Office .
- b) Deputy Chief head.
- c) 3 Information Officers.
- d) 2 Information Assistants.
- e) 3 Guides. The guides are former secretaries with knowledge of many languages including Swedish, Finnish, Russian and English. They mainly deal with school teachers and children who tour Parliament.

The three Information Officers deal with Swedish matters like Internet services, develop news briefs in Swedish language and European matters.

Guided tours of Parliament are also arranged for the public, and over 20,000 visitors are recorded yearly.

Parliamentary Clubs are encouraged in schools and mock Parliaments held. About 199 pupils are invited once a year to attend parliamentary sittings where they would put questions to Ministers and later invited to a reception hosted by the Speaker. CDs showing materials about Parliament are sent to schools. Some interns from the local universities have been taken to Parliament for a period not exceeding 3 months.

#### **4.9.8 The Information Technology**

The history of Information Technology in the Parliament of Finland begun way back in the 1980s when Parliament took measures to introduce the use of computers in management.

Between 1984 and 1987, a project was set up to address the IT requirements in Parliament, in what was dubbed the awakening period. It was then thought that only staff and some 15 MPs would require IT services.

However, the requirement for IT services soon overwhelmed the initial demands leading to the establishment of LANS (Local Area Network Services) within Parliament between 1995 and 2000. And in the year 2000 and beyond, Parliament has been grappling with the idea of networking to the society, leading to installation of Internet Services.

There is high demand for legislative work and as such, there is close interaction of Parliament's legislative work and IT.

Legislative work is reported practically in real time on the Internet on the Parliament's Website.

In order to facilitate the use of IT by Members of Parliament, the following steps must be undertaken:-

- (i) Members of Parliament must be supplied with computers in their offices. These will be used for accessing information and taking messages.
- (ii) Members of Parliament must be facilitated to learn how to use the PCs. In Finland, newly elected Members of Parliament are trained on how to use the PCs as soon as the new Parliament begins.
- (iii) The PCs should be connected to the Internet and Members of Parliament provided with e-mail services.

## **4.10 OTHER BODIES ASSOCIATED WITH PARLIAMENT**

### **4.10.1 Parliamentary Ombudsman**

The word 'Ombudsman' originated in Sweden and had the meaning of a "representative"

Today the word Ombudsman is understood as the "protector of the people's interest." In South Africa and Britain, the officer is referred to as "Protector, of the People" and "Parliamentary Commissioner of Administration" respectively.

In Finland, the Ombudsman has been in operation for 80 years, having been established by the Constitution Act of 1919 soon after independence. It is linked to Parliament and exercises its functions on behalf of the Parliament. The Ombudsman is charged with the responsibility of ensuring that the Courts of Law, the other authorities and civil servants, public employees and other persons, when performing a public task, obey the law and fulfill their obligations.

The new Constitution has added a new mandate to the body as it is now charged with overseeing the implementation of the fundamental human rights.

However, the Parliamentary Ombudsman does not oversee the following:-

- Parliament or its Members, but does supervise the Parliament's Administration.
- the Chancellor of Justice.
- non-profit associations, private persons, advocates and private physicians.
- foreign authorities or international organizations.

- banks, business enterprises, housing corporations.

The Ombudsman submits an annual Report to the Parliament on his or her work, including observations on the state of the administration of justice and on any shortcomings in legislation. When the Report is being debated in the House, the Ombudsman is allowed to participate in the debate. The Report is made in liaison with a relevant Committee of the House. The office which was earlier on seen mainly as a special prosecutor, chasing after misbehaving judges and civil servants, today mostly plays preventive and persuasive role, while the traditional right to prosecute has remained.

The Ombudsman investigates complaints lodged by people and also carry out pro-active work including investigation on its own.

The complaint should be made in writing or sent by fax or e-mail and it should contain the following:-

- the authority or person complained against, a brief description of the matter or event in question and the action considered as unlawful or infringing his or her rights.
- what the complainant wishes the Parliamentary Ombudsman to do.
- the name, signature, address, and telephone number of the complainant. Anonymous complaints are not investigated.

A complaint is investigated if the Parliamentary Ombudsman finds there is reason to suspect unlawful behaviour or neglect of duty in a matter within his/her remit. However, complaints concerning matters over five years old are not investigated, unless there are special reasons to do so.

The investigation on a complaint may lead to a criminal charge or a reprimand for unlawful behaviour or neglect of duty. The Ombudsman may also express a view concerning proper interpretation of the law and call the Government's and



Parliament's attention to shortcomings observed in statutory provisions and make recommendations to rectify or amend them accordingly.

#### **4.10.2 Criminal liability of the President of the Republic**

If the Ombudsman deems that the President of the Republic is guilty of treason or high treason, or a crime against humanity, the matter shall be communicated to the Parliament. In this event, if the Parliament, by three fourths of the votes cast, decides that charges are to be brought, the Prosecutor-General will prosecute the President in the High Court of Impeachment. During the period of proceedings, the President abstains from office. In other cases, no charges shall be brought for the official acts of the President.

#### **4.10.3 Appointment of the Ombudsman**

The Parliament appoints for a term of four years a Parliamentary Ombudsman and two Deputy Ombudsmen from people with outstanding knowledge of the law. When the office was first established, the Ombudsman was a Member of Parliament as well. The current Ombudsman is a Judge of the Supreme Court.

In order to give the Ombudsman security of tenure, the office was, in 1990, exempted from regular prosecution and was made accountable before a High Court of Impeachment, in the same way as Supreme Court judges and Cabinet Ministers.

Furthermore, the expenses of the office are included in the budget of Parliament and are thus inaccessible to any influence from the Executive. The Parliament, after having obtained the opinion of the Parliamentary Constitutional Law Committee, may, for extremely weighty reasons, dismiss the Ombudsman by a decision supported by at least two thirds votes cast.

Other than the three Senior Officers, the office of Ombudsman has an establishment of 40 personnel majority of whom are experts in various fields including investigation and are assisted by Police Bureau.

#### **4.10.4 Office of the Parliamentary State Auditors**

The Parliament supervises the financial management of the state and compliance with the state budget.

For this purpose, Parliament elects from its Members five state auditors and an equal number of alternate auditors for each electoral term.

The state auditors are assisted by the State Audit Office, an independent body affiliated to the Parliament, which audits the financial management of the state and compliance with the budget.

They have the right to receive information needed for the performance of their duties from public authorities and other entities that are subject to their control.

The state auditors submit an annual report to the Parliament and special reports where necessary.

### **B. BELGIUM**

#### **5.0 Introduction**

There are several management bodies in the House of Representatives in Belgium which allow the House to carry out parliamentary assignments.

These include:-

- (i) The Bureau.
- (ii) The College of Quaestors.
- (iii) The Committee on Bookkeeping.

#### **5.1 The Bureau**

The Bureau, which has general authority for the management of the House and is the equivalent of the Parliamentary Service Commission in Kenya, consists of ten Members, i.e. the President (Speaker), five Vice-

Presidents and four Secretaries elected by the plenary Assembly at the beginning of the Session. The group presidents (heads of Parliamentary Parties), who number at least twelve members, also sit on the Bureau.

The Bureau, which generally meets once every three months, has the following functions:-

- (i) Determines the status of Members of the House of Representatives, personnel and the bodies of the House.
- (ii) Appoints and dismisses members of staff.

### **5.3 The College of Quaestors**

The College of Quaestors consist of five Members who are elected as Quaestors by the Plenary Assembly on party proportional representation for a duration of two years.

The College is responsible for the daily management of the House, i.e., buildings, personnel and equipment like computers, stationery, etc.

The five Members decide on all financial matters of the House of the Representatives, draw up the draft budget and nothing may be spent without their approval. They also decide on the remuneration of the Members of Parliament.

### **5.4 Budget Preparation**

The College of five Members prepares the parliamentary budget and then forwards it to the Government for approval but without interference or change.

The whole budget is referred to the Committee on Public Finances and Budget which can effect changes.

The entire budget is then discussed in the plenary Assembly including the items to be amended. The College uses tender system in the procurement of goods and services.

Members of the State Audit Office who are nominated by the House audits the parliamentary books and accounts including the government accounts.

## **5.5 THE FUNDING OF POLITICAL PARTIES, THE LIMITATION OF ELECTION EXPENDITURE AND THE ACCOUNTABILITY OF POLITICAL PARTIES**

### **5.5.1 Introduction**

The Members who belong to one party constitute a political group. A political group must have at least five Members in order to be recognized.

The group leader, referred to as Group President, and who is elected by the sitting Members of the party, acts as a spokesman who sets out the position of the group in the plenary meetings.

The 150 elected Members of the House of the Representatives, are divided into a French language group and a Dutch language group depending on the constituency in which they were elected from. The dividing up in language groups is important, in that certain special laws require a majority of each language group in addition to a majority of two thirds in total.

Some of the parliamentary political parties currently in the House are:-

<b><u>5.5.2. Party</u></b>	<b><u>Seats</u></b>
Flemish Liberal and Democratic Party.	23
Flemish Christian Democratic Party.	22
French/Flemish Green Party.	20
Socialist Party.	19
National Flemish Party.	15
Flemish Socialist Party.	14

### **5.5.3 Funding of Political Parties**

A legislation was passed in 1989 to control election expenditures by parties and to increase accountability of election funds. The Act further restricted personal contributions to parties and set the stage for state funding of political parties.

Prior to the 1989 legislation, Members of Parliaments and other private individuals made contributions to parties. In addition, there was specific extra allowances paid to the chairs by the House for the running of the parties. During election time, posters were duty-exempted and parties allowed free broadcast services. The situation obtaining then encouraged discrimination amongst the candidates, hence the enactment of the 1989 Act to stem conflict of interest.

The political parties, which must be registered and are recognized as political groups as per the House rules, are funded by the House in accordance with votes attained in the preceding general election.

The groups receive financial resources from the House for the good working of the groups, i.e., to meet personnel remuneration and administrative costs.

The current allowance is BEF (Belgian Franc)1,722,275 per year per party in addition to 125 Euros for each representative and extra votes. Donations from private sector is banned while private individual donations are registered. Any complaint raised by State Audit Office regarding breach of the 1989 legislation by a party is referred to the Supreme Court of Law for hearing and determination. Political parties breaching the regulations are denied the state funding.

### **5.5.4 Limitation of Election Expenditures**

In order to control expenditure by parties during campaign, a ceiling of approximately one Million Euro has been set per party. Individual candidates have a ceiling also depending on their ranking in the party list. Candidates must abide by the 1989

legislation by declaring their sources of funds. This is done by signing of Certificate of Declaration.

In order to promote fairness in electioneering, distribution of gifts and use of commercial advertisements have been banned. Also banned is the use of office resources by Ministers to enhance their candidature.

#### **5.5.5 Bookkeeping by Parties**

All the funds received and expenditure incurred must be verified and accounted for. Audit reports and reports of the books are recorded in the parliamentary records.

### **5.6 INFORMATION SERVICE**

The Information Service Department which was established 15 years ago and is manned by 25 officers is charged with the responsibility of generating information for the House of Representatives. In order for Members of Parliament to access information, they are allowed to incur expenses upto 2,000 Euros for buying office computers, while Parliament buys a PC which becomes a Member's personal property after 3 years. Parliament also subsidizes Members' one telephone line for Internet services. Majority of the Members of Parliament need training in PCs.

The Service supports the following Units:-

#### **5.6.1 Legislative process support system:-**

The Service provides support on the flow of Parliamentary Questions and Answers, debates publications, documents indexations, retrieval, press review and cuttings and Library support.

#### **5.6.2 Administrative processes support and technical resources:-**

The Administrative Unit is supported in the following areas:-

- Administrative applications, e.g., accounting, HR management and Sales of Publications.

- Developing relevant packages.
- Procurement of hardwares.

### **5.6.3 Public Communication**

The Information Service supports the establishment of Website, statistics information on constitution, Members of Parliament biographies, rules, etc, retrieval of audio archives and audio streaming of plenary and commissions debates.

## **6.0 BENELUX PARLIAMENT**

The Benelux Parliament, officially known as the Interparliamentary Consultative Benelux Council, was set up on November 05, 1955 amongst the Netherlands, Belgium and the Grand Duchy of Luxembourg. This was followed by the signing of the Benelux Union Agreement in 1958.

Prior to 1955, a monetary agreement setting the exchange rate and the customs conventions had been signed by the Partner States in 1943 and 1944 respectively. In April 1954, the three countries agreed to considerably liberalize capital movements and two years later, a temporary labour treaty was signed which allowed free movement of workforce across the borders.

The Benelux Parliament is composed of 49 Members who are appointed by the Parliaments of the three member-states: 21 in Belgium, 21 in the Netherlands and 7 in Luxemburg. It meets, each time for a period of two years, in Brussels, The Hague and Luxemburg respectively.

The task of Benelux Parliamentarians mainly consists in addressing their Governments on the realization and functioning of an economic Union between the partner states, cultural rapproachment, cooperation in the field of foreign policy, the unification of the law of the three states and on other problems of common interests. Local authorities have been allowed to enter into crossborder agreements on developments, etc. The three heads of Government always meet before the European summit.

In view of their small populations – Belgium – 10 million, Netherlands – “16 million and Luxemburg ½ million, the Benelux forum has proved very useful to the three partner states in championing their interests vis-à-vis the big European powers like Germany, the U.K., France and Italy.

## **C. THE UNITED KINGDOM**

### **7.0 INTRODUCTION**

This visit should have taken place in May when the Commissioners toured Canada but the general elections were being held at that time.

Although the British Foreign Office was informed through their High Commission in Nairobi what the delegation was interested in, the first day of the visit was spent in the offices of the Westminster Foundation for Democracy and the Foreign and Commonwealth Office.

### **7.1 WESTMINSTER FOUNDATION FOR DEMOCRACY (WFD)**

The Head of the delegation explained the purpose of the visit by giving the historical background of the Parliamentary Service Commission. No sooner had he done that than the discussions zeroed in on Kenya’s domestic issues like women’s role in political leadership, the KANU/NDP alliance, the progress of the Constitutional review and the transitional politics, civic education, training of political parties, the role of NGOs in national development and how bad governance affects investment in today’s globalized world.

The Foundation confessed that in the past it had a very poor attitude towards Kenya because their analysis was that Kenya had joined the group of lost states. The situation in Kenya looked gloomy as several friends of Kenya abroad thought the country was being led by a very intolerant clique.



However, things have begun to change for the better very dramatically and once again Kenya has started to regain its lost glory. Public debate in the country is now free with lots of independent media houses springing up. Plural politics in Kenya is irreversible!

## **7.2 FOREIGN AND COMMONWEALTH OFFICE**

The discussions held with officials of the Ministry of Foreign Affairs were similar to the ones held with the W.F.D. except that there was a lot of emphasis on the post - Moi era.

The two parties came to appreciate the fact that no Government in the present world can have a good foreign policy if that policy lacks Parliamentary stamp and approval. This is because foreign policy is increasingly becoming an extension of domestic interest and because of this, chaotic domestic politics have acquired the capacity to paralyse a country's international standing.

## **7.3 DEPARTMENT FOR INTERNATIONAL DEVELOPMENT (DFID)**

The officers in DFID explained at great length how aid money flow has been influenced by issues of good governance because countries which are autocratic and corrupt are very volatile and no investors can risk their capital in such unpredictable environment. Development funds are allocated to countries which have good economic performance record.

Indeed, commitments to good governance, good policies and good politics are rapidly replacing conditionalities in attracting investment and foreign capital for domestic development. This calls for Government's effectiveness in mobilizing and managing resources to ensure they are not diverted to non- priority areas.

In order to achieve all this, Parliament must play a key role in articulating national interest. Strengthening the capacity of Parliament to have facilities and skills that could enable it to probe the Executive thoroughly is one sure way of improving good governance. This would also ensure that legislation is in place to

protect public property and those caught trying to use their official position to enrich themselves would be punished without fear or favour.

The P.S.C. delegation reacted to all this by explaining the long difficult road Kenya has travelled since independence but they insisted that donors are part of the problems Kenya is facing. They also complained of the frustration the country has gone through by frequent changing of goal posts when Kenya attempts to access resources from multilateral institutions. The Commissioners noted that Kenya has been unfairly treated because even in the East African region, the neighbouring countries were favoured against Kenya in terms of investment opportunities and terms of trade.

#### **7.4 MEETING WITH THE CLERK OF PARLIAMENT**

The Clerk of Parliament is the Clerk of the House of Lords. He explained to the Commission how the House of Lords Act (1999) reduced the number of peers by about 650 leaving only 92 of the hereditary Lords. The Royal Commission Report recommended that a majority of the Members of the House of Lords should be independent Members who are not aligned to any political party. The Government could always get majority in the House of Lords by appointing more of its supporters to the House. The next Lords' reform could usher in about 80 elected Members but how it will be done is still not clear.

On security, the Clerk explained that the Serjeant-at-Arms is the overall security boss. The London Metropolitan Police offices in the House are on contract and their boss, a Superintendent of Police, reports directly to the Serjeant-at-Arms. The security personnel are divided into two categories: the Police Officers from the London Metropolitan Police and the Security Officers who are directly employed by the House.

#### **7.5 MEETING WITH THE COMMONS CLERK**

The Commons Clerk is the Clerk of the House of Commons. He explained the role of the Board of Management which meets once a month. This is a meeting of all heads of Departments where they

defend what they have to do. Not all their deliberations go to the Commission.

There is an Audit Committee comprising both staff and Members of the Commission. This Committee ensures that all audit reports are acted upon immediately.

Under the 1978 Administration of Parliament Act which created the Commission, the Commission continues to exist even when the House is dissolved to pave way for the holding of the general elections. The Commission works amicably with the Government who does not have a majority in the Commission. The Commission is mainly concerned with financial planning and policy making functions.

#### **7.6 THE FEES OFFICE**

This is the office that takes care of the costs of running the Commission. The salaries and allowances of Members are paid by Treasury. Each Member of Parliament has three members of staff – i.e., Secretary, office manager and a researcher. Their job description is very clear and a signed contract to determine what level of remuneration each member of staff attached to a Member of Parliament should earn is transparent. This was meant to avoid giving employment to anybody including those who do not deserve it.

#### **8.0 CONCLUSION**

The visit to the three on four Parliaments abundantly demonstrated the following facts:

- (i) Parliament must be run by Parliamentarians in terms of budgeting, hiring and firing staff and setting the proper and appropriate policy framework within which the staff have to operate.
- (ii) Remuneration of parliamentary staff always takes into account the uniqueness of legislative work and the peculiar demands of their clients which has impact upon their schedule.

- (iii) Parliament must set the national agenda and offer strong leadership to the country at all times especially on issues that affect the image of the country.

**RESOLUTION**

The Commission is invited to study and adopt the report.

