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REPORT OF THE BASELINE ANALYSIS NEEDS ASSESSMENT FOR THE NATIONAL ASSEMBLY OF TANZANIA AND THE ZANZIBAR HOUSE OF REPRESENTATIVES

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Abbreviations

AIDS	Acquired Immune Deficiency Syndrome
BCP	Business Continuity Plan
CAG	Controller and Auditor General
CCM	Chama Cha Mapinduzi
CHADEMA	Chama Cha Demokrasia na Maendeleo
CRC	Constitutional Review Commission
CSOs	Civil Society Organisations
DCs	District Commissioners
ESRF	Economic and Social Research Foundation
HIV	Human Immunodeficiency Virus
HoR	House of Representatives
ICT	Information Communication Technology
LAAC	Local Authorities Accounts Committee
LSP	Legislatures Support Project
MDAs	Ministries, Departments and Agencies
MKUKUTA	Tanzania's National Development Strategy
MKUZA	Mkakati wa Kupunguza Umaskini Zanzibar (Zanzibar Strategy for Growth and Reduction of Poverty)
MPs	Members of Parliament
NA	National Assembly
PAC	Public Accounts Committee
POAC	Para-statal Organizations Accounts Committee
PRs	Poverty Reduction Strategies
RCs	Regional Commissioners
REPOA	Research on Poverty Alleviation
RGoZ	The Revolutionary Government of Zanzibar
UNDP	United Nations Development Program
URT	United Republic of Tanzania
USAID	United States Agency for International Development

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Executive Summary

The Purpose of this baseline needs assessment and analysis is to advise the UNDP, the National Assembly of Tanzania and the Zanzibar House of Representatives on how to strengthen the implementation of the Legislative Support Project being implemented by the two Houses of Parliament towards:

1. Effective performance of their representative, legislative and oversight functions; and
2. Empowering MPs to effectively oversee the monitoring and evaluation of the Poverty Reduction Strategies (PRs).

The value of the UNDP-funded and technically supported LSP in the first year of implementation has been acknowledged by Leadership, MPs and staff as providing an important bridge-funding where government funds are not available or are insufficient for identified capacity-building activities.

The evaluation methodology focuses on identifying the needs and priorities of the 2 legislatures in key areas of relevance for programming and effective decision making for efficient legislative performance and outcomes.

The study recognises that the two legislatures are at different stages of development despite the fact that the issues hindering effective performance are similar, namely:

- Inadequate secretariat support arising out high workload;
- Despite the mandate of Service Commissions to recruit officers, promote officers, take disciplinary against them and establish service schemes staff numbers appear to be insufficient;
- Inadequate funding of the Legislatures;
- Limited time for Committee activities including oversight and the inability to undertake site visits to verify budget implementation;
- Inadequate orientation training for both MPs and staff despite the amount of resources invested by both Legislatures;
- Fear of executive dominance of the Legislatures,
- Poor public outreach programs; and
- Shortage of Legal personnel in the Secretariats

Recommendations (National Assembly)

The following recommendations are based on an appraisal of the existing legislative framework, the existing resource constraints of the parliament, the individual capacity of parliamentarians, the legislative process, the oversight role of parliament, parliament-constituency relations and the status of special seat women MPs and their role in public decision-making. In formulating these recommendations, the consultants have taken into

account the interactions of key actors in the National Assembly as well as UNDP who is funding and supporting the legislative support process. We have also taken advantage of interactions between MPs and Staff of the National Assembly through past and on-going training programmes, and also of government, CSOs and other donor reports.

Thus, to strengthen the capacity of the National Assembly to become a more effective legislature, we make a number of recommendations targeted at enhancing the operations of the secretariat and the ability of MPs to function more effectively in their capacity as parliamentarians.

Recommendations for the Secretariat

To improve the capacity of the Secretariat to be more effective in support of MPs the recommendations are classified into five main categories namely training including study tours and benchmarking visits, capacity enhancement, improvement in equipment and supplies, modification of rules of procedure and workflow management system

Training

- A systematic in-house training in parliamentary procedures for all staff will maximise their output;
- In view of the absence of an effective Research Department, all staff should be taken through intensive ICT course that will help them browse the internet, use search engines to obtain relevant data, and research reports to support the work of MPs and Committees;
- The analytical capacity of the research staff must be strengthened on an on-going basis by refresher courses in general data retrieval and analysis techniques as well as specific skills for legislative research;
- Committee clerks must necessarily be taken through basic financial analysis and legal proficiency for budget and bill analysis.
- Staff of the Information, Civic Education and International Relations Department also need specialised training on dissemination of political issues particularly training on transmitting messages for wider understanding of the all stakeholders on Parliamentary activities including exposure to other Parliaments that have advanced in this area of political communication.
- The Information Civic Education and International Relations Department and The ICT and Planning Department must undergo a special and comprehensive training on website management and interactive media for better and quick upload of information for public access online. This must include the establishment of the new intranet communication system like (outlook) that will assist the easy flow of communication, information and documentation within the parliament to ensure smooth and effective internal communications

- Table Office requires specialised staff training in legal, legislative drafting, bill scrutiny, research and language skills among others to assist MPs and the House to conduct parliamentary business more smoothly.
- Staff of the Hansard Department need specialised courses to improve their skills in editing, type-setting, Hansard transcription, reading the Hansard; they may benefit from study tours to parliaments with well-developed and modern Hansard process facilities;
- All staff of the Secretariat, particularly those at the grade of Assistant Director and above, must be taken through a programme in Risk Management.

Capacity Enhancement

- In light of the effort to amend the Standing Orders to create a Budget Committee, the Secretariat must identify qualified staff who can form the nucleus of a team to support MPs in the continuous scrutiny of the budget and its underlying assumptions; the group must be offered training attachments so as to acquire skills in budget analysis, in order to prepare briefs for Members;
- Parliament must improve on the availability of legal expertise to MPs to facilitate their work;
- Parliament must of necessity dialogue with the Executive size of the National Assembly Fund;

Equipment and Supplies

- The Library must be funded to acquire current publications (books, manuals, etc.) related to the work of parliament; it is particularly important to assist the library needs to subscribe to internet publications and electronic databases;
- The Library must be assisted to acquire software to manage the library collection (this approximately costs of Tsh 70 million, including installation and training) and the Library staff given short courses to update their skills and knowledge; the library urgently needs additional computers and working space including reading tables;
- Research Officers and Committee clerks need laptops for the committee proceedings in Dar es Salaam;
- Similarly, the Information Civic Education and International Relations Department needs equipment – professional cameras, laptops for Graphics and other electronic devices (such as recorders) to support the outreach programme of Parliament;
- The Information Civic Education and International Relations Department needs to be empowered financially to produce regular publications for public education about the work of the Parliament and in house guidelines for MPs, staff and Journalist;
- The secretariat must upgrade the equipment in the Hansard Department and work out a scheme for staff retention in the Department;

- The House Steering Committee and Parliamentary Service Commission must consider the Bunge acquiring its own Television Channel and Radio Frequency to improve on public outreach and open up opportunities through which it can interact with citizens better. The time is ripe for Parliament to tell its own story. Effective management of the Bunge website by creating a portal where the public can send comments related to the work of the Bunge could be a starting point.

Modifications to Rules of Procedure

- The Standing Orders must be modified to allow for systematic collaboration between the secretariat and research institutions to support the work of the House in general and Standing Committees in particular; formal protocols with such research organizations like REPOA, ESRF, Haki-Elimu, etc. which have provided valuable research support to the Bunge in the past will help boost research support to MPs and Committees;

Workflow Management System

- The ICT section of the Planning Department must be reorganized and resourced to give continuous training and technical assistance to MPs and secretariat on the use of modern electronic media in facilitating the work of Parliament.
- The ICT section must also be empowered to review and design and automated workflow system that will make for timely delivery of services, cost effectiveness and benchmarking for performance measurement.

Recommendations for Enhancing the Performance of MPs

The recommendations on enhancing the capacity of MPs as individuals and groups is divided into 2 broad categories namely training including benchmarking study tours and the need to modify rules of procedure to improve access to data.

Training

- All MPs must be taken through an intensive training in leadership, administration and communication to improve the conduct of parliamentary business and to interact effectively with citizens in general and the constituents they represent;
- All MPs particularly first-time members must of necessity be taken through bill scrutiny and analytical skills to enable them to assess and propose alternatives to government budget and policy documents, including steps in the review and ratification of international treaties and loan agreements;
- MPs must be trained to have a better understanding of the national resource allocation and reach including the process of setting national priorities and the main actors in the process;

- MPs must be trained to understand the public procurement procedures to enable them scrutinize the process, as well as know the laws governing procurement and government contracts; this must be complemented by giving them the skills on how to track public spending during the implementation phase of the budget;
- MPs must be taken through basic research and information-gathering skills and also basic training in the use of social media in communications so as to enable take advantage of Face book, twitter, blogs, etc. to communicate with their constituents.
- MPs and their Committee Clerks need training on the role of the committee, what to look out for in deliberations and understanding of key sectoral issues in order to ensure synergy and improve institutional memory of the committee whilst collaborating with CSOs and other stakeholders to make government accountable;
- As the Parliamentary activities always attracts media attention, there is urgent need to have regular practical trainings for all Chairpersons of the Standing Committee and their deputies on how to engage the media as well as media management during crisis;
- For Familiarization and engagement, a joint training between media and MPs is required;
- Women MPs particularly special seat MPs needs special training to make them appreciate their role in Parliament and the Constituency.
- New MPs must encouraged and trained to specialize in select subject areas to be effective in the contributions in parliament;
- MP must be trained to communicate effectively with all stakeholders to improve the image of the National Assembly.

Rules of Procedure and Improve Access to Data

- Standing Committees must be assisted to improve their oversight and legislative roles by ensuring they have arrangements to access data and reports from the ministries they supervise;
- There is urgent need to increase the committee meeting duration to enable Committees have time to complete their deliberations and undertake field visits; Committee budgets must be increased appropriately to take care of this extension in time and increased site-visits.;

Recommendations (Zanzibar House of Representatives)

Based on the outcome of interaction with Staff and MPs and conclusion of the special staff rationalisation exercise by the Clerk we make the following recommendations, some of which will definitely be beyond the scope of the LSP:

Capacity Enhancement

- The House Service Commission must expedite action on the recruitment derive to fill the identified vacancies in the secretariat with qualified staff in order to maximise the output of the secretariat. Ultimately the staff expansion must reflect in the new organogram under development;
- Recommendations of the House Service Commission on issues of staffing and motivation and ultimately the House Administration Act to ensure autonomy must be vigorously pursued;
- Institute a programme for effective orientation of all staff recruited into parliament, by introducing them to a comprehensive syllabus of parliamentary administration and function;
- Establish a programme of continuous training for the inexperienced staff of the House to boost their confidence – this program should cover administrative skills, research and information skills, communication skills, customer care, risk management skills, language skill etc.;

Training

- In view of the absence of an effective research division, the core staff supporting Committees must be taken through intensive ICT course that will help them browse the internet, use search engines obtain relevant data and research reports to support the work of MPs and Committees;
- To improve the quality of service to MPs, Parliamentary staff must be trained and encouraged to specialise in the supply of core parliamentary services such effective Committee Administration, Drafting of Bills, Motions and Questions etc., Procedures and conduct of parliamentary business;
- Staff of the Secretariat must be offered the opportunity to study and benchmark effective Parliamentary practice in other parliaments in the sub-region;

Equipment and Supplies

- An urgent supply of equipment and logistics including computers, recorders, transcribers etc. as well as transport to aid the work of Secretariat and permanent committees of the House of Representatives.

With respect to MPs and their Committees, the following recommendations emerged for consideration and adoption:

- MPs particularly those new to the House must be taken through an elaborate orientation programme that introduces them to the rules of procedure and also how to obtain the right balance in the performance of their legislative, oversight, and representation roles to prevent them from shying away from critiquing government business before the House. This orientation must also cover the values of the whip so as to minimise the excessive fear of the Executive's dominance, particularly in

situations when MPs consider the ruling party too partisan when there is Government business before the house;

- In view of the absence of effective research support for MPs, MPs must all be taken through intensive ICT course that will help them browse the internet, use search engines to obtain relevant data and improve communication with Constituents;
- Capacity development initiatives must cover Public Financial Management laws and budget analysis to enable Standing Committees of the house show confidence and competence in review of sectoral budgets and oversight of budget implementation;
- Training on budget oversight skills must be taken in conjunction with Ministers so that both parties know what is expected during budget scrutiny and oversight in order to reduce tension between them;
- All MPs must be taken through Leadership Skills to enable them relate better to the secretariat, constituents and officials that appear before them in Committees;
- All MPs particularly female MPs in the House must be trained and encouraged to develop their potentials and leadership skills in order to enhance their active participation in the conduct of House business and work with male counterparts in the constituencies towards achieving the developmental goals of their constituents;
- The training and educations programmes for MPs to help them gain the necessary confidence and mastery of the roles and functions must be complemented by a vigorous civic education programme by the House targeted at citizens to have a better appreciation of the work of MPs and the House.
- MPs must be offered the opportunity to study and benchmark effective Parliamentary practice in other parliaments in the sub-region.

Modification of House Rules of Procedure

- The House of Representatives need to recognize the presence of this organization (UWAWAZA) as desirable female Caucus that must be supported financially to serve as a catalyst for enhancing the capacity of female MPs in law-making and other duties;
- Time and resources allocated to permanent Committees business must be revised to allow them to undertake thorough review of budget and policy implementation and outcomes and to undertake site visits; training of MPs on key sectoral issues is essential for effective oversight;
- The House must amend its Standing Orders to ensure follow ups and implementation of the recommendations of its Standing Committee to Government.

1. Introduction and Background

The purpose of this Baseline Needs Assessment and Analysis is to advise the UNDP, the National Assembly of Tanzania and the Zanzibar House of Representatives on how to strengthen the implementation of the Legislative Support Project (LSP) being implemented by the two Houses of Parliament towards:

1. Effective performance of their representative, legislative and oversight functions, and
2. Empowering MPs to effectively oversee the monitoring and evaluation of the Poverty Reduction Strategies (PRSs).

The UNDP together with the National Assembly and the Zanzibar House of Representatives agreed that within the context of the Corporate/Strategic Plans of the two legislative bodies, the Legislative Support Programme will provide support to the two Houses by helping strengthen Members' legislative, oversight and representative capacities and assisting the secretariats of both Legislatures to deliver upgraded services to Members. The project is informed by the National Framework on Good Governance, Vision 2025 (Union) and Vision 2020 (Zanzibar), the new 2010 poverty reduction strategies MKUKUTA and MKUZA and the new Five-Year Development Plan 2011-2016. In this context, the project initiatives are expected to target parliamentarians, parliamentary committees, and the supporting secretariats. In collaboration with other stakeholders and through technical and capacity development support, the Legislative Support Programme (LSP) has two specific goals:

1. Strengthen and enhance the capacity of MPs and their committees to better exercise their interrelated functions of law-making, executive-oversight including national budget approval and oversight, and representing constituents/citizens; and
2. Strengthen the Secretariats of both legislatures to help them deliver effective services to parliamentarians and help build sustainable, modern internal parliamentary staff management structures and practices.

LSP was launched on April 23, 2012 and so far the program is on its second workplan. The first workplan (July – December, 2012) had 27 activities, and 20 have been implemented. The activities include trainings, exposure visits, and roundtable discussions (with different sectors: media, policy, budget, gender, ICT, climate change, procurement, etc.)

There was a delay in the commencement of the project caused by the reality of the national budget cycle, given that the LSP funds are incorporated in the budget. The cycle begins July 1, but approval only comes in August. So the project may have been flagged off in April 2012 but activities only began in October of that year.

The contribution of the LSP in the first year of implementation has been acknowledged by Leadership, MPs and staff as providing an important bridge-funding where government funds are not available or are insufficient for the capacity-building activities. The snag

however, is that LSP does not cover all training costs, e.g. sitting allowances. As a result all LSP-supported activities must necessarily be organized during the parliamentary sessions, making LSP activities to compete for the limited time available for parliamentary activities during the session. Thus, LSP activities are often squeezed between lunch-time sessions (where members find it difficult to concentrate) or during the weekend which is more problematic in terms of additional demand on the time of MPs and the overstretched secretariat.

It has also been pointed out that the desired objectives of the LSP notwithstanding, there are significant policy issues that the LSP project cannot address. Issues such as researchers wanting to sit in committee meetings to get more information may require changes in House Standing Orders; and the recruitment of additional researchers may require review of government manpower planning roadmap, which is in the domain of the Public Service Commission.

The remainder of the report is organised as follow: Sections 2 and 3 details the objectives of the baseline analysis needs assessment as per the request the request for proposal and the research methodology respectively and are the same for both Houses; Sections 4, 5, and 6 which covers analysis, baseline findings and recommendations respectively are treated separately for each House.

2. Objectives

Against this background, the overall goal of the assessment as provided in the request for proposal (RFP/TZA/2012/021: Baseline Needs Analysis of the National Assembly & Zanzibar HoR, see Attachment 1) is to determine the capacity requirements of the secretariats, committees and members of the two legislatures in order to guide the capacity-building activities of the of the project in the following areas:

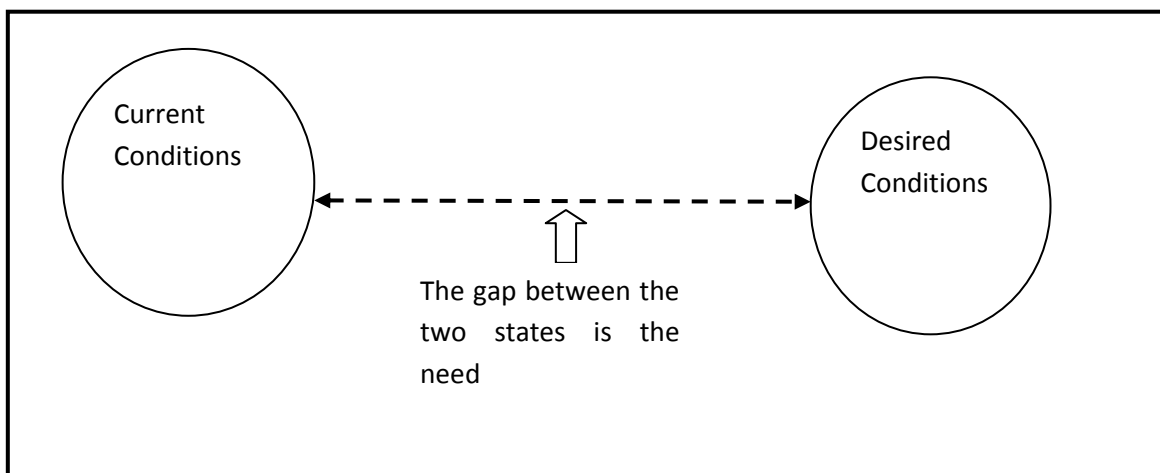
- i. Needs of the members of the National Assembly and Zanzibar House of Representatives;
- ii. Parliamentary committees' technical and support requirements;
- iii. Specific needs of the accounts committees;
- iv. Professional support needs of the two Secretariats;
- v. An overview of the status of implementation of the Corporate Plan, and record any capacity needs going forward.

3. Methodology

The approach to this Baseline Analysis Needs Assessment followed the basic evaluation framework. The study was conducted as a diagnostic process that relied on a mix of data

collection, collaboration and negotiation to identify and understand gaps in learning and performance and to determine future action. In a simple diagrammatic framework, the baseline analysis needs assessment focused on understanding the gap between the current conditions and desired conditions identified as pathways by the Secretariats can assist MPs and Parliamentary Committees in the two (2) Houses to perform their legislative, oversight and representational roles effectively. With respect to the performance of the two (2) secretariats, the baseline needs assessment focused on essentials elements required to enable them perform the common tasks and goals identified by the Clerks of the two Houses.

Figure 1: A diagrammatic framework - baseline analysis needs assessment



This simple framework recognizes that the two Houses operate in an environment internal to their respective organizations modelled by organizational vision, mission and strategic goals as per corporate plans, leadership, institutional culture, communication, and systems and structures among others.

In addition the framework identifies more general conditions including citizens' expectations, workforce diversity, the global environment, technology, legal requirements and general competition to attract votes as some of the factors that may significantly influence the gap between current conditions and the desired conditions.

The theoretical framework adopted was a simplified version of the Legislative Strengthening Assessment Framework that is presented in the USAID Handbook on Legislative Strengthening. It focuses on identifying the needs and priorities of the legislature in key areas of relevance for programming decisions. These include:

1. Review of the overall political context and the legislature's formal powers and relationships to other institutions within this overall context (e.g., constitutional powers of the legislature, the type of political and electoral system, the political party situation, etc.);

2. Review of the political will of key stakeholders with respect to legislative strengthening
3. Review of the performance of the legislature with respect to representational, law-making and oversight functions.
4. Review of how well the legislature manages itself and the extent to which it has the needed resources and infrastructure in place.

The limited time available for the preliminary results of the study to be fed into the annual work planning process the study was conducted using face to face interviews and relied on secondary data that was collected from Secretariats, Libraries and internet sources including the official websites of both Legislatures. Whilst the National Assembly was in session in Dodoma during the period of data collection the Zanzibar House of Representatives was on recess at the time of conducting this study but the secretariat arranged meeting with a cross-section of well informed MPs to take part in the study. The preliminary results were presented to for validation to representatives of National Assembly and Zanzibar House of Representatives in separate workshops in Zanzibar and Dodoma.

4. Analysis (National Assembly)

Political Environment

This study was conducted during the 10th meeting of the National Assembly which started on Tuesday 29th January 2013 in Dodoma. During this period MPs continued to discuss the different submissions to the Constitutional Review Commission (CRC). Information gathered suggests that the two legislative bodies have made their separate proposal to the Constitutional Review Committee, albeit aimed at strengthening the position of the legislatures as a major pillar of government. Indeed some of the proposals suggest setting up a bicameral legislation.

The National Assembly inherited the Westminster tradition of adversarial parliamentary practice at independence, but this gave way to non-partisanship in parliament with the introduction of one party state. However, with the passage of the 8th, 9th, and 10th constitutional amendments and the introduction of multi-party system in 1992 parliament has reverted to the traditional adversarial politics with the Chama Cha Mapinduzi (CCM) in the majority and CHADEMA (Chama Cha Demokrasia na Maendeleo) as the main opposition party at the time of this study. Evidences of this adversarial parliamentary politics were present in very dramatic scenes, bordering on the interpretation of the Rules of Procedure in the National Assembly leading to the adjournment of deliberations during the period of this study (5th - 6th February, 2013). Indeed, the Chadema representatives disagreed strongly with the leadership of the House, indicating their unpreparedness to appear before the House Standing Committee, suggesting they may not get fair hearing.

Many factors condition or determine political positioning and performance of parliament and the outcome of programmes and projects targeted at strengthening the legislature. Rules and procedures highlight opportunities but also constrain behaviour. Resource availability partly defines the possibilities and means for action, and necessitates prioritization. History also plays an important role and so is the will to act. Highly motivated agents will strive and surmount the hardest of obstacles and prevail. The propelling factor in the drive of the National Assembly towards reform and improvement at this time in history can be located in the National Framework on Good Governance. The National Framework on Good Governance recognizes that “a strong and efficient parliament whose representatives of the people are highly motivated, uphold high moral standards and approach their job of making laws and controlling the executive with concern for the development of the country” is critically important for democratic governance. The Framework goes further to emphasize that for parliament to perform its function effectively and efficiently, its capacity needs to be improved especially in the following areas:

- The quality of the Members of Parliament needs to be improved;
- The quality of the environment in which parliamentarians work needs improvement;
- The quality of the systems through which the parliament works, like committees, needs re-examining and redesigning to enhance capacity;
- The quality of personnel serving parliament needs to be upgraded.

Consequently, the National Assembly formulated Strategic Plan 2009 - 2013 that suggests that:

- To be an “effective” institution, the National Assembly will have to overhaul its systems and infrastructure and to operate more efficiently and effectively in resolving the challenges facing the nation.
- As a “responsive” organization the National Assembly will become a listening organization that responds quickly and timely to the requests and needs of the population.
- Becoming a “People’s Parliament” means working towards being a truly representative organization that is fully accessible to its people and that embodies the aspirations of the people.

The Strategic Plan accordingly has two key result areas: strengthening the capacity of Parliament for formulation of laws and for execution of its oversight responsibilities, and improving service delivery by the National Assembly. The very ambitious targets in this Plan which is under review were to be achieved by 2012. However, the partial implementation of the Strategic Plans as a result of poor funding makes it necessary to review targets to more realistic levels under the LSP. Some of the critical targets include:

- i. Parliamentarians empowered and capacitated to contribute towards the enactment of laws;
- ii. Members of Parliament and staff having participated in relevant local and international fora;
- iii. A reduction in the number of Bills that do not go through public hearings;
- iv. Training programmes for Parliamentary Committees increased;
- v. Major research studies to support Parliamentary deliberations undertaken regularly;
- vi. Information provided to MPs improve significantly through the acquisition of publications and library materials;
- vii. A formal M&E system established for the oversight function of the Parliament;
- viii. Training provided to strengthen the oversight function of the National Assembly;
- ix. Improvements effected to the administration of Parliamentary sessions;
- x. Gender mainstreamed into all structures and programmes;
- xi. Improvements effected to the administration of Committee sessions;
- xii. Parliament being a corruption-free zone;
- xiii. Capacity building provided to staff and MPs to meet their skills requirements;
- xiv. Dissemination of Parliamentary information and civic education programmes;
- xv. Hansard production modernized.

5. Baseline Findings (National Assembly)

The Constitutional Mandate of Parliament

The Constitution provides for well-defined roles of the National Assembly and the House of Representatives in Zanzibar. Article 63(2) states that “The second part of parliament (National Assembly) shall be the principal organ of the United Republic which shall have the authority, on behalf of the People, to oversee and advise the government of the United Republic and all its organs in the discharge of their respective responsibilities, in accordance with the Constitution”.

Article 64 of the constitution also vests legislative authority in the National Assembly and the House of Representative depending on the subject of the legislation – union matters as against non-union matters.

Article 66(1a) makes provision for the election of MPs to represent constituencies; thus, the National Assembly, like any parliament, is empowered to conduct oversight of the executive including oversight of the budget, enact laws and represent the constituencies. In view of the above parliament can assume the following roles:

- To pass laws for the good governance;
- To provide, by giving legislative sanction to taxation and acquisition of means to carrying out the work of the government;

- To scrutinize government policy and administration, including proposal for expenditure; and
- To debate major issues of the day.

The Parliamentary Calendar comprise four parliamentary sessions in a year during the months February, April, June to August (Budget Session) and November. In each session, an average of 5 - 6 laws are passed.

Tanzania Parliament consists of the following categories of members (Article 66 of the Constitution):

1. Members elected to represent constituencies;
2. Women members whose number shall increase progressively starting with twenty per cent of the members named in sub-paragraphs (1), (3) and (4) of this paragraph, to be elected by the political parties that are represented in the National Assembly in terms of Article 78 of the Constitution and on the basis of proportional representation amongst those parties;
3. Five members elected by the Zanzibar House of Representatives from among its members;
4. The Attorney General;
5. Not more than ten members appointed by the President.

Table 1 shows the categories of members emanating from the 2010 general elections.

Table 1: Members in the Bunge from the 2010 General Elections

	Category of MP	No.
1.	Members elected from the same number of constituencies.	239
2.	Special seats women members.	102
3.	Members elected by the Zanzibar House of Representatives.	5
4.	Attorney General.	1
5.	Members appointed by the President.	10
	Grand Total	357

Leadership of the National Assembly is made up of the Speaker, the Leader of government business, who must be the Prime Minister and the Leader of the official opposition party. However, support for the official opposition is weak as the secretariat is manned by only 2 staff. The conduct of Parliamentary business is guided by the Constitution and the Standing Orders of Parliament. At the time of this study there had been discussions suggesting the Standing Orders require amendment to facilitate the smooth running of Parliament. Albeit, understanding the Rules of the House is the first and foremost obligation of each Member of Parliament (Msekwa, 2012:112). Knowledge of the rules puts MPs in good stead to perform their mandate by:

- Putting questions to Ministers
- Introducing and debating Motions including Private Member's motions
- Managing debate
- Making parliamentary decisions
- Passage of bills and enactment of Legislation
- Passage of government budget

It has been argued that even though Standing Orders remain the most important guide to MPs and as such are introduced to these rules to enable them master parliamentary rules and procedures on entry into the National Assembly, their knowledge of the Rules of Procedure is average. One major explanation for this state of affairs is that MPs are not predisposed to learn because they perceive some of the rules as administrative and therefore think the secretariat should internalise them and provide the needed guidance. Some respondents suggest that MPs elect to neglect the Standing Orders or feign knowledge of them for political convenience. Whatever the reasons, there exist some gaps in the comprehension and observance of the Standing Order. It has been suggested that the incidence leading to the adjournment of parliament on 5th to 6th February could have been averted if MPs had observed the Standing Orders.

Capacity of MPs and Parliamentary Committees and the Existing Legislative Framework

The Parliamentary Committees' role in facilitating the work of Parliament is crucial. Through Committees, parliament oversees government activities and performance. In the Tanzania Parliament, each MP sits in one or more House committees.

The National Assembly conducts its regular business through 18 Parliamentary Standing Committees that have a life of two and a half years each. The committees which were in operation at the time of this study are in the column headed Old Standing Committees in the Table 1 below. They have since been reconstituted into the New Standing Committees in column 2 of the same Table.

Ad-hoc or Select Committees are constituted by the House or Speaker as the need arises to consider and report on specific issues. There are efforts underway to amend the Standing Orders of the National Assembly to create a Budget Committee to help Parliament review on continuous basis the national budget and its underlying assumptions. This is because MPs are unsatisfied with their role in the process, as they only see the budget at the approval stage and after when CAG has conducted an audit of government spending.

The committees have a significant level of autonomy as the government does not interfere in their deliberations. Instead, the minister becomes a member of the committee. MPs also do make decisions without the knowledge of the minister.

The main output of Parliamentary Committees is their Reports. Although these reports are public documents they remain confidential and internal documents until they are tabled and discussed thoroughly in the Chamber. Committees work for the House and therefore cannot make any decisions. Decisions are made in Parliament by resolutions. Committees are normally supposed to work in camera and so do not allow for public dissemination of their proceedings. Media is not allowed in committee proceedings to avoid misinterpretation as decisions do not happen in the committees. However, Committee chairs do issue press releases on work in progress.

Table 2: House Standing Committees

Old Standing Committees	New Standing Committees
1. Finance and Economic Affairs	1. Steering committee
2. Constitutional and Legal affairs and Administrative	2. Parliamentary Powers, Privileges and Ethics Committee
3. Public Accounts	3. Parliamentary Standing Orders Committee
4. Economic Infrastructure	4. Economic Affairs, Industries and Trade Committee
5. Foreign Affairs, Defence and Security	5. Constitution, Legal Affairs and Governance Committee
6. Land, Natural Resources and Environment	6. Regional Administration and Local Governments Committee
7. Community Development	7. Social Services Committee
8. Standing Orders	8. Community Development Committee
9. Agriculture, Livestock and Water Development	9. Economic Infrastructures Committee
10. Parliamentary Privileges, Power and Ethics	10. Lands, Natural Resources and Environments Committee
11. Social Services	11. Agriculture, Livestock and Water Committee
12. Local Authorities Accounts	12. Defense and Security Committee
13. Steering Committee	13. Energy and Minerals Committee
14. Trade and Industries	14. Foreign Affairs and International Cooperation Committee
15. Subsidiary Legislation	15. HIV/AIDS Committee
16. HIV/AIDS	16. Budget Committee
17. Mineral and Energy	17. Public Accounts Committee
18. Para-statal Organizations Accounts	18. Local Authority Accounts Committee

The average size of a committee is 23 except for the watchdog committees that have a membership between 14 and 16 and the Committee on Subsidiary Legislations that has a membership of 10. The Standing Orders Committee also has a membership of 12 and is chaired by the Speaker. Although the Committees appear rather large, respondents indicate

that the size of the committee does not adversely affect the work of the committees but work to their advantage when they form sub-committees to tackle issues. The performance of the Committees hinges largely on the leadership and depth of secretariat advice.

It was observed that many Committees do have a slightly deficient understanding of their mandate when they were initially constituted. But with time the members' understanding has improved adequately with the guidance of the secretariat and experienced and skilled Leadership. However, special or ad-hoc committees often do not have the benefit of understanding their mandate with time as their assignments are specific and time-bound. The non-partisan committee staff continue to support the work of the committees to deliver on their mandate even though the support-staff strength is lean. Each Committee has 2 staff attending to the committee; however, some committees have only 1 whilst some committee staff serve more than one committee. The watchdog committees on the other hand have up to three staff.

Whilst MPs appreciate the tremendous work of the secretariat in the management of committee activities and guidance on the rules and procedure of the House, they are quick to point to a very weak research support for committees. They contend that the weak research support renders individual MPs and Committees ineffective. The weak research support is exacerbated by poor knowledge and use of ICT. The ICT division of the Planning Directorate has acknowledged that it has not been possible to provide any systematic orientation for MPs in the use of ICT. As a result, even though all MPs have been assigned official IPs in parliament, and many have laptops and smart phones, majority are not able to utilize the system to assist in the management of their research and information needs. MPs are worried they are lagging behind in information and communication skills. Those who are knowledgeable in ICT are worried that the Bunge wastes too much paper due to the failure of the secretariat and MPs to use electronic media.

Oversight and Outreach

The weak research support and the difficulty of accessing data notwithstanding, MPs consider themselves to be doing a great job regarding legislation and debating of policy alternatives. Two problematic areas that are of great concern are oversight, particularly site visits, and outreach. The lack of activity in these two areas is attributed to poor funding of parliament in general and committees in particular. Committee budget are too small to enable committees embark on site visits and also to undertake outreach activities targeted at bridging the gap between MPs and their constituents. Mileage allowances are provided to MPs for outreach purposes but without consideration of the distance to their constituencies, which means that some members have to supplement such allowances with their own resources if they are to undertake effective tour of their constituencies.

The unavailability of funds makes it difficult to get committees to undertake field-visits to oversee projects. However, the World Bank project (under the Comptroller and Auditor

General) has provided some relief by facilitating such visits for the accountability committees (PAC, LAAC, and POAC). So far these committees have made about 10 visits to the field under this project.

Oversight activities are also particularly constrained by the time-table for committee meetings. The average of two (2) weeks allocated for committee activities per session makes it extremely difficult for sector committees to undertake site visits. Parliament acknowledges that a way around this problem is to take more input from the public through public hearings.

Public hearings are captured in the Standing Orders but these engagements only happen with Bills, and not the budget. The committees can invite people officially only when discussing Bills. There were proposals to have hearings on the budget and policies but the Executive thought it was not prudent. Parliament is desirous to open up committee meetings to the public and there are on-going discussions about the modalities but the challenge remains how to finance this public participation. The good thing is that experts – from CSOs, academia, and professional bodies – do come to the committees to speak to Members, depending on the subject matter. However, because the cost involved in getting these experts to come to Bunge is not covered by Parliament, the tendency is to get experts only from the vicinity of Dar es Salaam where the committees sit. This raises the problem of representation from around the country.

Another challenge associated with oversight of executive actions, including the budget, is unnecessary partisanship formalized into the whip system. The Whip system is said to affect the efficiency of Members, especially those of the ruling party. They may choose silence to avoid opposing and embarrassing their party. Thus, the opposition members are portrayed as the only critical voices in Parliament. It is apparent that MPs are not sensitized enough as to what is expected of them as Parliament and that which is expected of them as individuals or party members.

Closely linked to the foregoing is the apparent fear of the Executive dominance over the Legislature, a subject that has frequently been mentioned by MPs and staff; Members of Parliament appear not to understand the contents and implications of Bills under their consideration. However instead of working to improve their performance they constantly made reference to Executive dominance due to the presence of Ministers in Parliament. But this fear is unfounded given that the Parliament takes its historic antecedent from the British House of Commons.

The Parliamentary Secretariat (Administration)

The Parliamentary Secretariat is responsible for the provision of administrative and operational support services for the daily administration of the Parliament. Its duties include:

- Managing constitutional, procedural and ceremonial responsibilities of Parliament, in conjunction with other departments;
- Providing procedural advice to the Presiding Officers and Members of Parliament;
- Providing secretaries to parliamentary sittings and all standing committees;
- Providing Hansard reports of the Houses and standing committees;
- Making available Hansard reporters to enquiries, seminars etc.;
- Providing Library/Research and Information services;
- Providing a range of services including the monitoring of emoluments and benefits for members of Parliament.

The following departments/sections of Parliament provide logistical support to the law-making process. Some sections provide services internally for Members of Parliament and Staff while others also serve the public.

Table 3: Directorates and Units of Parliament

Department/Unit	No.
i. Leadership	2
ii. Directorate of Administration & Human Resources	104
iii. Directorate of Official Reports & Hansards	25
iv. Directorate of Library & Research Services	14
v. Directorate of Parliamentary Committees	24
vi. Directorate of Table Office	7
vii. Office of Parliamentary Legal Counsel	6
viii. Directorate of Information, Civic Education And International Relations	9
ix. Parliamentary Services Commission Secretariat	1
x. Directorate of Planning & Information & Communication Technology	26
xi. Account Unit	24
xii. Internal Audit Unit	5
xiii. Procurement Management Unit	6
xiv. Sergeant- At- Arms	7
Total	260

The secretariat is under review and a new organogram is before the Parliamentary Service Commission for consideration and adoption. A key innovation is to provide for 2 Deputy Clerks responsible for Administration and Legal Services, and also the establishment of more departments. The aim is to augment the staffing levels and ease the pressure on the Secretariat making it easier for succession planning. These new proposals were the results of a review of the Establishment by the National Institute for Productivity which made recommendations to the Parliamentary Service Commission. The major constraint to the

realisation of the proposals is that of reaching a consensus between the Parliamentary Services Commission and the Minister responsible for the Parliamentary Affairs as per the provision of the National Assembly (Administration) Act, 2008. In addition, sizeable number of staff are said to be studying for skills upgrading. Perhaps the nuances in the assessment of the establishment can be viewed from the distribution in the tables 4-7 below:

Table 4: Distribution of Parliamentary Staff by Grade

Designation	Operations Grade	Executive/Officers Grade	Total
Speaker's Office			
Speaker		1	1
Director - Speaker's Office		1	1
Office fo the Clerk of the National Assembly			
Clerk of the National Assembly		1	1
Assistant Director - C.N.A.		1	1
Parliamentary Service Commission Secretariat			
Director - Comm. Sec.		1	1
Administration & Human Resources Department			
Assistant Director		3	3
Administrative & Human Resource Department			
Principal Administrative Officer		3	3
Administrative Officer		1	1
Senior Human Resource Officer		1	1
Human Resource Officer		2	2
Records Management			
Princpal Records Management Assistant	1		1
Senior Records Management Assistant	6		6
Records Management Assistant	5		5
Executive Assistants, Office Mgt Secretaries & Personal Secretaries			
Executive Assistant	8		8
Personal Secretary	12		12
Telephone Operators/Receptionists			
Senior Telephone Operator	1		1
Telephone Operator	1		1
Principal Receptionist	1		1
Senior Receptionist	3		3
Total	38	15	53

Table 5: Distribution of Parliamentary Staff by Grade

Designation	Operations Grade	Executive/Officers Grade	Total
Catering Officers, Waitress & Mess/Kitchen Attendants			
Senior Waitress	1		1
Waitress	2		2
Kitchen/Mess Attendant II	8		8
Transport Office			
Transport Officer	1		1
Senior Driver	7		7
Driver	17		17
Office Assistants			
Principal Office Assistant	18		18
Total	54		54

Table 6: Distribution of Parliamentary Staff by Grade

Designation	Operations Grade	Executive/Officers Grade	Total
Engineer and Technicians			
Engineer		1	1
Technician	9		9
Accounts Unit			
Chief Accountant		1	1
Senior Accountant		1	1
Accountant	10	9	19
Assistant Accountant	3		3
Internal Audit Unit			
Chief Internal Auditor		1	1
Senior Internal Auditor		1	1
Internal Auditor		3	3
Supplies			
Head Procurement Mgt Unit	1		1
Senior Supplies Officer	1	1	2
Supplies Officer	2		2
Supplies Assistant	1		1
Defence and Security Unit			
Searjeant-at-Arms		1	1
Principal Security Guard	1		1
Senior Security Guard	4		4
Security Guard	1		1
Total	33	19	52

Table 7: Distribution of Parliamentary Staff by Grade

Designation	Operations Grade	Executive/Officers Grade	Total
Hansard Department			
Assistant Director		1	1
Principal Hansard Reporter	5		5
Senior Hansard Reporter	1	1	2
Hansard Reporter	6	6	12
Printers			
Acting Assistant Director	1		1
Printer	3		3
Assistnat Printer	1		1
Library and Research Department			
Director		1	1
Librarian		2	2
Principal Library Assistant	3		3
Research Officers			
Assistant Director		1	1
Principal Research Officer		2	2
Senior Research Officer		1	1
Research Officers		4	4
Parliamentary Committees Department			
Director		1	1
Assistant Director		2	2
Parliamentary Clerk Assistant (Ag. AD)		2	2
Principal Clerk Assistant		1	1
Parliamentary Clerk Assistant	1	17	18
Table Office Department			
Director		1	1
Assistant Director		2	2
Parliamentary Clerk Assistant		4	4
Office fo the Chief Parliamentary Legal Counsel			
Director		1	1
Assistant Director		1	1
Legal Officer		4	4
Information, Public Education, International Relations Department			
Director		1	1
Assistant Director		2	2
Parliamentary Clerk Assistant		2	2
Principal Information Officer	1		1
Information Officer		2	2
Senior Receptionist	1		1
Department of Planning and Information Communication Technology			
Director		1	1
Assistant Director		2	2
Principal Clerk Assistant	1		1
Parliamentary Clerk Assistant	1	1	2
Computer Analyst	2	4	6
Computer Operator	2		2
Assistant Computer Operator	2		2
Total	31	70	101

Directorate of Human Resource and Administration

The Directorate of Human Resource and Administration is responsible for the coordination of all personnel matters in the National Assembly. The directorate considers that the establishment is adequate. Current workloads can be adequately managed with the adoption and application of technology. Thus, the directorate recommends training of the National Assembly Staff in the effective use of computer programming to maximise the deployment of human resources in the National Assembly.

Deployment of equipment including computers and continuous training of personnel to make effective use of equipment introduced to the National Assembly in the estimation of the directorate can make a significant difference in the reduction of manual paper flows. Specifically the directorate will require some computers and software to assist with the automation and management of personnel records.

Directorate of Library and Research

The Library and Research Directorate is one of the weakest departments of the secretariat. Its collection is not up to date and does not meet the needs of current MPs. The ratio of librarians to MPs and other staff using the library is very high. Thus, the staff may not be able to provide all the attention needed by the users of the library. The staff need training lack modern library skills to help them digitise the library catalogue.

In the absence of useful Library collection, MPs use the library space to work since they have no offices. More MPs are increasingly using the library and internet cafés as working spaces, in their regular review of reports from Ministries Departments and Agencies (MDAs), which are key part of the library collection, and also of the laws.

Researchers also use the library to write their reports, speeches, etc. Government workers are also allowed into the library, but members of the public cannot access it unless under special permission.

The Research Division which was established in 2000 with three staff now has nine (4 male and 5 female) staff, including three (3) new recruits. However, since three of these are working in the Committees Department, it leaves the division effectively with six (6) staff. The Research Division is not only constrained by lack of manpower, it also has problems with equipment and logistics. They respond to MPs' and Committees' requests for information and are eager to undertake anticipated research to support the work of parliament. The division considers that collaboration with CSOs and think-tanks is perhaps the fastest route to easing the current challenges but the Standing Orders are not too clear on how to access such external collaboration.

Directorate of Parliamentary Committees

It is said that Parliamentary Committees are the engine room of Parliament. The quality of support-staff and resources available to the committee can significantly affect the performance of MPs as individuals and as groups in Parliament. A well-resourced Committee Department with the requisite skilled personnel, who have access to relevant and accurate analysis and information and adequate logistical support, makes Committees efficient and effective in their duties.

Currently, there about 25 committee clerks serving approximately 18 committees. The core function of the Department is related to procedural issues, but in the absence of an effective research and secretariat support Committee clerks ensure that committees perform their role by taking evidence from witnesses, scrutinizing legislation, and conducting inquiries. Consequently, staff support to committee is very inadequate (receiving only 20 percent of the support they should get). This shortfall in staff numbers means that working-hours for the few are often too long, and juggling between administrative and committee duties leads to burnout. The workload can be excessive as some committees oversee several ministries; for example, the Standing Committee on Foreign Affairs, Defence and Security oversees four ministries.

Committee staff do not have adequate basic administrative and clerical support that committees require, they also lack the services of specialised officers including professional librarians, researchers and subject specialist who will carry out research and analysis and provide information to meet the information needs of committees. The near absence of these services to Committees mean Committee staff who sometimes serve more than one committee add the task of research and information officers to their work but often are unable to provide in-depth analysis and detailed information on specific subjects to meet the needs of the committee.

Logistic constraints include the lack of laptops and recording and transcribing equipment for Committee Staff. Another major challenge for the overstretched staff of the Department is the attitude of MPs which is not very positive; many think that since staff are not elected they are not competent enough.

Official Reports & Hansard Directorate

The Hansard is the official report of proceedings and debates of the National Assembly. Production of the Hansard is a peculiarly parliamentary kind of business and few institutions around the country, if any, can offer any sort of expertise therein. The Directorate also does work with the watchdog and ad-hoc committees by recording some of their proceedings even though there are no transcriptions of these recordings. At the same time the Directorate also serves outsiders including students, researchers, universities, etc. who are looking into parliamentary history and business.

The staff gain their first knowledge on Hansard operation after they have been recruited into the Directorate. The Bunge has 25 Hansard reporters but the number fluctuates, as some staff prefer to work in other directorates of the National Assembly seek transfer to other directors when a vacancy occurs. Consequently, the Directorate is understaffed. The situation is exacerbated by out-dated and insufficient equipment for work. For instance, there are no transcribing machines (and there has not been one for the last ten years) due to budget constraints.

It is not too clear the motivation for these internal transfers. While personal preferences and interests may be justified there is the need to further investigate the workload and work efforts in the directorate and possibly introduce a market premium to attract and retain those trained to work in the department.

Information, Civic Education and International Relations Directorate

This Directorate is responsible for international relations, protocol, information and civic education. It has a Dodoma and Dar es Salaam office. Under the LSP, two training-workshops for journalists on Standing Orders and non-partisan reporting have been held in Dodoma and Dar es Salaam. The Department is encouraging Newsrooms to have permanent Journalists attached to Bunge and the aim of the department is to train them four times a year to strengthen their understanding of parliamentary activities in line with the Standing Orders. The initiative is to have media attached to parliament as happens in Kenya, Uganda and other Parliaments that have media associations that report parliamentary activities.

The department issues Press releases regularly depending on the nature of the issue. It has no relationship with Hansard except as a consumer of publications printed there. For example, motions tabled in parliament are accessed in the Hansard Department for distribution to the press and public at large. However, with the establishment of the Outlook Intranet, all documents that are printed or tabled in the chamber can be accessed online for easy redistribution to the press rather than depending on the hard copies which are targeted mostly for circulation to MPs.

One of the problems confronting the Department is the slow internal communication with other departments and red tape from key departments like Table Office and Committee Department where information distributed to MPs are not made available to the Department for reference until there is a crisis or an emergency requiring communication and explanation to the mass media for the benefit of the public. The problem of lack of coordination needs to be resolved by formulating a communication strategy and organizing seminars for both staff and management about the importance of information sharing toward achieving institutional goals.

The Directorate is partly responsible for the Bunge website as it is the most accessible source of information on Bunge to the public. Consequently, it regularly uploads photos,

Hansards and committee reports. Additional training and equipments like professional cameras and laptops are needed to make the operations of the staff in this area more knowledge-based and efficient. Strengthening their knowledge of website and content management for interactive and informative website that gives the public more information about the Bunge is critical making the Parliament more citizen-focused.

The department participates in three public exhibitions per year:

- i. Utumishi public service
- ii. Saba Saba (biggest one)
- iii. Nane Nane

The costly nature of these exhibitions exert a strain on the limited resources allocated to the directorate annually.

The biggest challenge it faces is the inadequate supply of equipment. The three computers the department used to have for the media have broken-down; thus, media personnel have to bring their own laptops to the Bunge. Also, in the last two years, staff have access to only two working desktops and have had to use their personal laptops and other equipment in the service of the Bunge.

The directorate is also concerned about the National Assembly's strategy to be more accessible to the public. The directorate has limited published or printed material to distribute to the public during outreach activities - the demand for such materials always outstrips the supply.

Currently, the Bunge lacks a proper internal and external information, education and communication policy that stipulates the way to inform internal and external audience; the Directorate is therefore concerned with developing a very comprehensive communication strategy that will be more inclusive, meeting the needs and expectations of all stakeholders.

Table Office

All activities performed in Parliament are coordinated by the Table office. The first and foremost activity is the task of advising the Speaker and Presiding Officers on the smooth running of Parliament. Thus, the department is responsible for the coordination of Clerks at the Table.

The Table Office is also in charge of advising MPs on how to put draft motions, private member bills, parliamentary questions etc. In addition, the department advises MPs on a broad range of issues bordering on their effectiveness in Parliament.

The Table Office is the Host of the Steering Committee of Parliament and thus is responsible for planning what is to be accomplished by parliament per session including preparing MPs questions for the session.

There are three (3) sections in the Table Office. The first section deals with information on parliamentary activities including questions and procedures in Parliament. Another section is responsible for programming all activities and functions to be performed by parliament per sitting. A third section is responsible for following up on Government Assurances.

With the growth in number of MPs in Parliament, the number of questions has increased considerably reaching about one thousand per sitting. Majority of these questions are delivered to the Table Office in hand-written format and the language is often not parliamentary. Consequently, the Table Office will benefit from an augmented staff levels with language (Kiswahili) skills and legal expertise to restructure majority of the questions to make them conform to the decorum expected in parliament. However, the department is made up of 1 Director, 3 Assistant Directors and 4 Officers (2 Lawyers and 2 Administrators) who support the directors in their daily operations.

Office of the Parliamentary Legal Counsel

The Office of the Chief Parliamentary Legal Counsel undertakes the following functions:

Drafting Private Members' Bills – This is a major function of the Office of the Chief Parliamentary Legal Counsel and it entails advice to Hon. Members on various legal issues. The Office also carries out the drafting and compilation of Parliamentary Standing Orders and various Regulations made under the National Assembly (Administration) Act (Cap.115) Parliamentary Standing Orders.

Rendering Legal Opinion - The Office of the Chief Parliamentary Legal Counsel also renders legal opinion to the National Assembly Management and Members of Parliament on various issues concerning parliamentary work. In the same line, the Office prepares discussion papers, memoranda and conducts research on legal matters and other issues. The Office also carries out joint assignments with other Departments of the Office of the National Assembly.

Government Bills - One of the basic functions of Parliament is to legislate. During the process of enacting legislations, the Office of the Chief Parliamentary Legal Counsel assists Members of Parliament to scrutinize Bills and draft Schedules of Amendments to Bills intended to be presented before the House during Second Reading and the stage of the Committee of the Whole House. The Office also ensures that, all Bills, as passed by the House, are submitted and assented to by the President and subsequently gazetted in the official Gazette and printed as Acts of Parliament by the Government Printer. This process

which has been ably and excellently undertaken by the Office of the Chief Parliamentary Legal Counsel is known as final legislative process.

Legal Advice on Ratification of Treaties Conventions and Protocols - The Office of the Chief Parliamentary Legal Counsel also gives legal advice to Members of Parliament and to the National Assembly through the appropriate Parliamentary Committees on matters relating to International Treaties, Conventions and Protocols which are submitted to the National Assembly for ratification, pursuant to the provisions of Article 63(3)(e) of the Constitution of the United Republic of Tanzania, 1977.

Speaker's Rulings and Announcements - The Office of the Chief Parliamentary Legal Counsel drafts Speaker's Rulings on Points of Order raised by Members of Parliament in the House, and other announcements for use by the Hon. Mr. Speaker. The Office also prepares written memoranda and legal advices for the Committee on Privileges, Code of Conduct and Parliamentary Powers for use during consideration of various privilege and ethical matters before that Committee.

Litigation - Parliamentary Legal Counsels in the Office of the Chief Parliamentary Legal Counsel with the assistance of the Attorney General's office and other legal practitioners, have the duty to attend to court cases involving the National Assembly. The Office also performs the responsibility of representing the National Assembly in legal matters at National, Regional and International fora.

Research - The Office of the Chief Parliamentary Legal Counsel conducts research on legal and procedural matters and participates in revising the Parliamentary Standing Orders, subject to approval by the Parliamentary Committee on Standing Orders.

Advice to Parliamentary Committees - The Office of the Chief Parliamentary Legal Counsel also provides legal advice to various parliamentary Committees on their various parliamentary work. This involves writing legal opinions and memoranda for use by the said Committees and other Departments of the House.

Examining Bills and Statutory Instruments - It is the duty of the Office of the Chief Parliamentary Legal Counsel to scrutinize Bills and statutory instruments which are submitted before the National Assembly for consideration, to ensure that, they are not repugnant to the Constitution of the United Republic of Tanzania, 1977 and other existing laws of the land.

In addition to the above functions, the Office of the Chief Parliamentary Legal Counsel also attends to other duties which are assigned to it by the National Assembly Management. It is apparent from the foregoing that the Office of the Chief Parliamentary Legal Counsel plays vital role in the operations of Parliament.

The major challenge to this Office is the work load which it has to perform on a day to day basis. The magnitude of this challenge has become bigger and bigger with the increasing demand of legal services by Members of Parliament, Parliamentary Committees, and by the various Departments of the Office of the National Assembly. There are only six (6) staff including the Director and Assistant Director.

Considering the amount and the cross-cutting nature of the responsibilities and day to day activities of this Office, as set out under Order 21 of the Parliamentary Standing Orders, 2013 Edition, it is required that, efforts should be made to increase the number of staff in this Office, so as to ensure that its staff level fairly and reasonably corresponds to the duties and functions thereof.

Directorate of Planning & ICT

The Planning Directorate is responsible for coordinating and implementing the LSP-UNDP program within Bunge. It is the department responsible for providing capacity building to every other department in Bunge. The project coordinators' (UNDP and Parliament) joint implementation structure is a positive approach for the project, and the partners work very well together.

The ICT Division has 11 people. While these are enough, they do not have the required expertise to satisfy all the information and communication needs of the Bunge. Thus, it has not been able to offer any systematic training for MPs on the use of ICT even though all MPs have IPs assigned to them on the Bunge network.

The Planning Directorate expressed the view that too many activities in Bunge are carried out manually. This view is consistent with the views expressed by the directorate of administration that effective adaptation and application of technology will drive human resource utilisation in the National Assembly to optimal levels.

The Planning and ICT Directorate fears that departments (and Bunge in general) do not have a Business Continuity Plan (BCP) in place; hence, there is no clear succession plan should any current director (or the Clerk) depart from the Bunge. This situation does not help the Bunge to build the required institutional memory and capacity for qualitative growth and development that the Bunge is desirous of. The Bunge may be lacking personnel, expertise and skills, but many existing staff, skills and experts are not being effectively utilised. We observe that the National Assembly Administration Act, 2008 section 11(1 & 2) reserves the task ensuring optimal staffing and scheme of service for Parliamentary Service Commission.

Gender Analysis

The National Assembly has a sizeable representation of female Members based on the constitutional provision that allows for a minimum of 30 percent representation of women in the National Assembly (Article 66, 1(b)). These notwithstanding special seat MPs often

consider that their fate is determined by their political party hierarchy that is heavily dominated by men. Indeed in its submission to the Constitutional Review Committee the National Assembly hinted that even though it will want the special seats to be retained it want the selection criteria modified. Given these challenges, the special seat MPs would have preferred to contest the elections and indeed are often encouraged by long-standing elected representatives such as the Speaker to contest constituency seats. Unfortunately the success rate among these women has not been encouraging and they are therefore hesitant. Mi Yung Yoon (2008) is said to have observed that the special seats for women was intended to be an interim measure towards women political empowerment and a stepping-stone to constituency seats but it has sometimes discouraged experienced and capable women from contesting in constituencies (in Shivji and Rutinwa, 2010).

Whilst there is evidence that many of the special seat women MPs among the government back bench would have had some stint of leadership as part of the party machinery and are therefore endowed with some level of political skills, they need a lot of education like any other MP who is completely new to the parliamentary politics.

The observed discrimination against women and being labelled the weaker sex in the Tanzania society is not lost on the Parliamentary community. Women will therefore need particular encouragement to move up the ladder in parliament. There is a need for special skills for these special seat women MPs to undertake community mobilization that embraces the special roles of men, women, boys and girls in the communities they represent.

Women MPs have expressed fears that the provision for special seats may be scraped as part of the constitutional review process. They make reference to some of the submissions to the Constitutional Review Committee; for example it was reported that several male speakers at Kemakorere Village, Nyarero Ward in Tarime District had the opinion that the new Constitution should abolish special parliamentary seats for women (The Citizen, Sunday, 02 December 2012). The reasons given by those calling for the abolition of special seats were that women obtained the seats on a platter without working for them. Some said the honourable ladies did nothing meaningful for the country even after enjoying the privilege, yet others argued that women had already gained enough experience and that time was ripe for them to seek elective parliamentary seats. Indeed expressions such as “women are being favoured,” “there are too many women in Parliament,” and “those women are doing nothing in the House” reflect the cultural discrimination against women in the greater society. One contributor has been quoted as saying he had no problem with other types of parliamentarians except “a gang of women in the House.” He continued that “The new Constitution must get rid of that gang, which has camped in the National Assembly; it’s doing no business there.”

Elective seats are almost exclusive to Males; out of 239 seats at the 2010 elections only nine (9) were won by women. In an editorial opinion by The Citizen dated 9th November 2010 The Speaker of Parliament was quoted as saying “Despite the fact that out of 357 MPs 36 per cent are women we want the special seats to be retained because out of the 36 per cent only 6 per cent are representing constituents.” This arithmetic will suggest that women with Constituency seats are 8. The Citizen newspaper concluded that “there are a lot of obstacles in the way of women, who wish to play more significant roles in decision making organs.” Many consider that the main obstacle is that of diminished economic empowerment. The argument is that if majority of women were to own means of production (particularly land) they would turn out to be politically powerful. According to Saumu Jumanne (The Citizen, Saturday, 9th March 2013) as long as women are economically emaciated by design or default the silent majority will remain confined to unhealthy dependency and want. And will be content with the special seat as a gateway to political power. It is also apparent that the level of education attainment among the special seat women MPs is rather low compared to the average in Parliament.

The good news is that the Parliament also wants Parliamentary Special Seats to be retained by the new Constitution, but the modality through which they are picked should be improved. Survey respondents also indicated that the kind of discrimination observed with respect to women MPs is not the same with female staff who appear to work on equal terms with their male counterparts in the Secretariat.

Needs of MPs

MPs have a great opportunity and platform to contribute to the shaping of development in Tanzania through the platform of the National Assembly and beyond. MPs acknowledged that they will maximize this opportunity by mastering the rules of parliament. They noted the necessity to cultivate and build rapport with the senior staff of the National Assembly who are a store of memory of Parliament. Experienced secretariat staff like very experienced MPs can assist the New MPs to assimilate the rules of procedure and guide them on conventions which have emerged in parliament but not documented as yet in the rules of procedure.

Many MPs also agree to the need to develop the skills of information gathering and processing. This is important because the National Assembly has significant resource constraints and is not able to provide the all the needed staff (particularly research staff) support. Thus, the ability of MPs to quickly identify where and how to obtain factual information is key to their performance since parliamentary rules do not allow speculation but the presentation of verifiable facts. Internet skills and ability to identify useful databases and search engines have been identified by MPs as a must have; also their ability to identify

and hobnob with reputable CSOs and think tanks is considered important as many CSOs produce good research and information.

Parliamentarians who are able to connect with strong CSOs can get a lot of the legwork done for them as far as research is concerned. In addition to their technical expertise, CSOs are also of great value where a parliamentarian's representational responsibilities are concerned, as they often have a good understanding on what is important to (local) communities.

With respect to budget scrutiny and oversight duties, MPs have identified significant information gap in their knowledge of the procedures and processes relating to public budgeting from institutions in the executive arm of government. Training institutions in the area of public administration have been identified as particularly good sources of information in filling this gap. Understanding public budgeting processes and procedures will make it possible new MPs not only to play their oversight role but will also provide them opportunity to know when to lobby for the inclusion of the needs of their constituents in the budget and also to propose amendments to the Executive budget proposals in Parliament.

Financial constraints and logistic including the supply of laptops and smart phones to keep in touch with Constituents also featured significantly in all interviews and interactions with MPs.

Vote 42: The National Assembly Fund and Timely Release of Funds by the Treasury

The Corporate Strategy 2009-2013 identified timely release of funds by the Treasury as Bridge in the Force Field Analysis but it was rated 2 and the analysis concluded that funding for the National Assembly has been one of the major concerns in terms of financial independence and recommended an agreed Budget of the National Assembly Fund which will guarantee timely availability of financial resources. This has not been achieved and Parliament considers that the very disbursement of the resources meant for the LSP under whose auspices this baseline needs analysis is undertake affected by late releases.

According to Agyeman-Duah (undated) even though the Constitution authorizes the Bunge to secure its capital resources directly from the Consolidated Fund, this provision has not been respected in practice. The Bunge's capital resources were secured in a separate line in the national budget like any other Ministry, Department and Agency (MDAs) of government. Once approved, the budget moves from the Ministry of Finance and is placed under the control of the Clerk who also acts as the Accounting Officer of the Bunge and is accountable to the Public Accounts Committee like any other ministry. At issue is whether the Bunge's annual subvention is adequate to support the organizational needs and personnel emoluments? According to Agyeman-Duah monthly salary of a parliamentarian was TSh1.4

million in 2007. He intimated that the monthly salary then was meagre in the context of expected financial obligations and in absolute comparison with salaries of MPs in the sub-region and is whittled down considerably when payments of the official car loan of TSh40 million are deducted monthly over the five-year period of tenure. Our guess estimates based on Vote 42 sub vote 210100 suggest that monthly remuneration of MPs barely moved to approximately TSh1.5 million in 2009/2010 and then to approximately TSh2.1 million in 2012/2013. In the absence of information on car loans and other deductions we are tempted to conclude that the situation of MPs is not very different from what it used to be in 2007.

Again Agyeman-Duah explains that representational function requiring that parliamentarians consult their constituents regularly to learn about local needs and solicit inputs for law making and policy debates has been adversely affected by inadequate funding. The MP in Tanzania appears financially constrained to exercise these basic roles meaningfully. He/she receives TSh1.6 million monthly as a consolidated amount to support office operation, transportation, staff assistants and any other expenses associated with parliamentary work. This amount scarcely meets these essential requirements of the office and most MPs go without them. A daily sitting allowance of TSh70,000 and per diem of TSh55,000 are the other perquisites and are paid upon attendance. Without reference to figures MPs reiterate the above story, emphasising their inability to engage personal assistants and pay regular visits to the constituencies. It is not clear the extent to which the Constituency Allowances in sub vote 210300 has contributed to the alleviation of this handicap.

A World Bank staffer, Almagro (undated) summarises the financial handicap this way, “budgetary considerations limit the National Assembly to meeting only 70 days per year. For days when the House meets allowances must be paid for Members to be in Dodoma. The ability of committees to meet is also limited by the lack of financial resources. Due to the lack of funds, committees are only able to meet for a week before each legislative session. Further, the institution lacks funds for committees to hold public hearings outside of Dodoma or Dar”. This situation has since improved. Committee meetings now take 2 weeks and parliament now meets for a total of 106 days per annum. It has also been explained that public hearings outside Dar es Salaam and Dodoma may not be relevant if there is effective research and representative sampling of witnesses by Committees.

As can be expected, the capital shortfall also impacts directly and negatively on available physical infrastructure and human resource capacity; examination of Vote 42 sub votes 1001 and 2001 showing estimates for development projects in the National Assembly Fund over the past 4 years shows provision has been made for only 2 items namely rehabilitation of the National Assembly building and construction of the Speakers Residence. Foreign funded expenditure has been provided under the LSP (funded by UNDP) and PRSPII (funded under the Basket Fund) (see Table 8) for administrative and human resource improvements.

The absence of resources for equipment for Departments is very loud and explains the cry of such Departments as the Hansard Division for a major retooling.

Table 8: Estimates for Development Projects in the National Assembly Fund

			2009/2010 Actual Expenditure in Shs		2010/2011 Actual Expenditure in Shs		2011/2012 Approved Estimates Shs		2012/2013 Estimates Shs	
			Local	Forex	Local	Forex	Local	Forex	Local	Forex
Sub Vote 1001: Administration and HR Management										
Parliamentary Support Programme	Grant	UNDP	0	130,000,000	0	462,196,000	0	0	0	1,635,000,000
PSRPII	Grant	Basket Fund	0	0	0	37,804,000	0	0	0	0
Total Sub Vote				130,000,000		500,000,000				1,635,000,000
Sub Vote 2001: National Assembly										
Rehabilitation of Parliamentary Building			1,871,999,900	0	2,332,219,318	0	2,046,400,000	0	0	0
Construction of Speaker's R/House			428,000,000	0	1,314,400,000	0	953,600,000	0	0	0
Total Sub Vote			2,299,999,900		3,646,619,318		3,000,000,000			
Total Vote			2,299,999,900	130,000,000	3,646,619,318	500,000,000	3,000,000,000	0	0	1,635,000,000

Workflow Management and Communication

Management of parliamentary workflow is an important core business of the Secretariat. It is one means by which they ensure that MPs, Committees, Parliamentary Leadership and Ministers, including government functionaries that attend upon Parliament receive timely and quality information to perform effective legislative services.

The starting point of the parliamentary workflow is the Standing Orders and or Rules of Procedures by which the Parliament regulates its own action. These rules were not immediately accessible to the review team because of the language difficulties. However, our observation is that the very interpretation of the Standing Orders by the Leadership of Parliament which runs the day-to-day business of Parliament has remained a subject of disagreement among MPs.

The business of the Bunge as captured by Former Speaker is classified into five main categories each governed by its own set of Rules of Procedures (Msekwa, 2012:112). The five categories are:

- i. Questions to Ministers
- ii. Motions
- iii. Debate
- iv. Passage of Bills for the enactment of legislation
- v. Passage of government budget

Workflow management aims to improve the legislative function in the following areas:

- Procedural quality: better modelling (less complex, less operational), supporting evolution and re-engineering;

- The output quality: drafting systems for improving the formal quality of legislation and regulatory impact assessment for improving the material quality of legislation;
- The participatory quality: introducing new communication tools into the representative system or even more visionary concepts for new democracy models;
- Effective decision making

These are captured in the core values enumerated in the Corporate Plan (2009-2013) namely:

- People-oriented and accountable to voters;
- Transparent and cost effective in its operations;
- Efficient and effective in executing its role of representation, legislation and oversight;
- Progressive in defending democratic values of transparency and accountability in running the State.

Management of workflow systems have benefitted greatly from the introduction of computing and information technology. Incidentally, Parliament has a strong ICT Department but this is not effectively utilised in the management of parliamentary workflow towards efficiency and cost effectiveness. Effective deployment of the ICT capacity of Parliament can resolve issues of client service such as timeliness, quality, and cost. Indeed ICT is known to open up the governance framework and accountability arrangements relevant to parliamentary workflow, as well as more operational considerations including the use of information technology, development of relevant management information and suitable benchmarking arrangements.

It is our considered view that management of parliamentary support processes coordinated within the Clerk's secretariat can benefit from a simple system of mapping service areas to the five main business categories via intranet, web, emails, and secure connections as in Table 9 below:

Table 9: Element of Parliamentary Workflow and ICT

Service Areas	Vehicles	Functions
Parliamentary Administration	Intranet Web Emails Secure Connections	Procedure follow ups Document Management Queries and Research History and Case Management
Parliamentary Committees	Intranet Web Emails Secure Connections	Procedure follow ups Document Dispatching Meeting Schedules and Agenda Access to debates Access to Laws Queries and Research
Members of Parliament	Intranet Web Emails Secure Connections	Procedure follow ups Document Dispatching Meeting Schedules and Agenda Access to debates Access to Laws Queries and Research
Ministers and Government functionary targeted to support their work to Parliament	Intranet Web Emails Secure Connections	Procedure follow ups Document Dispatching Meeting Schedules and Agenda Access to debates Access to Laws
Citizens and Constituents	Web	Meeting Schedules and Agenda Access to debates Access to Laws Queries etc.

It is recommended that the ICT Department be tasked to produce purpose-designed information technology (IT) systems to improve client service and to enhance overall effectiveness. These systems have the potential to deliver measurable improvements in timeliness and quality of services and to provide strategic management information. With these all stakeholders can make better use of information held within the parliamentary workflow systems to provide strategic information for management on issues raised in Parliament and in ministerial correspondence and work underway within Parliament.

These systems will also have the advantage of generating comparable data for the provision of parliamentary services benchmarking for standards of timeliness of common parliamentary workflow items with clearly identified parameters for costing and

performance. Overall, a key barrier to the realisation of the corporate vision, namely poor communication flow between departments will be overcome with the deployment of information communication technology in workflow management as per the mitigation plan in the Corporate Plan 2009-2013.

The Constitutional Review Process

The establishment of a Senate, to be the Upper House of the proposed two-tier parliamentary system, was one of the major proposals aired during the presentation of MPs' views on the new Constitution. Most of the legislators want the introduction of the Senate as the best way of safeguarding public interests. The proposal is for the Senate to comprise a small number of experts from various fields who would be responsible for enacting and passing laws, among other functions to avert the increasing partisanship in the National Assembly which makes legislators less sensitive to the interests of the public as a whole.

The Parliamentary proposals to the Constitutional Review Commission also seek to strengthen the Parliament by suggesting that the Speaker of the National Assembly be an impartial referee without excess responsibilities of representing a Constituency as an MP. Accordingly, the proposals also forbid the appointment of MPs as Ministers or to other public offices like DCs or RCs. Furthermore some of the proposals seek to annul Articles 77 and 71 of the current Constitution which give power for political party leadership to strip an MP off his/her legislative seat.

If these proposals are accepted the Parliamentary secretariat will have an increased workload as they have to serve two Chambers. Even before the passage of the new Constitution the Parliamentary Secretariat is expected to manage the workload of the Constitutional Assembly that will debate and pass the new Constitution in addition to its current operations and this will require additional staff support and equipment to ensure efficiency.

6. Recommendations (National Assembly)

The following recommendations are based on an appraisal of the existing legislative framework, the existing resource constraints of the parliament, the individual capacity of parliamentarians, the legislative process, the oversight role of parliament, parliament-constituency relations and the status of special seat women MPs and their role in public decision-making. In formulating these recommendations, the consultants have taken into account the interaction of key actors in the National Assembly as well as UNDP who is funding and supporting the legislative support process. We have also taken advantage of interactions between MPs and Staff of the National Assembly through past and on-going training programmes, and also government, CSO and other donor reports.

Thus, to strengthen the capacity of the National Assembly to become a more effective legislature we make a number of recommendations targeted at enhancing the operations of the secretariat and the ability of MPs to function more effectively in their capacity as parliamentarians.

Recommendations for the Secretariat

To improve the capacity of the Secretariat to be more effective in support of MPs the recommendations are classified into five main categories namely training including study tours and benchmarking visits, capacity enhancement, improvement in equipment and supplies, modification of rules of procedure and workflow management system

Training

- A systematic in-house training in parliamentary procedures for all staff will maximise their output;
- In view of the absence of an effective Research Department, all staff should be taken through intensive ICT course that will help them browse the internet, use search engines to obtain relevant data, and research reports to support the work of MPs and Committees;
- The analytical capacity of the research staff must be strengthened on an on-going basis by refresher courses in general data retrieval and analysis techniques as well as specific skills for legislative research;
- Committee clerks must necessarily be taken through basic financial analysis and legal proficiency for budget and bill analysis;
- Staff of the Information, Civic Education and International Relations Department also need specialised training on dissemination of political issues particularly training on transmitting messages for wider understanding of the all stakeholders on Parliamentary activities including exposure to other Parliaments that have advanced in this area of political communication;
- The Information Civic Education and International Relations Department and the ICT and Planning Department must undergo a special and comprehensive training on website management and interactive media for better and quick upload of information for public access online. This must include the establishment of the new intranet communication system like (outlook) that will assist the easy flow of Communication, information and documentation within the parliament to ensure smooth and effective internal communications;
- Table Office requires specialised staff training in legal and language skills to assist MPs and the House to conduct parliamentary business more smoothly.
- Staff of the Hansard Department need specialised courses to improve their skills in editing, type-setting, Hansard transcription, and reading the Hansard and may

benefit from study tours in parliaments with well-developed and modern Hansard process facilities;

- All staff of the Secretariat, particularly those at the grade of Assistant Director and above, must be taken through a programme in Risk Management.

Capacity Enhancement

- In light of the effort to amend the Standing Orders to create a Budget Committee, the Secretariat must identify qualified staff who can form the nucleus of a team to support MPs in the continuous scrutiny of the budget and its underlying assumptions; the group must be offered training attachments so as to acquire skills in budget analysis, in order to prepare briefs for Members;
- Parliament must improve on the availability of legal expertise to MPs to facilitate their work.
- Parliament must of necessity dialogue with the Executive size of the National Assembly Fund.

Equipment and Supplies

- The Library must be funded to acquire current publications (books, manuals, etc.) related to the work of parliament; it is particularly important to assist the library needs to subscribe to internet publications and electronic databases;
- The Library must be assisted to acquire software to manage the library collection (this approximately costs of Tsh 70 million, including installation and training) and the Library staff given short courses to update their skills and knowledge; the library urgently needs additional computers and working space including reading tables;
- Research Officers and Committee clerks need laptops for the committee proceedings in Dar es Salaam.
- Similarly, the Information Civic Education and International Relations Department needs equipment – professional cameras, laptops (for Graphics), and electronic devices (such as recorders) to support the outreach programme of Parliament;
- The Information Civic Education and International Relations Department needs to be financially empowered to produce regular publications for public education about the work of the Parliament and in-house guidelines for MPs, staff and Journalist;
- The secretariat must upgrade the equipment in the Hansard Department and work out a scheme for staff retention in the Department;
- The House Steering Committee and Parliamentary Service Commission must consider the Bunge acquiring its own Television Channel and Radio Frequency to improve on public outreach and open up opportunities through which it can interact with citizens better. The time is ripe for Parliament to tell its own story. Effective management of the Bunge website by creating a portal where the public can send comments related to the work of the Bunge could be a starting point.

Modifications to Rules of Procedure

- The Standing Orders must be modified to allow for systematic collaboration between the secretariat and research institutions to support the work of the House in general and Standing Committees in particular; formal protocols with such research organizations like REPOA, ESRF, Haki-Elimu, etc. which have provided valuable research support to the Bunge in the past will help boost research support to MPs and Committees;

Workflow Management System

- The ICT section of the Planning Department must be reorganized and resourced to give continuous training and technical assistance to MPs and secretariat on the use of modern electronic media in facilitating the work of Parliament.
- The ICT section must also be empowered to review and design and automated workflow system that will make for timely delivery of services, cost effectiveness and benchmarking for performance measurement.

Recommendations for Enhancing the Performance of MPs

The recommendations on enhancing the capacity of MPs as individuals and groups is divided into 2 broad categories namely training including benchmarking study tours and the need to modify rules of procedure to improve access to data.

Training

- All MPs must be taken through an intensive training in leadership, administration and communication to improve the conduct of parliamentary business and to interact effectively with citizens in general and the constituents they represent.
- All MPs particularly first-time members must of necessity be taken through bill scrutiny and analytical skills to enable them to assess and propose alternatives to government budget and policy documents, including steps in the review and ratification of international treaties and loan agreements;
- MPs must be trained to have a better understanding of the national resource allocation and reach including the process of setting national priorities and the main actors in the process;
- MPs must be trained to understand the public procurement procedures to enable them scrutinize the process, as well as know the laws governing procurement and government contracts; this must be complemented by giving them the skills on how to track public spending during the implementation phase of the budget;
- MPs must be taken through basic research and information-gathering skills and also basic training in the use of social media in communications so as to enable take advantage of Face book, twitter, blogs, etc. to communicate with their constituents.

- MPs and their Committee Clerks need training on the role of the committee, what to look out for in deliberations and understanding key sectoral issues in order to ensure synergy and improve institutional memory of the committee whilst collaborating with CSOs and other stakeholders to make government accountable;
- As the Parliamentary activities always attracts media attention, there is urgent need to have regular practical trainings for all Chairpersons of the Standing Committee and their deputies on how to engage the media as well as media management during crisis;
- For familiarization and engagement, a joint training between media and MPs is required;
- Women MPs particularly special seat MPs needs special training to make them appreciate their role in Parliament and the Constituency.
- New MPs must encouraged and trained to specialize in select subject areas to be effective in the contributions in parliament;
- MP must be trained to communicate effectively with all stakeholders to improve the image of the National Assembly.

Rules of Procedure and Improve Access to Data

- Standing Committees must be assisted to improve their oversight and legislative roles by ensuring they have arrangements to access data and reports from the ministries they supervise;
- There is urgent need to increase the committee meeting duration to enable Committees have time to complete their deliberations and undertake field visits; Committee budgets must be increased appropriately to take care of this extension in time and increased site-visits.;

4. Analysis (Zanzibar House of Representatives)

An assessment of the thirty years existence of the House of Representatives by Shivji and Rutinwa (2010) shows that the House has been very active enacting legislations to improve democratic space and governance but not so much have been achieved in the area of oversight of government and outreach to citizen. Respondents in this study attribute the poor performance in the area of oversight to the inability of MPs and House Standing Committees to effectively digest the complexities of government business but more importantly to the financial and logistics constraints of the House.

Respondents suggest that the House of Representatives has made a lot of progress and debate has been much appreciated by citizens who now follow the House keenly since the introduction of the Government of National Unity. Acrimony and rancour has been absent from the House except that much more need to be done in reaching out to citizens with education on the roles of the House and Members of Parliament.

5. Baseline Findings (Zanzibar House of Representatives)

Section 63 of the 1984 Constitution of Zanzibar provides the legal foundation of the House of Representatives Zanzibar. In addition to that, section 106 of the 1977 Constitution of the United Republic of Tanzania (URT) does recognize the House of Representatives of Zanzibar. The House of Representatives of Zanzibar is an institution of democratic representation for the people of Zanzibar.

It is however, important to observe that the current legislature can be traced back to 1980 when the Zanzibar House of Representatives (HRZ) was created. It was established on 14th January 1980 as a product of the 1979 Zanzibar Constitution. Its establishment is stipulated in section 21 of the 1979 constitution

Like most legislatures, the House of Representatives of Zanzibar has as its core functions of legislation, oversight and representation. The functions of the House of Representatives of Zanzibar have been detailed in section 88 of the Zanzibar Constitution as:

- i. Enacting legislation where implementation of that matter requires legislation;
- ii. Debating the performance of each Ministry during the annual budget session and approval of the budget of the Revolutionary Government of Zanzibar in the House of Representatives;
- iii. Putting different questions to the Revolutionary Government of Zanzibar in the House of Representatives;
- iv. Approval and oversight development plans of the Government in similar manner that Government budget is approved.

The House of Representatives has a similar composition to the National Assembly of Tanzania (see Table 10). Five of the 82 members are then elected to represent Zanzibar in the National Assembly. Respondents express doubts about the value of the representatives in the National Assembly particularly with respect of the feedback they provide for House. They opined that it is one of the arrangements that is not likely to survive at the end of the constitutional review process.

Table 10: Distribution of MPs in the House of Representatives

	Category of MP	No.
1.	Members Elected from the Same Number of Constituencies	50
2.	Special Seat Women Members	20
3.	Members Appointed by the President	10
4.	The Speaker	1
5.	Attorney General	1
	Total	82

It is important to observe that it was the 10th Constitutional Amendments of August 2010 that increased the minimum ratio of women representatives from 30 to 40 percent. By the same amendment 2 out of the 10 members appointed by the president must come from the opposition. The amendment also makes the Speaker a member of the House if he is elected from outside the House.

Capacity of MPs and Parliamentary Committees in the Legislative Framework

The legislature is divided into two parts, the President of Zanzibar on one part and the Member of the House of Representatives of the second, Any matter which requires to be decided or done by both parts of the legislature in accordance with the provisions of the Constitution or any other law, cannot be decided or done without the consent of the both parts.

The Speaker is the Leader of the House and is the official representative of the House in dealing with the other arms of government. The speaker is elected through secret ballot by the Members of the House from among the persons who are the Members of the House or who are not Members but qualified to be Member of the House. The Speaker is assisted by a Deputy Speaker who performs all duties and functions of the Speaker during the absence of the Speaker or when asked to do so by the Speaker even in his presence. Members of the Executive arm of government cannot be elected to the position of a Speaker or Deputy Speaker. There are also 2 Chairpersons of the House elected by the Members of the House who perform the function of the Speaker in the absence of both the Speaker and the Deputy Speaker.

The Second Vice President is the Head of the Government Business in the House and is appointed by the President from the Member of the House. Other Leaders of the House in the Coalition Government include Ministers, Deputy Ministers and the Attorney General. The remainder of member constitute the Back Bench of the House. This is as a result of the power-sharing arrangement proposed as an alternative means to resolve the political conflicts that have characterised politics

on the Island for over a decade. According to Shivji and Rutinwa (2010) a House of Representatives Resolution (Hansard Report No. HS-18/07/2010) announced that a government of National Unity should be formed after the October 2010 general election.

For the purpose of maintaining discipline within the House, there are three Whips -1 Government Whip and a Whip each from the two dominant political parties with most seats in the House, namely CCM and CUF.

As per Article 85 of the Constitution of Zanzibar the Committees are the main organs of the House. There are Standing Committees, Session Committees and Adhoc Committees. The life of these Standing Committees of the House is two and half years, but the Adhoc Committees are disbanded once a report is tabled in the House. Committees are an integral part of the modern Parliamentary System. A great deal of work is done by them on behalf of a House. The impact of the House of Representatives is crucially dependent on the effectiveness of Committees of the House. Currently, there are eleven permanent Committees of the House out of which three are management committees namely, Steering Committee for the House Services, Committee for Ethics and Immunity of the Members, and Committee of Chairpersons of the Standing Committees. The complete list of committees is as follows:

1. Committee of Finance, Trade and Agriculture
2. Committee of Communication and Construction
3. Committee of Women and Social Welfare Development
4. Committee of Legal Affairs, Constitution and Administration
5. Public Accounts Committee (PAC)
6. Committee of Undertakings the Offices of Government National Leaders
7. Committee of Livestock, Tourism, Empowerment and Information Affairs
8. Committee for Regulations and by laws
9. Steering Committee for the House Services
10. Committee for Ethics and Immunity of the Members
11. Committee of Chairpersons of the Standing Committees

MPs consider that the effectiveness of Committees is hampered greatly by the absence of an effective orientation programme on the roles and functions of the Committees but more significantly the absence of effective support from experienced staff. But many consider the House Committees lack the mandate and power to compel government to take up their recommendations.

Other challenges for effective committee work has been identified as the low educational attainment of MPs and attendant lack of expertise to adequately comprehend the complex business of Ministries and Government Departments; lack of confidence and fear of those in

authority; inadequate financial allocation to the House and invariably the Committees; the absence of logistics in the form of Transport to facilitate work of the Committees; and the external environment symbolised by the ignorance of citizens about the role of Members of the House of Representatives in the national political and public administration.

Representational Function of MPs

The very name of the House is derived from the representational functional of legislative bodies. Even though on its establishment it was indirectly elected through party organs at the district and regional levels today the majority of members of the House are elected through universal adult suffrage and the representativeness of the House can be said to be as good as any and in some respects more advance than in many jurisdictions (Shivji and Rutinwa, 2010)

However, facilitating Members to perform their representation function by providing a forum for the discussion of issues of national concern and being a sounding board for the people is handicapped by provision of inadequate finance and logistic arrangements for Members to adequately perform this function. The situation is exacerbated by lack of civics education (including how to vote and becoming more involved in the political process) and mistrust of government. Thus many citizens expect MPs to provide them with handouts instead engaging them on higher priority issues such as education, health and housing which are at the core of MKUZA II. MPs explained that the high degree of poverty in the communities is responsible for the dependency syndrome that has resulted in the nature of demands on MPs, making them vulnerable

Shivji and Rutinwa (2010) observed that the representativeness of the House can be improved if the requirement that MPs belong to and be sponsored by a registered political party is removed and constituency demarcation is more carefully done to allow free movement of Representatives to dialogue with the people they represent.

Oversight and Outreach

Respondents to our survey indicated parliamentary oversight of government is the weakest link in the effective performance of the House. MPs come from such diverse backgrounds with very weak knowledge of the law and budget analysis, making it difficult for them to appreciate and perform their oversight role effectively. The weak performance is made worse by the low vote for their expenditure as compared to other Parliaments all over the world especially the Commonwealth countries. Inadequate votes for House have constrained its training programmes. The House is unable to hire local experts to train members and cannot fund foreign tours to other Parliaments, not even to the National Assemble to enable MPs and Staff undertake benchmarking. However, The House has identified reputable CSOs that are sometimes willing to offer their expertise to Committees on pro-bono basis depending on their interest in subjects that are being tackled in the Committees.

Respondents also agreed that research support to MPs is weak due to the absence of staff with the requisite experience. Library facilities for legislative research in the House are pitiful. Even though an internet cafe is attached to the library, resources do not permit subscription to relevant online journals and databases. Even if these were available MPs have not been given the requisite training to effectively access and use ICT facilities in research.

English Language skills in the House present a dilemma that affects access to foreign literature on legislative procedures that can serve as benchmarks for practice in the House. All laws are published in English but bills are presented to the House in Kiswahili and all parliamentary business is done in Kiswahili as the medium of expression and indeed the Rules of Procedure in the House recognise Kiswahili as the operating language. However, given the low educational attainment of some of the MPs and limited internal capacity at the Secretariat to assist with scrutiny of bills some respondents admit that bills may not be rigorously examined.

The low educational attainments of the Members of the House as well as the political environment particularly after the reintroduction of multiparty system have also been blamed for the poor performance in the area of oversight. Outreach in the Constituency is non-existent. There is a Constituency Strengthening Project by the House which is seeking to establish constituency offices with staff and regulations for MPs to attend to these offices when outside the House. A schedule of Members time outside the House will be published. Currently MPs fear to go to the constituencies because of the demands on them.

Outreach is poor; although there is a limited House education programme on radio and TV, the House cannot produce or print any educational material in the form of flyers, hand bills or brochures. Currently bills are published in local news papers and the House receives feedback by way of written comments to the Clerk, Speaker, and Committees Chairpersons. Committees work more to government departments than to citizen. As result citizens get to hear of activities of Committees once a year when Chairs present their reports on the floor of Parliament, but this is highly inadequate. Ultimately, grassroots stakeholders are subjected to unresponsive state institutions, and absent Representatives.

Despite the foregoing challenges MPs and staff acknowledge big progress and this has been alluded to in the Zanzibar-MKUZA II-2010-2015 which states that “there have been improvements in the structures of administrative staff, training of members of the House of Representatives and their supporting staff in budget control, communication, gender budgeting, gender analysis, and legislative processes. A new House of Representatives building with adequate capacity that provides ample working space and facilities including a library and communication room has been completed and officially opened. The government has improved legislative processes by allowing other stakeholders to participate in review of legal policies and bills. These achievements have enhanced capacity of the House to exercise oversight, legislative and representative functions and work as a

framework for strengthening further the capacity of House of Representatives”. But further interrogation does confirm the original position of respondents that oversight of government is the weakest link in House performance.

The Secretariat

The Secretariat comprises approximately 120 staff with 20 of the number located in the Pemba Office. The functional placement and educational attainment of staff in the secretariat are distributed as follows:

Table 11: Distribution of Secretariat Staff in the Zanzibar House of Representatives

ZANZIBAR HOUSE OF REPRESENTATIVES (STAFF DISTRIBUTION LIST)												
Division/Department	Male	Female	Below Form IV	Form IV	Certificate	Diploma	Adv. Diploma	Degree	Post Grad.	Masters	PhD	Total
Administration	3									3		3
Human Resource, Planning and Statistics	4	11	3	4	3	1		4				15
Research, Protocol and Public Relations Division	5	7	2	7	3			9		1		12
House Service, Defence and Security Division	32	9	27	7	3		1	3				41
Legal Affairs Division	2	3						4			1	5
Hansard Division	5	8		3	4	4		1			1	13
HOR Committee Division	1	1								2		2
Account Department	6	2	1		2	2		1		2		8
Internal Auditor	1					1						1
Total	59	41	33	14	12	8	2	21	2	8	0	100
	7	3	10									10
	4	2		6								6
HOR Sub Office Pemba	1				1							1
		1				1						1
	1							1				1
	1								1			1
Total	14	6	10	6	1	1	1	1	1	0	0	20

As observed in the Zanzibar-MKUZA II-2010-2015 and confirmed by staff there have been improvements in administrative structures. A new House of Representatives building has provided some working space and facilities including a library and communication room but these appear inadequate. Thus, MKUZA II promise to address capacity and other challenges of the House of Representatives in a more comprehensive manner by putting in place strategic interventions for improvement of the House, Members, Staff as well as the working environment. It is important to point out the secretariat in Pemba appears very weak given that majority of MPs work from Pemba when they not in the House.

The Clerk is the head of the Secretariat. He has no deputies and work with Directors of Division who deputise for him in his absence. Incidentally, the divisions as currently organised do not necessarily reflect the core functions as performed in parliament. The five divisions are:

- Administration, Human Resource, Planning and Statistics Division;
- Research, Protocol and Public Relations Division;
- Legal Affairs Division;
- House Committees Division and
- House Services, Defence and Security Division.

All staff of the secretariat are employed by the House Service Commission to support the House and MPs. The Secretariat is therefore accountable to the House Service Commission which invariably works to the Public Service Commission.

A major characteristic of the secretariat is that it has a cohort of young professionals (about 31 in number) forming the core of its manpower base. These young professionals have little exposure to parliamentary practice and lack basic training in parliamentary rules of procedure. Incidentally, the Clerk who is the head of the Secretariat is also new in the job. As a result the management of the secretariat can be described as one big experiment. The Clerk is out to identify the potential of each staff and maximise their contribution to overall goal of the institution. Thus, the management is committed to full rotation of the staff in a year or two and considers this an important strategy to place staff properly in House service operations. During this period the secretariat expects to work with the Leadership of the House to enact a House Administration Act to forestall the transfer of staff that have achieved proficiency in House procedures from being transferred to other Government Department.

The secretariat is affected by inadequate resources to provide space for the staff, much less provide the needed training in parliamentary administration and rules of procedures.

Library and Research Division

The Library and Research Divisions are currently separate entities in different divisions in the House administration. There is a small library with one librarian. The reading room can take approximately 6-10 readers. The challenge is the collection which is very limited considering the diversity of subjects that are the subject of enquiry in Parliament. The Library requires more stock of books and journals relevant to the needs of parliament as well as electronic databases that will allow MPs and staff to undertake research in the House. This is consistent with the House of Representative of Zanzibar Strategic Plan 2011-2013 **Objective 8** "to improve library services, communication services and the use of ICT facilities".

About 6 of the young professionals are employed in the Research Department in 2009 and 2010. They were all new graduates without research experience except one who came in from the Ministry of Information. But as per the management policy of rotating all staff in a year or two they are not all working in the research division. A good example is the multiple roles performed by the Acting Head of the Research, Planning, Protocol and Public Relations Division. He was employed as Lawyer but currently also performs the duties of the Acting Head of Legal Affairs Division, Clerk of the Public Accounts Committee and Clerk at the Table. The different members of the division who are multi-tasking point to their inability to cover all tasks adequately on several occasions. The Acting Head of Division consider that rotation and multi-tasking may be good for an eager learner who wants to have a quick and

broad understanding of the Parliamentary System but one quickly get fatigue when the initial excitement is over.

The eroded Research capacity is felt by Members of the House while the research staff performing multiple roles feel over-worked. Many recommend that the capacity deficit must be filled immediately to enable efficient research support for MPs and Committees of the House. The Division forecasts it will need about 15 Researchers to serve the needs of the House.

Parliamentary Committees Division

The Parliamentary Committee Division is made up a Head of Division, 1 other staff with 10 years' experience and adhoc staff from the Legal Affairs and Research Divisions and other divisions making a total of approximately 14. The Standing Orders of the House stipulate that the Clerk of the House appoint committee clerks from among qualified staff of the House. The new clerks are trained on the job without any formal introduction to House's Rules of Procedures in a formal orientation. Consequently, they sometimes feel inadequate to handle their committees effectively. MPs notice these inadequacies and are quick to point to the inexperience of these committee clerks.

The inexperienced staff are rotated at the discretion Clerk of the House and so do not have the benefit of developing the critical body of knowledge leading to specialisation in the sectors they assist MPs to oversight. Despite the policy to rotate it has been pointed out that with the exception of a few committee clerks majority of them have been in their committees since their assignment following the general elections of 2010. Since individual MPs are new to Parliament due to high turnovers at the general elections and the committee clerks are themselves new to their sectors, oversight remains the weakest link in the parliamentary functions.

There are no earmarked resources for the Work of the Committees and this affects the effective preparation of the division for committee assignments. Members of the Division have to compete for space when scheduling meetings for their Committees as there are only 3 Committee rooms in the House for 7 Standing Committees and other adhoc committees.

The Division identified training for staff and MPs in committee procedures, exposure to other Parliaments in the sub-region for benchmarking on committee operations and procedures, and provision of facilities including equipment for committee clerks, transport for committee work and space for committee secretariats to improve the performance the Division and Committees of the House. Some members of the Committee Division suggested that for effective support of committees each committee secretariat must comprise a 4-member team made up of a lawyer, a secretary, a researcher and an administrator.

Official Reports and Hansard Division

The Hansard Division is rather small with about 2 editors and 8 reporters. It has about 2 computers but has taken delivery of some modern printing equipment including heavy duty copiers that is yet to be installed. But the Division can make do with more working tools – computers, recorders, transcribers etc.

The mission of the Division is to respect the sanctity of honest contribution of Members on the floor of the House and provide professional services through team-work by producing, editing and indexing accurate verbatim reports of the House proceedings. The Division is working towards achieving excellence in the production of Hansard by 2015 and to attain a Departmental status. To reach these goals members of the Division indicated the division will benefit from benchmarking study tours and upgrading of their skills on the use of newly acquired equipment.

Information, Civic Protocol and Public Relations Division

This function is currently put together with research in one division. One of the core tasks of members of staff (employees) of the House of Representatives detailed in the House of Representative of Zanzibar Strategic Plan 2011-2012 is to promote public knowledge and understanding of the House. This is consistent with House Mission Statement “To maintain a truly democratic Parliamentary forum in Zanzibar that empowers the public through representative democracy to participate in Parliamentary and other democratic processes so as to achieve sustainable development and good governance”. In this respect the House correctly identified the media among its stakeholders. The House expected that the media will carry accurate news and information from the House and remain politically neutral in its coverage of the House. The House ranked the foregoing expectations highly but ranked the publication of House activities by the Media medium. In the follow up SWOT analysis inadequate information system and little public involvement in the legislative processes, oversight, and other functions of the House have been identified as weaknesses.

In light of the above observations **Objectives 1 to 3** of the House of Representative of Zanzibar Strategic Plan 2011-2013 namely:

- To enhance accountability of members of HoR to their constituents;
- To ensure transparency and active participation of stakeholders in the committee functions; and
- To improve relationship between members of the House, CSOs and the public;

require significant investment in the work of the division including recruiting experienced media practitioners with advance knowledge of the application of the social media to drive the communication agenda of the House.

The Table Office

The Table Office is not clearly defined in any of the current Division of the House. However, the function is performed by the Clerk with the aid of staff from the Legal Affairs Division. Some of the activities undertaken by staff from the Legal Affairs and Research, which are better undertaken from a specialised office, include restructuring and reframing of parliamentary questions, reframing of motions, assisting MPs to drafter private member's motions, follow up on directions of the Speaker and Members, follow up on assurances to the House etc. The critical functions of clerking are therefore done on by rotation among the heads of division. The critical job of clerks at Table is also done on rotation basis. The duties of the Table Office, including assisting MPs to draft parliamentary questions and motions, are distributed among staff by the clerk on the basis of who is available and who can perform the duties at any time to the satisfaction of the clerk.

It has been observed that follow-ups are often not carried out because nobody in particular is assigned and the Heads of Division who were in the Chamber at the time of a directive or an assurance may be performing other functions making it difficult for them to track and follow up on the relevant issue.

It was suggested that the House employ 2-3 more legal officers with language (Kiswahili) skills to form the nucleus of the Table office. The suggestion is consistent with **Objective 6** of the House of Representative of Zanzibar Strategic Plan 2011-2013, which is to improve organisational structure and professional staffing to enable effective and efficient support to the House.

ICT Unit

The House of Representative of Zanzibar Strategic Plan 2011-2013 in **Objective 6** also has one of its strategies to establish an ICT Unit. Currently there is a small ICT Unit with about 6 computers and an internet for MPs and staff. But the unit does not have sufficient manpower to program a general orientation and systematic training for MPs and staff of the House. However, given the limited staff support available to MPs it is important MPs are given the needed ICT skills to help them access information from the internet and also improve their communication with their constituents.

Office of Parliamentary Legal Counsel

The Legal Council is currently assisted by Officers of the Legal Affairs Division who collectively work both as Clerks at the Table and Committee Clerks. It is evidently clear that the legislative cycle is weakened by shortage of trained drafters in the Legal Affairs Division. Although majority of Bills discussed in the House originate from government it is important to have experienced legislative drafters in the House to assist MPs navigate bills at all stages of the legislative process. Legislative drafters are also required to advise and assist with drafting private member bills. They are also essential in ensuring continuous dialogue

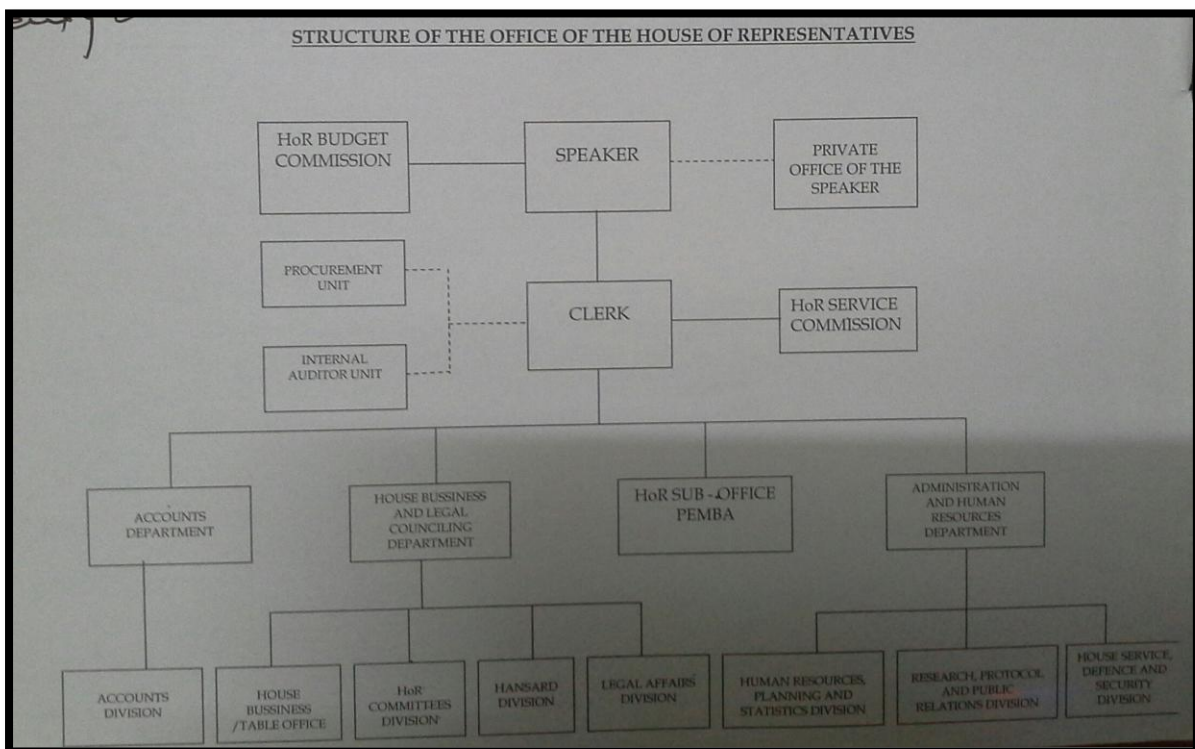
between the House and government agencies that have bills before the House in order to facilitate formatting in House style and guidance on other requirements of the House.

Administration, Human Resource, Planning and Statistics

The Administration, Human Resource, Planning and Statistic Division is arguably one of the challenged Divisions of the House that is responsible for assisting the Leadership undertake manpower planning for the House. The department is concerned that until 2005 there were only about 5 Bachelors' degree holders among the staff of the House. Recent improvements in the establishment have been considered but the first step towards building a cadre of House staffers. However, the greatest challenge for the Division is the phenomenon of all staff belonging to government that allows transfer of Parliamentary staff to other government departments. Whilst it might be in the interest of staff who are attracted to other perquisites in other government departments, the situation may not work for the development of the House of Representatives. It was pointed out that a recent transfer of senior staff from the Legal Affairs Division to other government department has particularly weakened the House.

The Division is leading the Strategic objective of working to improve organisational structure and professional staffing to enable effective and efficient support to the House. The new organogram of the of the House of Representatives passed by the House Service Commission and awaiting the approval of the Civil Service Commission is the work of the Division which is keen to see it implemented. But the Division is always aware of the financing constraints when it comes to recruiting new staff to establish all the Divisions to function effectively in support of the House. This notwithstanding, the Division explains the need to rationalise wages and salaries of the staff of the House to retain staff and minimise the high staff turnover. This the responsibility of the House of Representative Services Commission which has the constitutional mandate to recruit officers of the House, to promote them, to take disciplinary measures against them and guide any other functions relating to services at the House.

Figure 2: Proposed Organogram of the Zanzibar House of Representatives



Taking a cue from the proposed organogram we can conclude that currently, the Secretariat of the Zanzibar House of Representatives is undermined by staff shortages. Particular mention has been made of absence of independent legal counsels to backbenchers and research staff with financial skills to analyse money bills and these have hindered the core functions of the Secretariat.

The Division also recognises the challenges of using exposure in inter parliamentary activities to leverage training for MPs and staff because the Zanzibar HoR is often not directly admitted to such forum since the National Assembly represents the Union.

The Administration, Human Resource, Planning and Statistics Division identified logistic and financial constraints as additional bottlenecks hindering the effective performance of support services in the House. Laptops, printers, and transport facilities were singled out as items required for effective committee support program. Also the Division point to the absence of resources to support the House’s education programs in the form of air time on TV and radio and printing flyers and brochures.

House Services, Defence and Security Division

This division is responsible for security services including ceremonial functions performed by the Sergeant at Arms. The Division has a 2-year plan to train its members that currently provide transport and logistics services for MPs.

MPs Needs

MPs acknowledged their deficiency in quick comprehension of the Rules of Procedures when they are new in the House. They generally agreed that by the time MPs learn the Rules and Procedure of parliamentary practice a year of the service is gone. As is routine in many parliamentary democracies the final year is devoted to re-election bids. As a result effective service period in the House is reduced to only three years rather than five years in the Constitution. Indeed, according to some MPs the first two years of their term were used to familiarize themselves with the workings of Parliament.

MPs are also quick to point out the inadequacies of the support they receive from the staff of the Secretariat. Whilst this may be true to a large extent this view of MPs has affected MP-staff relationship, which is not healthy for the best client service orientation.

Poor technical support for budget oversight has also been identified as one of the greatest challenges for MPs in the House. With respect to the budget oversight function Shivji and Rutinwa (2010) point out that the competence of a good number of MPs in the area of understanding the complex government business is low, as a result they find it difficult to comprehend the Budgets submitted by Ministers under various votes. Thus, they are unable to ask serious questions during budget scrutiny. The situation is often compounded by partisanship which is currently moderated by the introduction of the National Unity Government.

Beyond budget scrutiny, the capability of members to review the different kind of audit reports without aid from skilled finance persons has been identified as a challenge. But more important is the capacity of the PAC to follow up on the implementation of the recommendations of the Committee. Overall, little follow-up or monitoring of government performance by sector committees has weakened the cycle of accountability and lack of Ministerial response to the recommendations of committees, and other oversight institutions, Committees' limited powers of referral to criminal investigation, and little consequential action arising from their recommendations and reports is not helpful either. The following extracts from the *Zanzibar – Public Financial Management Performance Report 2010* confirms the technical challenges facing the PAC.

“The Public Accounts Committee has 10 members, of whom seven, including the chairperson, are from the opposition party. It benefits from two clerks, and attendance of a senior representative from OCAg. The main constraint is the lack of technical knowledge, especially after a change of membership. The latest report by the Public Accounts Committee of the HoR is on the Accounts and Audit Report for 2007/08 (undated). This was approved by the full House in April 2010, which is 13 months after the date the Audit Report should have been tabled (March 2009)”.

MPs identify the media as a key stakeholder in the follow up of PAC is recommendations but it is not clear if the media has been sufficiently endowed with the needed competencies to play that role effectively and efficiently.

The apparent fear of the Executive's dominance over the Legislature is a subject that has frequently been mentioned by MPs; but Shivji and Rutinwa (2010) discusses the subject of lack of confidence and fear of those in authority as a factor affecting the performance of Members of Standing Committees. Thus the reference to executive dominance appears to be that of a skill gap rather than Executive bullying Members of the House – a fear that is unfounded given that the Parliament takes its historic antecedent from the British House of Commons where all Ministers are MPs.

Another constraint identified is the rotation of MPs in Committees; they suggest this often presents a disincentive for MPs who take up the challenge of striving to understand the rubric of the Ministries they supervise.

MPs also identify the infrastructural inadequacies including power fluctuations in the House as affecting their performance.

Perhaps the most important constraint identified by MPs as affecting their effectiveness is the inadequate financial allocations to the House and Standing Committees. Budgetary allocations to the House and for that matter Committees has always been too little and below expectation. This situation is said to affect the frequency and duration of Committee meetings which invariably affect effective discharge of their functions.

In the light of the foregoing constraints MPs identified continuous training in the House Rules of Procedure; improving the knowledge of the operations of the government sector and their understanding of budgetary procedures and processes; team building among MPs particularly among Members of Standing Committees; basic skills for presiding officers; training on openness and transparency in committees; ICT and internet skills; training members on how to ask parliamentary questions; training of MPs on the role of the different offices in the House; training on the preparation of private member motions and preparation of contributions during debate and benchmarking visits to other parliaments. Of course MPs also recognise the need to make some investment in staff training and recruitment of additional staff to aid work in the House. Many suggested all these could be done by establishing a parliamentary training outfit.

They acknowledged that all these can only be achieved when the House has an independent budget and with the help of donor partners like the UNDP.

Gender Analysis

The House has a sizeable representation of female Members based on the constitutional provision that allows for 40 percent in the House of Representatives thanks to the 10th

Constitutional amendments of 2010, of the Constitution of Zanzibar. Accordingly, there are 26 women in the House of which 20 are special seats, 3 are presidential appointments and 3 are constituency seats. As in the National Assembly, it appears the special seats for women have tended to be a disincentive for competitive election rather than empowerment tool and a stepping-stone to constituency seats.

Shivji and Rutinwa (2010) suggests that inadequate representation of women in decision making bodies including the legislative bodies such as the House is much more a socio-cultural problem than a legal issue. Structural impediments and disparities existing in the Zanzibar society, which constrain women's empowerment, continue to adversely affect the work of female MPs. For example the inability of women to compete successfully during elections is attributed to relatively limited education opportunities compared to men and being over-burdened with such social obligations as raising children and looking after the family.

Experienced Women Members including one of the House Chairpersons, a deputy minister, and special seat MP with more than 15 years in the House interviewed were of the opinion that there is a subtle discrimination against women in the House arising from inability of women MPs to adapt quickly to such parliamentary practices as heckling. The slow adaptation has been explained to be the result of socio-cultural practices that assigned different gender roles to women other than leadership. This explains the formation of Association of Women Members of the House of Representatives Zanzibar (UAWAZA) in 2003. UAWAZA has since received sponsorship from the British Council and ESRF to undertake some exposure to the working of women's caucuses in the National Assembly (Dodoma) and also to undergo some internal training on advocacy in the area of HIV/AIDs as well as gender equity. They recommend more training for female members and suggested that quality of special seat must be assessed and reflected in their commitment to parliamentary work.

The respondents expressed their fears about the special seats surviving the constitutional review since they have been disputed in several forums during the collation of public views. One good news is that both constituency seat and special seat MPs agreed that the kind of discrimination observed with respect to women MPs is not the same with female staff who appear to work on equal terms with their male counterparts in the Secretariat.

Vote 16 - House of Representatives: Budget Credibility Calculations

Inadequate funding of the House was identified as the major hindrance to the performance of the House. In addition members bemoan the slow release of resources through the office of the Chief Minister. But the problem appears to be a system-wide issue as observed in Zanzibar – Public Financial Management Performance Report 2010 that effective fiscal and

public expenditure management in Zanzibar is curtailed by a number of weaknesses leading to poor mobilization and utilization of national resources, thus undermining the achievement of the national objectives of reducing absolute poverty and raising the standard of living of the people of Zanzibar. Specific weaknesses have been identified in the areas of budget credibility, the process of budget preparation, comprehensiveness of the budget and accounts, budget execution procedures, accounting systems, procurement procedures, management of foreign inflows, and internal audit system. Given this overall picture budget credibility calculations for the House appears much better than is observed for most budget lines (Votes) in Zanzibar (see budget predictability calculations for the House in Table 12).

Table 12: Vote 16 - House of Representatives Budget Credibility Calculations

Vote 16 - House of Representatives: Budget Credibility Calculations (TZS millions)								
Year	Approved Estimates - Recurrent	Approved Estimates- Dev't- Domestic	Approved Estimates - Total	Actual Expenditure - Recurrent	Actual Expenditure - Dev't	Actual Expenditure - Total	Absolute Variance	% variance
2006/07	4,972.10	150	5,122.10	4,159.30	122.3	4,281.60	840.5	-16.40%
2007/08	5,632.60	100	5,732.60	5,379.90	23.9	5,403.80	328.8	-5.70%
2008/09	5,931.00	60	5,991.00	5,930.80	60	5,990.80	0.2	0.00%

Source: Zanzibar – Public Financial Management Performance Report 2010

6. Recommendations (Zanzibar House of Representatives)

Based on the outcome of interaction with Staff and MPs and conclusion of the special staff rationalisation exercise by the clerk we make the following recommendations, some of which will definitely be beyond the scope of the LSP:

Capacity Enhancement

- The House Service Commission must expedite action on the recruitment derive to fill the identified vacancies in the secretariat with qualified staff in order to maximise the output of the secretariat. Ultimately the staff expansion must reflect in the new organogram under development;
- Recommendations of the House Service Commission on issues of staffing and motivation and ultimately the House Administration Act to ensure autonomy must be vigorously pursued;

- Institute a programme for effective orientation of all staff recruited into parliament, by introducing them to a comprehensive syllabus of parliamentary administration and function;
- Establish a programme of continuous training for the inexperienced staff of the House to boost their confidence – this program should cover administrative skills, research and information skills, communication skills, customer care, risk management skills, language skill etc.;

Training

- In view of the absence of an effective research division, the core staff supporting Committees must be taken through intensive ICT course that will help them browse the internet, use search engines obtain relevant data and research reports to support the work of MPs and Committees;
- To improve the quality of service to MPs, Parliamentary staff must be trained and encouraged to specialise in the supply of core parliamentary services such effective Committee Administration, Drafting of Bills, Motions and Questions etc., Procedures and conduct of parliamentary business;
- Staff of the Secretariat must be offered the opportunity to study and benchmark effective Parliamentary practice in other parliaments in the sub-region;

Equipment and Supplies

- An urgent supply of equipment and logistics including computers, recorders, transcribers etc. as well as transport to aid the work of Secretariat and permanent committees of the House of Representatives.

With respect to MPs and their Committees, the following recommendations emerged for consideration and adoption:

- MPs particularly those new to the House must be taken through an elaborate orientation programme that introduces them to the rules of procedure and also how to obtain the right balance in the performance of their legislative, oversight, and representation roles to prevent them from shying away from critiquing government business before the House. This orientation must also cover the values of the whip so as to minimise the excessive fear of the Executive's dominance, particularly in situations when MPs consider the ruling party too partisan when there is Government business before the house;
- In view of the absence of effective research support for MPs, MPs must all be taken through intensive ICT course that will help them browse the internet, use search engines to obtain relevant data and improve communication with Constituents;

- Capacity development initiatives must cover Public Financial Management laws and budget analysis to enable Standing Committees of the house show confidence and competence in review of sectoral budgets and oversight of budget implementation;
- Training on budget oversight skills must be taken in conjunction with Ministers so that both parties know what is expected during budget scrutiny and oversight in order to reduce tension between them;
- All MPs must be taken through Leadership Skills to enable them relate better to the secretariat, constituents and officials that appear before them in Committees;
- All MPs particularly female MPs in the House must be trained and encouraged to develop their potentials and leadership skills in order to enhance their active participation in the conduct of House business and work with male counterparts in the constituencies towards achieving the developmental goals of their constituents;
- The training and educations programmes for MPs to help them gain the necessary confidence and mastery of the roles and functions must be complemented by a vigorous civic education programme by the House targeted at citizens to have a better appreciation of the work of MPs and the House.
- MPs must be offered the opportunity to study and benchmark effective Parliamentary practice in other parliaments in the sub-region.

Modification of House Rules of Procedure

- The House of Representatives need to recognize the presence of this organization (UWAWAZA) as desirable female Caucus that must be supported financially to serve as a catalyst for enhancing the capacity of female MPs in law-making and other duties;
- Time and resources allocated to permanent Committees business must be revised to allow them to undertake thorough review of budget and policy implementation and outcomes and to undertake site visits; training of MPs on key sectoral issues is essential for effective oversight;
- The House must amend its Standing Orders to ensure follow ups and implementation of the recommendations of its Standing Committee to Government.

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Attachments

Attachment 1: Terms of Reference

ANNEX III

TERMS OF REFERENCE

A BASELINE ANALYSIS NEEDS ASSESSMENT FOR THE NATIONAL ASSEMBLY AND ZANZIBAR HOUSE OF REPRESENTATIVES.

BACKGROUND:

The Constitution of the United Republic of Tanzania and that of Zanzibar vests three main functions in Parliament, namely;

- (a) To legislate or make laws in the national interest,
- (b) To provide oversight on government finance and fiscal policy,
- (c) To represent constituents in debating public issues.

Parliament being the legislative branch of the State where the interests of citizens are expressed and transformed into public policy, plays an important role in the national governance system by ensuring that political, social and economic priorities are anchored in broad-based consensus in society, safeguarding the interests of all groups in the decision-making process and in the allocation of development resources. Effective and representative legislatures must aim to bring considerable benefits to the majority of citizens.

Rationale for the assessment

Until recently, the legislative branch was primarily perceived as a forum to endorse bills submitted by the Government. Lately, however, Parliament has begun to assert itself more firmly as an important pillar of governance with a mandate to debate and influence national priorities and budgetary allocations in areas such as poverty reduction, education, health and HIV/AIDS. Recent legal and institutional changes such as the creation of the portfolio committees and the Budget, Finance and Economic Development Committee, have also strengthened the legislative and oversight roles of Parliament.

Two strategic plans were developed with the assistance of UNDP, to strengthen two legislatures in the national governance system focusing on the need to improve the internal systems and procedures of the legislature; to strengthen the capacity of Members of Parliament (MPs) to contribute more effectively to parliamentary proceedings; to enhance public participation in the legislative process; and to enhance the oversight role of the institution with special emphasis on promoting greater efficiency in the management of public resources.

With the empowerment of the portfolio committees, MPs are expected to examine bills before they are introduced in the House, to review quarterly performance reports of Ministries, Departments and Agencies (MDAs) to initiate inquiries into legislative proposals; and to seek advice from stakeholders, where necessary. All these responsibilities require MPs that possess considerable skills in legal review, policy analysis, and financial oversight.

While considerable progress has been made in the strengthening the institutions including Information and Communication Technology (ICT) facilities, mainly through various development projects including the most recent deepening democracy in Tanzania project of the UNDP. The legislatures continue to face many challenges at the policy, organizational and human resources development levels. An important objective of this baseline assessment exercise will be to identify such constraints with the aim of further strengthening the representative, legislative and oversight roles of the two institutions.

Due to the newness of some of the members to the parliament there is a need to identify the needs of the legislators in enhancing their effectiveness in the house. Some have not received prior training in analyzing laws, budgets and policy documents and in making effective presentations to the house members. In short, the capacities of MPs to

effectively exercise their multi-faceted responsibilities in a modern legislature, particularly in respect to policy analysis and financial oversight, needs attention.

While the capacity of the Parliamentary Secretariat to provide technical, administrative and facilitative support to the work of the legislature has been significantly enhanced in recent years, there is scope for continued institutional strengthening, particularly in the areas of strategic management, policy analysis, financial oversight, programme co-ordination and technical assistance to Members on the areas of research and legislative formulation.

Main Objectives:

The main objective of the assessment is to determine the capacity requirements of the secretariats, committees and members of the two legislatures in order to guide the capacity building activities of the project. Four major technical areas will be assessed:

- (i) Needs of the Members of National Assembly and Zanzibar House of Representatives (ZHoR), individually and from a group perspective;
- (ii) Parliamentary Committee technical and support requirements;
- (iv) Specific needs of the accounts committees;
- (v) Professional support needs for the two Secretariats;
- (v) An overview of the status of implementation of the corporate plan, and record any capacity needs going forward.

Methodology:

The evaluation should use a combination of the following methods for data collection:

Document Review

- All major corporate documents should be reviewed and understood i.e. the National Assembly Corporate and Zanzibar House Strategic plan. And the reports emanating from these documents;
- Other materials of relevance i.e. publicly available information on parliamentary performance, media reports on parliamentary performance;
- Internal working documents or other institutional documents, such as Parliamentary Hansards, reports, training materials, consultancy reports, speeches, presentations, etc. (as applicable).

Key Informant Interviews – the evaluation should include interviews with key stakeholders:

- Senior management and staff in the National Assembly and Zanzibar House of Representatives;
- Committee Chairs;
- Members of Parliament;

Stakeholder Consultations – Consultations with groups of stakeholders i.e. parliamentarians, media, CSOs, Development Partners.

Questionnaires:

The use of questionnaires where applicable will be encouraged.

Outputs and Deliverables:

Work plan – within two days of the start of the assignment. The document will include, a detailed approach and methodology, schedule, and draft data collection protocols.

Draft assessment report – within three weeks of starting the assignment, the firm will submit a draft assessment report to the project managers in each legislature and UNDP.

Final evaluation report – within two weeks of receiving comments from the two legislatures and other partners, the firm will submit a final assessment report.

Assessment Report Outline:

As a minimum, the Evaluation Report (draft or final) shall include the following components:

- i. Executive Summary
- ii. Introduction / Background
- iii. Objectives
- iv. Methodology
- v. Analysis
- vi. Baselines and Findings
- vii. Recommendations
- viii. Relevant Annexes, e.g.
 - a. List of people interviewed
 - b. List of acronyms
 - c. Work plan and TOR
 - d. Key reference documents

Evaluation Team Composition and Required Qualifications:

A firm will be contracted to undertake this assignment. It will work closely with the secretariats of the two legislatures and will have overall responsibility for the production of deliverables, in particular the evaluation report, and is ultimately accountable for its quality, including ensuring adequate consultations with all stakeholders and reporting to partners on progress.

The firm will be required to have a proven track record of conducting parliamentary institutional needs assessments.

Attachment 2: List of People Interviewed

List of Respondents National Assembly		
Name	Designation/Department	Email Contact
Hon. Anne Makinda	Speaker	akinda@parliament.go.tz
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MINUTE SHEET


**Dokezo
No.**

1. Mhe. Dkt. Kebwe S. Kebwe, Mb
2. Mhe. Yussuf Nasir, Mb
3. Mhe. Mohamed Mnyaa, Mb
4. Mhe. Pauline Gekuu, Mb ✓
5. Mhe. Luhaga Mpina, Mb
6. Mhe. Dkt. Faustine Ndugulile, Mb ✓
7. Mhe. Devota Likokola, Mb
8. Mhe. Andrew Chenge, Mb
9. Mhe. Danstun Kitandula, Mb ✓
10. Mhe. Zitto Zuberi Kabwe, Mb

Naomba kukujulisha kuwa *Interparliamentary Centre* yenye Makao Makuu, Accra, Ghana wamepeva kazi na UNDP chini ya Mradi wa *Legislatures Support Project (LSP)* ya kutafiti mahitaji halisi ya Wabunge wa Bunge la Tanzania ili yaingie kwenye Mpango kazi wa Mafunzo kwa Wabunge.

Kwa mantiki hiyo wanaomba kukutana na ninyi mara baada ya Maswali katika Ukumbi Namba 227 -Ghorofa ya Pili

Naomba kuwasilisha,


 A. Ng'wavi,
MRATIBU WA LSP
 06/02/2013

Report of the Baseline Analysis Needs Assessment for the Tanzania NA and the Zanzibar HoR - 2013

List of Respondents - House of Representatives, Zanzibar			
Name	Committee/Division	Email	Tel
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List of Respondents - MPs ZHoR			
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In attendance: Validation Meeting - National Assembly, 18 th April, 2013		
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3	Daniel Eliufoo	Private Secretary to the Speaker, Director, Speaker's Office
4	Oscar G. Mtenda	Chief Parliamentary Legal Counsel
5	Bernard K. Ngomano	Chief Internal Auditor
6	Theonist Ruhilabake	Director, security committee and community development
7	Elisa Mbise	Assistant Director, Planning (Project Coordinator)
8	Eliakim P.M. Mrema	Director, Hansard
9	Raphael L. Nombo	Director, Commission Secretariat
10	Mohamed .H. Mwanga	Director, Defense and Security
11	Kitolina Kippa	Ag. Director of Administration and Personnel
12	Siegfried Kuwite	Director, Planning and ICT
13	John N. Joel	Director, Parliament Proceedings
14	George Seni	Acting Chief Accountant
15	Mathew L. Kilapilo	Director, Procurement Unit
16	Lukago Madulu	Director, Administration and Human Resource

**ORODHA YA MAHUDHURIO YA WAJUMBE KATIKA SEMINA YA
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MAHITAJI (NEED ASSESMENT) YA BARAZA LA WAWAKILISHI
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