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REPUBLIC OF KENYA



TWELFTH PARLIAMENT



(THIRD SESSION)

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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

Chairperson, Select Committee on Members' Services and Facilities

12-03-2019
Date



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 in 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;

