

Approved for tabling

REPUBLIC OF KENYA



*Bkt SNA
1/12/2020*

THE NATIONAL ASSEMBLY - TWELFTH PARLIAMENT
(FOURTH SESSION)

SEVENTH REPORT OF THE SELECT COMMITTEE ON MEMBERS' SERVICES AND
FACILITIES ON LEADERSHIP SEMINAR HELD IN KUALA LUMPUR, MALAYSIA

FROM AUGUST 26 - 30, 2019

THE NATIONAL ASSEMBLY PAPERS LAID	
DATE:	01 DEC 2020
TABLED BY:	HON EZEKIEL MACHOGU CHAIRPERSON
CLERK AT TIME TABLED:	MIRIAM MOGO
DAY TIME	

Office of the Director, Committees Services
The National Assembly
Parliament Buildings
NAIROBI

NOVEMBER, 2020

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FOREWORD

The International Conference on Effective Governance and Leadership Practices was organised by the Kenya Institute of Management in collaboration with the Malaysian Institute of Management (MIM) from 26th and 30th August, 2019. The training was held in Kuala Lumpur, Malaysia.

A delegation from the National Assembly Comprising Members of the Public Accounts Committee, Public Investments Committee, Special Funds Accounts Committee and the Select Committee on Members' Service and Facilities attended the conference themed, "*Improving Public/Private Sector Accountability and Transparency*". The conference was structured to give delegates – particularly Members of Parliamentary Committees, practical skills on how to enhance their legislative oversight and policy formulation/enactment.

The leadership Seminar was titled 'International Conference on Effective Corporate Governance & Leadership Practices' The programme was a mix of both conference and experiential learning including visits to best practice institutions. The interactive sessions included presentations covering the following areas:

- Practical skills on enhancing legislative oversight
- How legislature can enhance transparency, accountability, consistency and the rule of law through oversight.
- The role of legislature the policy making and oversight
- Enhancing the audit function of the legislative arm of government

The presentations drew comparisons between Malaysia and the Kenyan Experience in integrity in both public and corporate governance as well as sharing of best practices in enhancing corporate success and strengthening public accountability through good governance, and the lessons that public institutions can draw from best practices in Corporate Governance from private institutions. The delegation of the Select Committee on Members' services comprised of the following Members and staffers of the National Assembly:

- (1) The Hon. Samuel Moroto Chumel, MP - **Leader of Delegation**
- (2) The Hon. Charity Kathambi Chepkwony, MP
- (3) The Hon. Elsie Muhanda, MP
- (4) Mr. Douglas Katho, Clerk Assistant II/Delegation Secretary

The delegation wishes to extend its appreciation to the Office of the Speaker and the Clerk of the National Assembly for facilitation of the travel to and return from the training.

In addition, the delegation commends the Kenya Institute of Management for organising the conference and other such fora aimed at enhancing the capacity of Committees to achieve their mandates.

On behalf the delegation, it is my pleasant duty and privilege to present this report to the House pursuant to Standing Order number 199(6).

The Hon. Ezekiel Machogu Ombaki, MP

1. INTRODUCTION

1.1 Background

1. Article 127 of the Constitution of Kenya mandates the Parliamentary Service Commission with among other things to provide services and facilities as are necessary for the efficient and effective functioning of Parliament whereas Article 124. Mandates Each House of Parliament to establish committees, and shall make Standing Orders for the orderly conduct of its proceedings, including the proceedings of its committees.
2. In furtherance of Article 127 of the Constitution, the National Assembly Standing Orders No. 212B establishes the Select Committee on Members' Services and Facilities. The Committee is charged with the mandate of receiving and considering views of Members of the National Assembly on the services and facilities provided to them by the Parliamentary Service Commission for their benefit and well-being. The Committee is also charged with advising and reporting on all matters connected to these services and facilities. The Committee is therefore the forum through which the Members of the National Assembly channel their views on their welfare to the Commission.
3. Being a fairly new Committee having been established in June 2017 and commenced its work in December 2017, the Committee embarked on building capacity both locally and international to enhance its effectiveness and efficiency in discharging her mandate. At its meeting held on 11th July, 2019 the Committee resolved to undertake a leadership seminar that was organized by Malaysian Institute of Management (MIM) in collaboration with the Kenya Institute of Management (KIM). The seminar was titled "International Conference on Effective Corporate Governance & Leadership Practices"
4. Malaysia Institute of Management (MIM) and the Kenya Institute of Management (KIM) proposed that the Seminar be held in August 26 – 30, 2019. Subsequently, the Clerk conveyed a confirmation of attendance from the Committee with the proposed dates.

1.2 Establishment and Mandate of the Committee

5. The Select Committee on Members' Services and Facilities is established under the National Assembly Standing Orders No. 212B. The Committee is charged with the mandate of—
 - (a) receiving and considering views of Members of the National Assembly on the services and facilities provided to them by the Parliamentary Service Commission for their benefit and well-being; and
 - (b) advising and reporting on all matters connected to these services and facilities.
6. It is therefore the forum through which the Members of the National Assembly channel views regarding their welfare to the Commission.
7. The Select Committee on Members' Services and Facilities was constituted by the House on Thursday, December 14, 2017 and further reconstituted on February 21, 2019 as well as March 10, 2020. The Committee comprises of the following Members:

1.3 Members of the Committee

Name of the Member	Party	Constituency
The Hon. Ezekiel Machogu Ombaki, MP, Chair	NAPK Party	Nyaribari Masaba
The Hon. (Dr.) Swarup Mishra, MP, Vice-Chair	Jubilee Party	Kessess
The Hon. Kimani Ichung'wah, CBS, MP	Jubilee Party	Kikuyu
The Hon. Samwel Chumel Moroto, MP	KANU Party	Kapenguria
The Hon. Beatrice Nkatha Nyaga, MP	Jubilee	Tharaka Nithi County
The Hon. Christopher Wangaya Aseka, MP	ANC Party	Khwisero
The Hon. Elisha Ocheing Odhiambo, MP	Orange Democratic Movement Party	Gem
The Hon. Elsie Busihile Muhanda, MP	Orange Democratic Movement Party	Kakamega County
The Hon. Rehema Hassan, MP	Orange Democratic Movement Party	Tana River County
The Hon. Rigathi Gachagua, MP	Jubilee Party	Mathira
The Hon. (Eng.) Nzambia Thuddeus Kithua, MP	Wiper Democratic Movement-K Party	Kilome
The Hon. Walter Owino, MP	Orange Democratic Movement Party	Awendo

Name of the Member	Party	Constituency
The Hon. Charity Kathambi Chepkwony, MP	Jubilee Party	Njoro
The Hon. Generali Nixon Kiprotich Korir, MP	Jubilee Party	Langata
The Hon. Bernard Otieno Okoth, MP	Orange Democratic Movement Party	Kibra

1.4 Secretariat to the Committee

**Mr. John N. Mutega
Principal Clerk Assistant I
Head of the Secretariat**

**Mr. Douglas Katho
Clerk Assistant II**

**Ms. Emma Essendi
Legal Counsel I**

**Dr. Kefa Omoti
Principal Research Officer**

**Ms. Zainabu Wario
Serjeant-At-Arms**

1.5 Delegation Membership

8. The delegation of the Select Committee on Members Services and Facilities comprised of the following Members and staffers of the National Assembly:

- (1) The Hon. Catherine Wanjiku Waruguru, MP **Leader of Delegation**
- (2) The Hon. Samuel Moroto Chumel, MP - **Leader of Delegation**
- (3) The Hon. Charity Kathambi Chepkwony, MP
- (4) The Hon. Elsie Muhanda, MP
- (5) Mr. Douglas Katho, Clerk Assistant II/Delegation Secretary

2. DISCUSSIONS AND LESSONS LEARNT

2.1 The International Conference on Effective Governance and Leadership Practice

9. The Kenya Institute of Management (KIM), in partnership with Malaysian Institute of Management (MIM) hosted the second edition of 2019 International Conference of Effective Governance & Leadership Practice in Kuala Lumpur, Malaysia from 26th to 30th August, 2019.
10. This conference themed, “Improving Public/Private Sector Accountability and Transparency” was structured to give delegates – particularly Members of Parliamentary Committees, practical skills on how to enhance their legislative oversight and policy formulation/enactment. The conference also attracted other executive leaders from Kenya, Malaysia, Sri Lanka and Pakistan.
11. The Conference was facilitated by renowned speakers drawn from corporate, academia as well as political arenas to share the Malaysian transformational journey and lessons therein. Delegates also had the opportunity to visit a few selected award-winning institutions in Malaysia i.e. the Malaysian Anti – Corruption Commission (MACC) and the Integrity Institute for knowledge sharing sessions on the topic of effective leadership and governance.

2.2 The Kenya Institute of Management

12. The Kenya Institute of Management (KIM) is a membership based non-profit making professional management organization committed to the promotion of excellence and integrity in the practice of management. The Institute was established in 1954 as a premier institute that provides management consultancy and capacity building services to corporate organizations and other institutions.
13. KIM offers capacity building and training on good governance, leadership and management practices that are necessary for the economic transformation and social development of the country.

3. CONFERENCE EXPOSITIONS

2.4 Plenary Presentations

18. The welcome address at the Malaysia Institute of Management was delivered by the Chief Executive Director Mr. Sivanganan Rajaretnan who was accompanied by a representative of the Kenya Institute of Management Executive Director / CEO Mr. Muriithi Ndegwa, OGW, HSC, FKM. The Hon. Speaker of the Senate Senator Kenneth M. Lusaka, EGH, MP who was the leader of the Kenyan delegation from the Senate comprising of Chairpersons of Committees in the Senate delivered a key note addresses as well as the Hon. Shakeel Shabbir, MP who was the overall leader of the delegation of the Public Accounts Committee, the Public Investments Committee and the Special Funds Accounts from the National Assembly.
19. In his address, Mr. Rajaretnan outlined the paradigm shift in corporate governance as well as the key success factors of effective corporate governance both in the private and public sector. He also pointed out the critical roles and responsibility of oversight bodies, board of members, senior management in enhancing good governance. The delegates were also informed of the historical development of corporate governance framework in Malaysia and its Key players especially the Political influence.
20. While addressing the topic of Enhancing legislative oversight, Mr. Dato P.Vijandran gave practical skills of legislative oversight over the government and how legislature can enhance transparency, accountability, consistency and the rule of law through oversight. Ms. Geetha Rubasundram address the non-legislative members from Malaysia, Sri-Lanka and Kenyan Public and Private sector delegates on how to make governance work of which the discussions centered on the Malaysian context and future development.
21. Ms. Vaneesa Veerappan on the topic of the Legislatures in enhancing transparency, accountability, consistency and the rule of law through oversight; outlined the essence of risk governance and management. The role of legislature and oversight bodies in risk management; the process of risk management and risk management framework; the internal control and conflict of interest with a specific case on key challenges and culture in developing a suitable programme to prevent, detect and control risk.



22. The legislators must play various roles to ensure that the real value of natural capital and ecosystem services is integrated into government policy making and oversight. Legislators play a critical role in examining and challenging the work of the government and passing legislation. Therefore, they are a key stakeholder who must understand and champion the need to value natural capital.
23. In enhancing the audit function of the legislative arm of government; it is up to governments to draft budgets and spending estimates, they may neither collect nor spend taxpayers' money without the express approval of Legislative Assemblies. And after governments spend the money entrusted to them, they are obligated to report back to the Assemblies on how they used the money. This obligation to answer for actions taken, forms the basis of an accountability relationship between governments and their Legislative Assemblies.
24. Ms. Nurirdzuana Ismail while presenting on the corporate ethics and corruption reiterated that international legal and regulations development and enforcement measures; the Malaysian law application, Anti-Corruption Law, cases of enforcement have come along away to develop a sustainable programme to prevent, detect and control corruption.

25. Mr. Tan Sri Ramon Navaratnam made a presentation of the theory and practice of effective leadership and good governance that entails less talk more action with clear moral conscience. Good basic simple and religious values are vital to fulfil a purpose and full potential in life.

2.5 Industry visits and Interactions

26. The delegation paid visits to best practice institutions to get experiential learning on the Malaysian experience in tackling corruption in the public sector. The delegation visited the Institute Integriti Malaysia and the Malaysia Anti-Corruption Commission.

Visit to the Malaysian Institute of Integrity

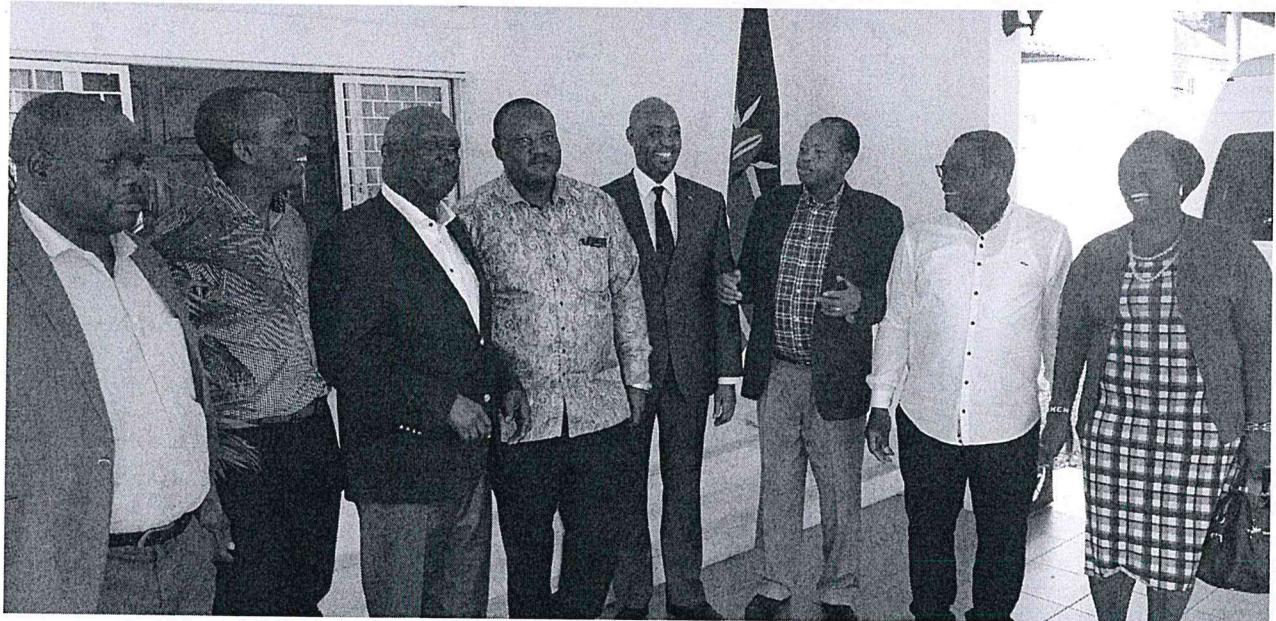
27. The Institute Integriti Malaysia was established to facilitate Malaysia to become a nation of high integrity and free from corruption. The Mission is to enhance the capacity and competency of public and private sectors in relation to governance, integrity and anti-corruption. It also provides solutions for issues relating to governance integrity and anti-corruption.

28. The INTEGRITI has developed numerous products, instruments and provides services to assist the public and private sectors and other stakeholders in improving the level of integrity and provide anti-corruption and governance solutions across the nation. It coordinates, monitor and evaluate the implementation of the National Integrity Plan for Malaysia.

Visit to Malaysian Anti – Corruption Commission

29. The Malaysian Anti-Corruption Commission is a government agency in Malaysia that investigates and prosecutes corruption in the public and private sectors. The MACC was modelled after top anti-corruption agencies, such as the Independent Commission Against Corruption of Hong Kong and the Independent Commission Against Corruption in New South Wales, Australia.

30. There are five independent bodies that monitor the MACC to ensure its integrity and to protect citizen's rights. These bodies are managed separately from other government offices in order to provide an independent perspective. The five bodies are: the Anti-Corruption Advisory Board, the Special Committee on Corruption, the Complaints Committee, the Operations Review Panel, and the Corruption Consultation and Prevention Panel.



4. COMMITTEE RECOMMENDATIONS

During its 20th Sitting held on 22nd September, 2020 and pursuant to its mandate under Standing Orders 212B, the Committee recommended to the National Assembly that-

1. Ensures that Parliamentary Committees participate in such international conferences annually to enable the Members of the Parliamentary Committees to interact with other legislative members in order to get more information regarding effective Corporate Governance and Leadership practices;
2. undertake, singly or jointly with other relevant organizations, programmes to promote the ideals of parliamentary democracy; and
3. Carries out an analysis of training needs of all the Members of Parliament and undertakes to bridge up the gaps where there is need to enable such Members to adequately discharge their constitutional duties of oversight.
4. Ensures that the Ethics and Anti-Corruption Commission through its annual reporting pursuant to article 254 of the constitutions adhere to provide a national anti-corruption plan and corruption prevention strategic plan

Signature: Date:

Hon. Ezekiel Machogu Ombaki, MP
Chairperson, Select Committee on Members' Services and Facilities

APPENDIX I

MINUTES

ЛЯЗОГИ

СЕРГЕЙ

Художник Юрий Гагарин. Рисунок Юрия Гагарина. Иллюстрация Юрия Гагарина.

**MINUTES OF THE 18TH SITTING OF THE SELECT COMMITTEE ON
MEMBERS' SERVICES AND FACILITIES HELD IN THE ROYAL SWISS
HOTEL IN KISUMU ON MONDAY 21ST SEPTEMBER, 2020 AT 9.00 AM**

MEMBERS PRESENT

1. The Hon. Ezekiel Machogu Ombaki, M.P. - **Chairperson**
2. The Hon. (Dr.) Swarup Ranjan Mishra, M.P. - **Vice Chairperson**
3. The Hon. Samwel Moroto Chumel, M.P.
4. The Hon. Charity Kathambi Chepkwony, M.P.
5. The Hon. Christopher Wangaya Aseka, MP
6. The Hon. Elsie Muhandha, MP
7. The Hon. Eng. Nzambia Thuddeus Kithua, MP
8. The Hon. Elisha Odhiambo, MP
9. The Hon. Walter Owino, MP
10. The Hon. Benard Otieno Okoth, MP

MEMBERS ABSENT WITH APOLOGIES

1. The Hon. Generali Nixon Kiprotich Korir, M.P.
2. The Hon. Beatrice Nkatha Nyagah, MP, MP
3. The Hon. Rehema Hassan, M.P.
4. The Hon. Kimani Ichung'wah, M.P.
5. The Hon. Rigathi Gachagua, M.P.

IN ATTENDANCE:

NATIONAL ASSEMBLY

- | | | |
|--------------------------------|---|-----------------------------|
| 1. Mrs. Florence Atenyo-Abonyo | - | Director Committee Services |
| 2. Mr. John Mutega | - | Principal Clerk Assistant I |
| 3. Mr. Paul Gachigua | - | Catering Services Manager |
| 4. Mr. Douglas Katho | - | Clerk Assistant II |
| 5. Ms. Zainabu Wario | - | Serjeant-At-Arms |

MIN. NO. 058/2020: PRELIMINARIES

The sitting's proceedings commenced with a word of prayer.

MIN. NO. 059/2020:

**CONSIDERATION AND ADOPTION OF THE
NINTH REPORT OF THE COMMITTEE ON
MEMBERS' SERVICES AND FACILITIES ON A
STUDY VISIT TO THE LEGISLATIVE ASSEMBLY
OF ALBERTA, CANADA FROM OCTOBER 14 - 18,
2019**

The Committee considered the report on the study visit to the Legislative Assembly of Alberta and made the following observations-

- (1) There is need to facilitate parliamentary party groupings/ caucuses by providing them with meeting places; offices and technical support.
- (2) There is need to scale up the implementation of a paperless solution with the National Assembly in line with the PSC Strategic Plan, Strategic Objective No. of IV on embracing and implementing an E-Parliament. This would come in handy in times of pandemic.
- (3) There is need to fast-track the proposed establishment of a dedicated TV for a fully dedicated parliamentary channel.
- (4) There is need to set up a well-resourced library within Parliament to boost research work in Parliament.
- (5) There is need to set up a Gift shop within Parliament that would stock gifts and other promotional.
- (6) Members of the legislative Assembly are entitled to both a reimbursable transport allowance to and from their respective constituencies and a House Allowance within Edmonton City.
- (7) The Committees Rooms in the New Multi-Storey Block should be well furnished, equipped with audio visuals and designed with ample space and well-aerated and the Chairpersons and Secretariat's Offices located adjacent to the respective Committee Rooms.
- (8) Members of Parliament whose constituencies fall below sixty (60) kilometers from Parliament should be facilitated with a fixed mileage allowance (reimbursable transport allowance) in discharging their constitutional mandate.
- (9) There is need for enhancing the capacity and personnel establishment of the Constituency/County Liaison Office within Parliament.

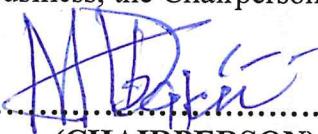
The Committee thereafter adopted the report on the study visit to the Legislative Assembly of Alberta with recommendation that-

- (1) **The Parliamentary Service Commission should formulate a policy on facilitating parliamentary party groupings/ caucuses with a view to provide them with meeting places; offices and technical support.**
- (2) **The Commission should expedite the implementation of a paperless solution within the National Assembly in line with the PSC Strategic Plan, Strategic Objective No. of IV on embracing an E-Parliament.**

- (2) undertake, singly or jointly with other relevant organizations, programmes to promote the ideals of parliamentary democracy; and
- (3) Carries out an analysis of training needs of all the Members of Parliament and undertakes to bridge up the gaps where there is need to enable such Members to adequately discharge their constitutional duties of oversight.
- (4) Ensures that the Ethics and Anti-Corruption Commission through its annual reporting pursuant to article 254 of the constitutions adhere to provide a national anti-corruption plan and corruption prevention strategic plan

MIN. NO. 061/2020: **ADJOURNMENT**

There being no Other Business, the Chairperson adjourned the meeting at 12.10p.m.

SIGNED.....

(CHAIRPERSON)

DATE.....

Quelques dernières années, le budget de la recherche et développement (R&D) dans les industries manufacturières a été multiplié par 10 alors que
les investissements dans l'industrie ont été multipliés par 10 dans le secteur des services (S).
L'augmentation dans l'industrie est due à deux raisons : une augmentation dans l'investissement dans l'industrie et une augmentation dans l'investissement dans les services.
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PRINCIPES DE LA FINANCIER

Le principe de la finance est basé sur l'idée que l'argent est un moyen de faire croître l'économie. L'argent est donc utilisé pour financer les investissements dans l'industrie et les services.

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APPENDIX II

ADOPTION LIST OF THE OF THE SEVENTH REPORT OF THE SELECT COMMITTEE ON MEMBERS' SERVICES AND FACILITIES ON A LEADERSHIP SEMINAR HELD IN KUALA LUMPUR, MALAYSIA FROM AUGUST 26 – 30, 2019.

On this 21st day of September, 2020, the Honourable Members of the Select Committee on Members' Services and Facilities do hereby affix their signatures to this Report on a Leadership Seminar held in Kuala Lumpur, Malaysia from October 14 to 18, 2019 to affirm their adoption for consideration by the House-

1. The Hon. Ezekiel Machogu Ombaki, M.P. **Chairperson** 
2. The Hon. (Dr. Swarup Mishra, MP -Vice Chairperson 
3. The Hon. Kimani Ichungw'ah, CBS, MP 
4. The Hon. Beatrice Nkatha Nyaga, HSC, MP 
5. The Hon. Samwel Moroto Chumel, MP 
6. The Hon. Walter Owino, MP 
7. The Hon. Rigathi Gachagua, MP 
8. The Hon. (Eng.) Nzambia Thuddeus Kithua, MP 
9. The Hon. Charity Kathambi Chepkwony, MP 
10. The Hon. Christopher Wangaya Aseka, MP 
11. The Hon. Elisha Odhiambo, MP 
12. The Hon. Elsie Muhanda, MP 
13. The Hon. Generalli Nixon Korir, MP 
14. The Hon. Rehema Hassan, MP 
15. The Hon. Bernard Okoth, MP 

