

Approved for tabling in the House.

8/16/2022
SNA

REPUBLIC OF KENYA



THE NATIONAL ASSEMBLY

DATE: 09 JUN 2022

Thursday

TWELFTH PARLIAMENT – SIXTH SESSION

TABLED BY:

Chairperson, Committee
Parliamentary Broadcasting
& Library

THE NATIONAL ASSEMBLY

Cy-Chabek

EXIT REPORT OF THE COMMITTEE ON PARLIAMENTARY

BROADCASTING AND LIBRARY

FOR

12TH PARLIAMENT

(2017-2022)

Directorate of Audit, Appropriations and Other Select Committees
National Assembly
Parliament Buildings
NAIROBI

June, 2022



Table of Contents

ABBREVIATIONS /ACRONYMS.....	- 3 -
CHAIRPERSON'S FOREWORD.....	- 4 -
PREFACE.....	- 5 -
Establishment of Committee.....	- 5 -
1.2 Mandate of the Committee.....	- 5 -
1.2 Committee Membership.....	- 6 -
1.3 Committee Secretariat.....	- 8 -
BACKGROUND INFORMATION	9
Legal framework.....	9
3.0 ACHIEVEMENTS	10
3.1 Committee Performance in The Financial Year 2020/2021	10
3.1.1 Bills	11
Legislative Proposals	12
Subsidiary Legislations/Regulations.....	12
Protocols/international Agreements.....	12
OVERSIGHT.....	12
Public Petitions	13
Parliamentary questions and Statements.....	13
Public Vetting	13
4.0 Committee's Uncompleted, Pending and Lapsed Business.....	13
5.0 Challenges and Opportunities.....	13
6.0 Recommendations.....	15

ABBREVIATIONS /ACRONYMS

BSD	-	Broadcast Signal Distributor
CA	-	Communication Authority of Kenya
DVB-T	-	Digital Video Broadcasting-Terrestrial
DVCAM	-	Digital Video Camera
EPL	-	English Premier League
ICT	-	Information Communication Technology
KBC	-	Kenya Broadcasting Corporation
MP	-	Member of Parliament
NA	-	National Assembly
SDMC	-	Secure Digital Memory Cards
VTR	-	Video Tape Recorders

CHAIRPERSON'S FOREWORD

I am delighted to present the exit report of the Select Committee on Parliamentary Broadcasting and Library for the Twelfth Parliament.

In accordance with Standing Order 212D, the Committee is mandated to: Consider and report on all matters relating to broadcasting of the proceedings of the House; advise the House on matters related to public participation; and make reports and recommendations to the House, including proposed legislation on matters relating to broadcasting of House proceedings.

The Committee is also tasked to recommend to and advise the House on matters related to the provision of library, publication and research services in Parliament, including improvement of the library and research services; and assist Members in utilizing the facilities provided by the library and research services, including use of information and communication technology.

In the execution of its mandate, the Committee was challenged by the emergence of Covid-19 pandemic which made it impossible to have physical meetings. This forced the Committee to adapt new normal which included introduction of virtual meetings and hybrid sessions (physical meetings and virtual meetings).

Amid the challenges, the Committee ensured that proceedings of the Twelfth Parliament were broadcasted by the Kenya Broadcasting Corporation (KBC) efficiently.

The Committee also introduced a Bill on the floor of the House on Public Participation and that on the establishment of the Parliamentary Broadcasting Channels and tabled a report amongst others.

Members had very interactive sessions in all the meetings and acquainted themselves with the procedures, practices and traditions of Committees of the National Assembly.

The Committee wishes to thank the office of the Speaker and Clerk of the National assembly for the support accorded to Members

On behalf of the Committee, it is my pleasant duty to table in the House the Exit Report of Parliamentary Broadcasting and Library of the Twelfth Parliament.

HON. JUSTUS KIZITO MUGALI, MP

1.0 PREFACE

1.1 Establishment of Committee

1. The power of each House of Parliament to establish committees and to make Standing Orders for the orderly conduct of its proceedings, including the proceedings of its committees is provided under Art. 124 of the Constitution of Kenya, 2010.
2. The National Assembly Standing Orders has established various committees of the House with distinct Mandates. These Committees under the Directorate of Audit, Appropriations and Other Select Committees play a pivotal role of facilitating the National Assembly fulfill its constitutional mandate of allocation of national revenue, appropriation of funds and oversight over national revenue, expenditure and State organs.
3. The Select Committee on Parliamentary Broadcast and Library Committee was constituted on 7th December, 2017 and established under the National Assembly Standing Order 212D. This is a select committee established to guide the House on matters relating to the broadcasting of House business, plenary and committee sittings. Further, the committee looks into issues concerning Parliamentary Library administration and management.

1.2 Mandate of the Committee

4. In accordance with Standing Order 212D, the Committee is mandated to:
 - (i) Consider and report on all matters relating to broadcasting of the proceedings of the House;
 - (ii) Advise the House on matters related to public participation;
 - (iii) Make reports and recommendations to the House, including proposed legislation on matters relating to broadcasting of House proceedings;
 - (iv) Recommend to and advise the House on matters related to the provision of library, publication and research services in Parliament, including improvement of the library and research services; and

- (v) Assist Members in utilizing the facilities provided by the library and research services, including use of information and communication technology.

1.2 Committee Membership

5. The Committee comprises of the following members:-

NO.	MEMBER'S NAME	POSITION	CONSTITUENCY	POLITICAL PARTY
1.	Hon. Justus Mugali Kizito, MP	Chairperson	Shinyalu	Orange Democratic Party
2.	Hon. Jerusha Momanyi, MP	Vice-Chairperson	Nyamira County	Orange Democratic Party
3.	Hon. Daniel Epuyo Nanok, MP	Member	Turkana West	Jubilee Party
4.	Hon. James Mwangi Gakuya, MP	Member	Embakasi North	Jubilee Party
5.	Hon. Faith Gitau, MP	Member	Nyandarua County	Jubilee Party
6.	Hon. Dr. Irene Kasalu Muthoni, MP	Member	Kitui County	Wiper Democratic Party-Kenya
7.	Hon. Dr. Ochieng, Pamela Awuor, MP	Member	Migori County	Orange Democratic Party
8.	Hon. Dr. Lilian Gogo, Achieng, MP	Member	Rangwe	Orange Democratic Party
9.	Hon. Anab Gure Mohamed, MP	Member	Garissa County	Jubilee Party
10.	Hon. Eric Njiru, Muchangi, MP	Member	Ruyenjes	Jubilee Party

11.	Hon. Gertrude Mbeyu Mwanyanje, MP	Member	Kilifi County	Orange Democratic Party
12.	Hon. Nimrod Mbai, MP	Member	Kitui East	Jubilee Party
13.	Hon. Ahmed Kolosh, MP	Member	Wajir West	Jubilee Party
14.	Hon. Kipkosgei, Tonui Joseph, MP	Member	Kuresoi South	Jubilee Party
15.	Hon. Lekumontare, LentoiJoni Jackson, MP	Member	Samburu East	Kenya African National Union
16.	Hon. Benjamin Njomo Washiali, MP	Member	Mumias East	Jubilee Party
17.	Hon. Mwangi, Jonah Mburu, MP	Member	Lari	Jubilee Party
18.	Hon. Mugambi Rindikiri, MP	Member	Buuri	Jubilee Party
19.	Hon. Aisha Jumwa Katana, MP	Member	Malindi	Orange Democratic Party
20.	Hon. Paul Nzengu, Musyimi, MP	Member	Mwingi North	Wiper Democratic Party-Kenya
21.	Hon. Richard Ken Chonga, MP	Member	Kilifi South	Orange Democratic Party
22.	Hon. Said Buya Hiribae, MP	Member	Galole	FORD-K
23.	Hon. Charles Kamuren, MP	Member	Baringo South	Jubilee Party

Former Committee Members

No.	NAME OF MEMBER	POSITION	CONSTITUENCY	POLITICAL PARTY
1	Hon. Nyamoko Joash Nyamange, MP	Chairperson	North Mugirango	Jubilee Party
2	Hon. Liza Chelule Chepkorir, MP	Vice Chair	Nakuru County	Jubilee Party
3	Hon. Hassan Zuleikha Juma, MP	Member	Kwale County	Orange Democratic Party
4	Hon. Justus Makokha Murunga, MP (deceased)	Member	Matungu	Amani National Congress Party

1.3 Committee Secretariat

6. The Secretariat supporting the Committee comprises of the following staff:

- 1) Mr. Erick Nyambati - Lead Clerk
- 2) Mr. James Macharia - Media Relations Officer
- 3) Mr. Mark Namaswa - Hansard Reporter III
- 4) Ms. Doreen Karani - Legal Counsel
- 5) Mr. Benson Muthuri - Sergeant at Arms

2.0 BACKGROUND INFORMATION

2.1 Legal framework

7. Art. 93 (1) of the Constitution of Kenya establishes Parliament of Kenya which consists of the National Assembly and the Senate. Further, Art 95 provides for the role of the National Assembly amongst others to:
 - (i) deliberate on and resolve issues of concern to the people;
 - (ii) enact legislations
 - (iii) determine allocation of national revenue between the two levels of governments the National government and County governments;
 - (iv) appropriate funds for expenditure by the national government and national State organs;
 - (v) exercise oversight over national revenue and its expenditure;
 - (vi) exercise oversight over State organs; and
 - (vii) review the conduct in the office of the President, Deputy President and other State officers and initiate the process of removal from office.
8. In addition, Art. 124 of the Constitution empowers Parliament to establish Committees and to make Standing Orders for orderly conduct of its proceedings including the proceedings of its Committee.
9. The National Assembly Standing Orders established various Committees of the House with distinct mandates. The National Assembly Standing Order 212D stipulates that the Parliamentary Broadcast and Library Committee as a select committee established to guide the House on matters relating to the broadcasting of House business, plenary and committee sittings. Further, the committee looks into issues concerning Parliamentary Library administration and management.

3.0 ACHIEVEMENTS

3.1 Committee Performance in The Financial Year 2020/2021

During the Financial Year 2020/2021, the Select Committee tabled two crucial reports and carried out inspection visits to various KBC installation despite the Covid -19 pandemic. The Reports were geared towards improving Parliamentary Broadcasting in Plenary Sitzings as well as during the Committee Meetings while the inspection visits are meant to establish on whether KBC transmission is covering all counties in the country.

Report on the formulation of parliamentary broadcasting channels-

- (1) The Committee tabled a report in the House on 3rd December,2020 covering deliberations on the Establishment of Parliamentary Broadcasting (Signet) Channels, the Communications Authority, Kenya Broadcasting Corporation and the National Government Constituencies Development Fund. These presentations mainly covered areas on broadcasting models across other jurisdictions, regulatory and legal framework, set up (equipment and staffing), programs and partnerships among others.
- (2) The Committee recommended that the existing broadcasting contract between the Parliamentary Service Commission (PSC)and the Kenya Broadcasting Corporation (KBC) be reviewed to allow establishment of a Parliamentary Broadcasting Channel.
- (3) The establishment of the parliamentary broadcasting channel will enable constituents, policy professionals, and other interested individuals to see Members of parliament at work, learn about specific Members, follow the legislative process, vetting process, questions, statements and all other activities carried out at the plenary and by committees.
- (4) Further, the Channel will be used to invite the public to submit memoranda/ public participation since parliament is obligated by the Constitution to carry out public participation in its activities.

Report on the advances made by Parliamentary Service Commission (PSC) in the setting up of the virtual meetings platform for committees and plenary

- (1) This Report tabled on July 8th 2021, covered deliberations of the Select Committee on Parliamentary Broadcasting and Library on the advances made by Parliamentary Service Commission in the setting up of virtual meetings platform including coverage by broadcast journalists in such sittings.
- (2) The Committee recommended that the National Assembly formally procures an appropriate, customized Information Communication Technology (ICT) solution to facilitate House virtual sittings to enable the House and Committee to proceed with parliamentary work amid Covid-19
- (3) Cognizant of the urgent need for an ICT solution, the Report proposed for adequate ICT infrastructure to support the virtual sittings for Committees and House proceedings. The need to reduce the duration to complete the task of upgrading the ICT infrastructure to the required standard from the current six months and Members of Parliament and staff to be trained on conducting and participation in virtual meetings.
- (4) Through the Select Committees recommendations among others, the Parliamentary Service Commission has been able to facilitate virtual meetings at the plenary and Committees. This has enabled the National Assembly to conduct its business in the new normal amid Covid -19.

Inspection visits to KBC installations

- (1) The Select Committee has been able to conduct inspection visits to KBC installations in Mombasa, Kilifi, Kwale, Kisumu, Migori, Kisii, Homabay, Kisumu, Kakamega Counties. The objectives of these visits are to assess the capacity of KBC to broadcast Parliamentary proceedings to those counties and to establish whether the people in those regions are satisfied with the broadcasting.
- (2) Due to the inspection visits, KBC management has ensured that the installations are in good working condition thus transmitting the parliamentary broadcast to the public.

3.1.1 Bills

In the course of its tenure, the Committee sponsored the Public Participation Bill 2019, also cited as the Public Participation (No.2) Act, 2019. The National Assembly Bill 69 sought to develop the national framework for public participation by effectively placing people at the centre of governance. The proposed Bill sought to attain this through making sure that all

public processes starting from policy formulation, legislative processes, and the final decision making on matters that affect the public are firmly within the reach and participation of the people of Kenya.

- 3 The Bill delegated to the Attorney-General the powers to make regulations for the better carrying into effect, the provisions of the Bill. Public Participation has now become a key requirement in all public affairs affecting the people right from the National Government to the Counties. This is more explicit as captured in *Articles 110(1)* of the (a) of the Constitution that affects the powers and functions of the county government as set out in the Fourth Schedule of the Constitution. However, the Bill was not passed on the floor of the House.

3.1.2 Legislative Proposals

The Public Participation Proposal was considered to become a Bill.

3.1.3 Subsidiary Legislations/Regulations

No subsidiary legislation was considered by the Committee.

3.1.4 Protocols/international Agreements

It is not within the mandate of the Committee to consider any Protocols and International agreements.

3.2 OVERSIGHT

- 3 Oversight of State organs is amongst the roles assigned to the National Assembly under Art. 95 of the Constitution. In fulfillment of this role, the Committee considered the following business. Further, Standing Order 212D mandates the Committee to “make reports and recommendations to the House, including proposed legislation on matters relating to broadcasting of House proceedings;”.

- (2) The continuity of the Parliamentary Broadcasting Unit is uncertain as the Head who leaves the service has no officer to hand over the operations of the Unit, considering all the staff of the Unit are not PSC staff. The plan to roll out the broadcasting channels is a challenge and not possible in the current situation as there are no in-house personnel to carry out the implementation.
- (3) The National Assembly equipment was installed and commissioned in July 2012 and since then, ten years to date, no proper mechanism has been put in place to service and maintain the equipment.
- (4) Over a period of time, the equipment at National Assembly has been failing - in particular the robotic cameras in the chamber and most recently during a special sitting. This can be attributed to lack of a service and maintenance plan to service and repair the equipment.

Opportunities

- (1) The Committee views the establishment of a 24-hour Parliamentary Broadcasting channel as an opportunity to further increase the reach of Parliamentary activity to the people. This channel will also accord Parliament the opportunity to showcase its activities on legislation and representation as well as air past and present contributions of Members as a way of preserving its history for posterity.
- (2) During KBC Installation Inspection visits to the Coast, Rift Valley and Western Kenya, the Committee noted that while the KBC (PBU's anchor station) has some of the unsurpassed variety in terms of programmes for TV and radio ranging from news, education to entertainment packages that are offered in diverse languages such as Luo, Luhya, Rendille, Suba and Iteso among others.
- (3) Vernacular stations have been growing in popularity and reach and this gives the broadcaster an added advantage in terms of potential to reach more people at the grassroots level. This will also help in extending the reach of Parliamentary broadcast content across the country.

6.0 Recommendations

- (1) The Committee recommends that the PSC develop a Communication Policy that covers all the facets of media and communication and should accelerate the use of social media to promote knowledge on Parliamentary procedures and business;
- (2) Parliament considers working with the Communication Authority of Kenya, France Media Monde and other interested partners towards establishing P.B.C channels with highly qualified broadcasting, communication and media specialists to support content generation for the channels and provide Members of Parliament with a platform that allows them to showcase how they are executing their constitutional mandate.
- (3) The Parliamentary Service Commission to consider modalities of engaging the Technical Manager for the Parliamentary Broadcasting Unit (PBU) who is due for retirement in June, 2022, on a contractual basis for a period of one year, and immediately commences the process of the recruitment of essential staff to manage the unit;
- (4) Parliamentary Service Commission to consider looking into employing more staff to the Unit to oversee the broad coverage of the plenary in the two Houses, Committees, Management of the Signet Channels, YouTube Channels and to monitor the broadcasts that are carried out in various stations far from Parliament i.e. Broadcasting House (KBC) and TX station;
- (5) The Parliamentary Service Commission to consider the immediate digitization of all the archived material since the inception of Live Parliament proceedings for posterity. This program should involve changing the system of recordings from the obsolete tape system to Secure Digital Memory Cards (SDMC);

Signature:

Date:

8/06/2022

HON. JUSTUS KIZITO MUGALI, MP

Committee on Parliamentary Broadcasting and Library

