May, 2013

Report on the Public Account Committee in Zambia

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Country report: The PAC from Zambia

The purpose of this report is to provide some information about the Public Account Committee from the Parliament of Zambia. The information presented here covers general characteristics (such as the size of the legislature, the size of the committee and the partisan affiliation of the committee Chairperson), the mandate of the PAC, the type and the number of activities performed by the committee, the resources that the PAC can employ in performing its tasks and a brief discussion of whether and how the PAC assesses and evaluates its own performance.

General Information

The National Assembly of Zambia is a unicameral parliament, with 158 members and 13 parliamentary committees. One of these committees is the Public Account Committee that operates under the Standing Orders (section 153).

The Zambian PAC is chaired by a member of the opposition, and seven of the nine members sitting on the PAC belong to the opposition. The term of appointment for both PAC members and chairperson is 1 year. The Chairperson is elected by the members of the committee itself.

The quorum for the PAC is 4 members, the committee in its functioning strives for consensus, but it can take decision by simple majority. When decisions of the PAC are not unanimous, the dissenting members are not given the opportunity to draft and present a minority report detailing their views or the reasons for their dissent.

Mandate of PAC

The mandate or the range of powers given to the PAC can be divided into three distinct areas: the right of access, the accounts and operations and the relationship with the auditor general.
Specifically, the right of access concerns the number and the type of organizations or officials whose accounts, contracts, and financial management practices can be examined by the PAC. The survey data indicate that, in Zambia, the PAC has the right to examine the accounts of a fairly large number of organizations. The PAC can in fact examine the accounts of government agencies within the finance portfolio, government agencies outside the finance portfolio, statutory authorities, local government authorities, parliament and parliamentarians and government service providers. The respondents also indicated that the PAC does not have the mandate to examine the accounts of non-government organizations, regardless of whether they receive or don’t receive, government funding.

With regard to accounts and operations, respondents indicated that the Zambian PAC has a fairly wide range of powers. It has the power to examine accounts and financial affairs, to examine the economy, efficiency and effectiveness of government policy, to examine also the economy, efficiency and effectiveness of policy implementation. The respondents also indicated that the PAC lacks the power to undertake self-initiated inquiries and to consider the budget estimates.

With regard to the relationship with the Auditor General, the PAC has the right to examine the Auditor General’s compliance and performance reports and to refer matters to the AG for investigation, but plays a fairly marginal role in the operations of the AG. The PAC plays no role in the selection or approval of the Auditor General, it is not consulted or mandated to approve the AG’s budget and resources, it lacks the power to review/approve the Audit Office fees, it plays no role in the development of the Audit Office annual plan, it does not assess the Audit Office performance and can either confer or exempt he AG from legislated obligations. Respondents suggested that the only role the PAC plays in the AG concerns the determination of AG priorities about which the PAC is informally consulted.
Activity of the PAC

The PAC from Zambia is a fairly active one. It meets for about 55 days a year, it establishes subcommittees to handle unfinished business and outstanding issues, and holds hearing in 80 to 90 percent of the meetings.

The PAC in Zambia has fairly wide powers in terms of access to witnesses and information. Anybody can be summoned to testify before the PAC except for the president. Department officials, statutory authorities and government bodies are regularly summoned as witnesses to committee hearings. Less frequently ministers, interest groups, academics, NGOs, and government service providers may also appear as witnesses before the PAC. Representatives from the donor community have also, in few instances, volunteered information to the PAC.

The PAC Clerk is responsible for drafting the committee report, which is then subject to the committee approval. As noted before, the PAC decides by simple majority and dissenting members are not allowed to issue a minority report.

PAC reports directly to Parliament, where the reports are tabled and discussed. Reports can be tabled anytime but they can only be discussed when Parliament is in session. Respondents recalled that 5 reports were produced and released in 2012 and that they expect the PAC to produce 3 reports in 2013.

The executive is formally required to respond to PAC reports and recommendations. The Standing Orders state that the government must respond within 60 days. Responses are given by the Vice-President and must be tabled in Parliament.

Though the PAC does not have the power or the authority to compel the government to act, it can keep issues alive. Customarily this is done by employing two devices: first of all, by producing an outstanding issue report and, second, by reintroducing issues in following reports.
**Resources, training and support**

Respondents indicated that the PAC enjoys the support of three dedicated staff members: 2 clerks and 1 IT specialist. In addition to the services and the support provided by these three staffers, the PAC can also rely on the parliament’s research department and on the personnel from the Parliamentary Library. Respondents indicated that additional staff members could be placed, upon request, at the disposal of the committee.

While the PAC enjoys staff and research support, it does not have much financial or budgetary independence as the PAC is not involved in setting up its own budget and does not have the power to indicate what its financial or budgetary needs may be. As Members receive an allowance for serving on the committee, the respondents indicated that member and travel allowances represent about 95 cent of the expenditures incurred by the committee in a given year, while the remaining 5 per cent reflects administrative costs and the expenditures for secretariat staffing.

Respondents reported that funding from independent sources represents an effective way to cope with the lack of financial independence. Over the years, the respondents noted, various institutions an donors such as the office of the Auditor General, the government of Norway and the World Bank have sponsored training sessions for PAC members and support staff.

Newly appointed PAC members receive orientation training from the Office of the Auditor General but also from international legislative strengthening institutions such as the Parliamentary Centre. Staff members receive most of their training from SADCOPAC and from previous PAC support staff members.
Performance Evaluation

While the PAC does not have special mechanisms to assess or evaluate its own performance, except for the SADCOPAC benchmarks, in its annual report it discusses the activities (meetings, hearings and so on) performed by the committee in the course of the year.