

Government of Papua New Guinea

United Nations Development Programme

## PARLIAMENTARY SUPPORT PROJECT

**Brief Description:**

Through this three-year Project, UNDP will initiate a programme intended to facilitate the reinvigoration and modernization of the thirty-year old National Parliament of Papua New Guinea to better meet the modern demands placed on democratic institutions in the twenty-first century. This support will concentrate primarily on increasing the effectiveness, transparency, and accountability of the Parliamentary Service to better serve the elected representatives. It will also strengthen the national parliaments linkages with the provincial legislative bodies, and will provide a focused support to the parliamentary committee system, and with its collaboration with external partners. Finally the Project will directly support the Members of Parliament's legislative, oversight and representational roles through workshops, research and work exchanges.

# UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

## TABLE OF CONTENT

<b>SIGNATURE PAGE</b> .....	<b>3</b>
<b>Part I. Situation Analysis:</b> .....	<b>6</b>
<b>Part 1I: Strategy</b> .....	<b>7</b>
<b>Part III. Management Arrangements:</b> .....	<b>7</b>
<b>Part IV Monitoring and Evaluation</b> .....	<b>9</b>
<b>Part V: Critical Assumptions and Risks</b> .....	<b>9</b>
<b>Part VI: Legal Context</b> .....	<b>10</b>
<b>Part V II: Results and Resources Framework:</b> .....	<b>11</b>
<b>Part VIII: 2006 Timetable of Activities</b> .....	<b>16</b>
<b>Part IX: Budget:</b> .....	<b>20</b>
<b>Part X: ANNEXES</b> .....	<b>23</b>
ANNEX 01: Terms of Reference for National Project Manager.....	23
ANNEX 02: Terms of Reference for Chief Technical Advisor(s) (CTA).....	25
ANNEX 03: Terms of Reference for Research/Training Coordinator .....	28
ANNEX 04: Terms of Reference for Administrative Assistant .....	29
ANNEX 05: Terms of Reference for Project Driver .....	32
ANNEX 06: Terms of Reference for Reference for Documentalist/ Trainer .....	33
ANNEX 07: Terms of Reference for Parliamentary Researcher/ Trainer .....	35
ANNEX 08: Terms of Reference for Legal Drafter .....	37
ANNEX 09: Terms of Reference for Project Steering Committee.....	39
ANNEX 10: Timetable of Activities .....	40
ANNEX 11: Strengthening the Parliamentary Committees .....	45
ANNEX 12: Strengthening Legislative Linkages in PNG.....	49
ANNEX 13: Strengthening Gender Balancing .....	51
ANNEX 14: Strengthening the Parliamentary Service.....	54
ANNEX 15: Strengthening Legislation .....	58

# UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

## SIGNATURE PAGE

### Country: Papua New Guinea (PNG)

Expected Outcome:	Governance capacity built to improve more accountable and efficient policies and strategies due to strengthened National Parliament (NP).
Outcomes Indicator:	A parliament that is increasingly transparent and accountable in its internal operations that improves the PNG Government's delivery on its democratic and development commitments
Expected Outputs:	<p>Improved delivery of Parliamentary Services (PS) in the areas of Information Technology Communication (ITC), donor coordination, transparency and accountability to better serve the Parliamentarians fulfilling their legislative, oversight and representational roles.</p> <p>Reinforced democratic procedures through improved national-provincial linkage.</p> <p>Strengthened accountability and transparency in the NP's collaboration with external bodies</p> <p>Strengthened capacity of the Parliamentary Committees to contribute to Parliament exercising its legislative and oversight roles.</p> <p>Reinforced Members of Parliament (MP) capacities to execute their legislative, oversight and representational roles.</p>
Outputs Key Indicators:*	<p>Perceived improvement of the PS by both MPs and Staff</p> <p>Improved perception by external bodies of the NP due to improved internal mechanisms that promote accountability and transparency.</p> <p>Improved functioning of 3 Provincial Legislatures and increase ease of information exchange between the parliaments at the national and provincial levels,</p> <p>Direct references to various reports, legislation and Hansard minutes by MPs in their debates.</p> <p>At least 8 Committees meeting regularly and contributing to the plenary sessions.</p> <p>Increased tabling of Committee Reports in the plenary.</p> <p>Legislative and support for policies to increase the number of women MPs elected in the 2007 elections</p> <p>A 3-year PS plan with accompanying fiscal requirements</p> <p>A 3-year training plan with concrete delivery of training in ITC, human resource and, fiscal management and substantive issues</p> <p>Amendments proposed and debated by Parliament of several key democracy pro-active pieces of legislation.</p> <p>Improved mechanisms for the citizen and civil society's contribution to parliamentary processes.</p> <p>A proposal for improving the citizen understands of representational democratic principles and its institutions, which may result in recommendations for public education.</p>
Implementing Partner:	Parliamentary Service of the National Parliament of Papua New Guinea .

**UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT**

Programmed Period:	2006 – 2008	Budget:	USD 2,580,000
Programmed Component:	Governance	Management :	USD 722,000
Project Title:	National Parliament Support Project	Total budget:	USD 3,302,000
Project ID:		Allocated resources:	
Project Duration:	Three years	Government Regular Other:	USD
Management Arrangement:	UNDP DEX with Parliamentary Service	In kind contributions	USD 72,000
		GoPNG Unfunded budget:	

UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT  
20061/9/2006


APPROVAL

A: GOVERNMENT COUNTERPART

  
\_\_\_\_\_  
MR. VALENTINE KAMBORI  
SECRETARY  
DEPARTMENT OF NATIONAL PLANNING AND MONITORING

26.01.06  
\_\_\_\_\_  
DATE

B: IMPLEMENTING PARTNER: THE PARLIAMENTARY SERVICES OF THE NATIONAL PARLIAMENT OF PAPUA NEW GUINEA

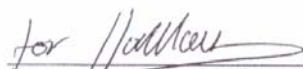
  
\_\_\_\_\_  
HONORABLE JEFFREY NAPE  
SPEAKER OF NATIONAL PARLIAMENT

9/01/2006  
\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
ANO PALA  
CLERK - NATIONAL PARLIAMENT

9/1/06  
\_\_\_\_\_  
DATE

C: UNITED NATIONS DEVELOPMENT PROGRAMME

  
\_\_\_\_\_  
RESIDENT REPRESENTATIVE  
Dr. Jacquie Badcock

9/1/06  
\_\_\_\_\_  
DATE

# UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

## **Part I: Situation Analysis**

The PNG National Parliament Support Project has as its basis a number of both generic and specific recommendations in the Legislative Needs Assessment (LNA) facilitated by UNDP in 2003. The main focuses of the recommendations are: on improving the institutional capacity of the Parliamentary Service (PS); improving understanding by MPs of their roles and responsibilities; and the enhanced dissemination of information on the roles of Parliament and parliamentarians to the public.

In the next step taken by UNDP in the form of a Preparatory Assistance (PA) Project, the maturity of the Parliament and of the PS became even more explicit, thereby reinforcing the need for the Project to be a means to facilitate rather than orient changes. This recognition has meant, among other things, taking heed of the PS management advice for selective capacity enhancement. This implies a close collaboration with the PS counterpart, while maintaining the needed neutrality for a transparent implementation of the program, jointly determine through a consultative process.

The strategic decisions and actions taken in the PA phase are laying the groundwork for the longer term full-fledge Project. For example support to a selection of the parliamentary committees has been initiated as has contact with some of the provinces to determine linkages that need to be reinforce. Work with the PS has focused first on improving the ITC, including making internet connection available to the MPs, and getting the Hansard, Reports, and other critical parliamentary documents on line. As the restructuring of the PS had already begun before the Project began, the areas of reinforcing transparency and accountability through a reinvigoration of the rules and procedures along with support to the planning processes and internal communications were identified as areas of needed assistance. Consultants have been contracted to start the collaborative work with the Human Resource division of the PS. The Project was involved in a gender-balancing workshop for MPs-both national and provincial. In other words, this Project will have grown out of a hands-on experience with the National Parliament of PNG and has taken into account the maturity and sensitivities of the institution. The Project's purpose is clearly that of facilitating decisions taken at the sovereign state level that have been extensively discussed and agreed upon. The project is also designed to be as flexible as possible to allow it to quickly adjust to changes in the political and administrative environment.

A noteworthy collaboration has been the Project facilitating the recruitment process for legal and accounting consultants on behalf of AusAID to support to the Public Accounts Committee (PAC). This demonstrates how this Project can assist both donors and the NP in coordinating and supporting external assistance.

It is also of strategic importance for longer-term institutional strengthening that through this Project UNDP is building up a working relationship with the NP as a critical partner in development. The PA phase has gone a long way towards cultivating the needed trust and confidence that will be critical to the success of the Project.

# UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

## **Part II: Strategy**

The Project recognizes and appreciates the need for sensitive consultations in moving the PA phase forward. This has involved a tripartite understanding between the Speaker, the Clerk and UNDP through the Project. From this it developed that the most important linkage of the Project with the MPs should be done officially through the House Committee. This approach and methodology as well as the location of the UNDP Project team at Parliament House are proving important in preparing, designing and getting acceptance for the second phase of the project. By integrating on an operational level with the Inter-parliamentary Relations Unit of the PS, the Project will be able to improve the external perception of the National Parliament through the introduction of improved coordination of external support and more transparent and accountable internal systems to maximize the benefit of such support. Consultations have identified a need for flexibility at the activity level in the design of the full-fledged Project document.

This Project will work with the top sovereign institution in Papua New Guinea (PNG), its National Parliament (NP). The Parliament is a vibrant and effective democratic thirty-year old institution, and its administrative support body, the Parliamentary Service (PS) continues to provide quality support in most areas to the Members of Parliament (MP). However, some of the key services of the PS have, for a variety of reasons experienced a decline in their effectiveness especially as the PS has been slow to introduce modern technologies (e.g. computers) and methodologies (such as management skills). Hence there is a recognized need for a comprehensive institutional reform process, which has already been initiated with a restructuring of the upper management. This is coupled by a need to strengthen the actual parliament's capacity to support the Government in meeting its international obligations such as the Millennium Development Goals (MDG) and national developmental objectives provides ample justification for a United Nations Development Program (UNDP) support project to the National Parliament. The support to the National Parliament will contribute to UNDP meeting its corporate objectives reflected in Papua New Guinea's Country Framework in the area of strengthening good governance to improve policies and delivery including in the critical areas of poverty alleviation, gender balancing, economic sustainable development and improved education and health – related especially to HIV/AIDS prevention and support.

## **Part III: Management Arrangements**

It was agreed that the Project will be Direct Execution (DEX), which will permit easier monitoring by UNDP/PNG and safeguard the fiscal and management accountability of the Project. The National Parliament of PNG, through its Parliamentary Service will be the implementing partner and will orient and assist UNDP in executing the project. Within this framework the Clerk will:

- Chair the Project Steering Committee (PSC), which will meet at least bi-annually;
- Regularly meet with and review the Project's progress and in general orient the decision-making process;
- Participate actively in the planning, monitoring, and reviewing of the project activities; and
- Provide administrative and logistic support (e.g. office space, personnel, etc.), to the project similar to what occurred during the Preparatory Assistance phase.

The Speaker or his designate is a member of the Project Steering Committee as well as Chair of the House Committee, the Parliamentary body indicated to provide the political guidance and approval of the Project. The Project' interaction with the MPs is initiated primarily through this body. Progress reports to the Housing Committee via the Clerk's Office will be submitted for each sitting. The Director of Administration will provide direct supervision of the Project on behalf of the Clerk

## UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

and is also a member of the Project Steering Committee. As well the Director will chair a Modernization Committee, which will meet monthly to provide hands-on political, operational and programming guidance to the Project. The Modernization Committee will be composed of the Director, an MP designated by the Speaker, an MP designated by the Government, an MP designated by the leader of the Opposition, UNDP's Programme Manager; and the Project Manager.. This Modernization Committee will be responsible for clearing all written reports for the Steering Committee and the Speaker and providing on-going guidance for the Project.

To strengthen the Parliamentary Service's capacity to provide a transparent and accountable linkage to donors and counterpart structures, its Inter-parliamentary Relations Unit, will, for the interim of the Project, work in close collaboration with the Project and should further consolidate the Project's working relationship with other critical units of the PS.

The Project Team will operate out of the Project Office, located in the National Parliament and will consist of a National Project Manager, a part-time Senior National Advisor, a part-time External Advisor,, a Researcher/Trainer, an Administrative Assistant and a Driver provided by the UNDP Project, combined with a Researcher/Administrative Assistant and some staff provided by the Parliamentary Service for hands-on training on an ad hoc basis.

The National Project Manager will provide overall management of the programme. The Project Manager will ensure that all the activities, as per the work plan, occur in a timely and effectively manner, as well as keeping track of the financial resources by submitting regular progress and financial reports to the Project Steering Committee, the Housing Committee via the Clerk's Office and to UNDP. In consultation with all the relevant stakeholders, the Project Manager will facilitate the convening of Project Steering Committee for meetings and other project review meetings.

All the Project staff will be involved in the direct implementation of the Project's activities. Annual work plans for the upcoming year will be submitted to the Steering Committee for its approval for implementation. Bi-annually the Steering Committee will review the progress of the previous six months to adjust the work plan accordingly.

Key Donors will be voting members of the Project Steering Committee.

The Project Steering Committee will be in charge of oversight of the Project and be the final decision making body of the Project.

During the implementation of the project, the National Project Manager will provide quarterly progress reports, describing the progress of the project activities, financial statement, obstacles encountered and how they were resolved and/ or to be solved, and lesson learned.

Tripartite Review (TPR) meetings are planned for mid-2007, post elections and three months before the completion of the Project. The Project Manager will present a final report with recommendations including a draft proposal for a second phase if appropriate two weeks prior to the final Tripartite Review.

The Country Office will seek the assistance of RBAP to send an international consultant for both Tripartite Reviews and especially for guiding the preparation of the final report for a two week period.

The project will be subjected to at least one audit during the three years.

# UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

## **Part IV: Monitoring and Evaluation**

Various mechanisms will be put into place to ensure a continuous self-correcting monitoring and evaluation process that will have clear benchmarks developed for each component to facilitate this process. The identification of measurable benchmarks for each of the five intended outputs will be one of the first activities of the fully fledged project and will be approved by the Steering Committee.

There will be several distinct levels of monitoring. One of the mechanism will be through the Clerk's Office, through having regular meetings (at least monthly) with the Project management. The Project management will also prepare progress reports on a quarterly basis for UNDP and the Steering Committee. Monitoring reports submitted to both the Clerk and the Steering Committee will be forwarded to the House Committee.

All Consultancies and short-term service contracts will have monitoring evaluation process built into their TORs .

Two Tripartite Reviews are anticipated- mid-term and prior to completion of the Project. These will be preceded by the preparation of an evaluation report conducted by an external consultant identified with the assistance of the Regional GOLD Office in Fiji. Major donors will be invited to participate in the evaluation. It is anticipated that the external consultant will also draft a second phase for the Project if there is a consensus in the Steering Committee for a continuation.

## **Part V: Critical Assumptions and Risks**

**Political sensitivity and critical support:** This Project is to work in the most politically sensitive environment of PNG, namely its National Parliament and is therefore extremely susceptible to non-technical external and internal issues and pressures. To be effectively implemented it needs the political compliance of the Speaker as well as the proactive support of the Clerk and the Director of Administration. As two of these key positions will probably be changing personnel within the life of the Project, namely the Speaker with elections in mid-2007 and the Clerk in early 2006, it is essential to recognize these critical relationships. If for any reason either the existing or the new holders of these positions chooses, the capacity of the Project to implement its activities can be severely restricted or completely negated. One of the reasons for the quick approval of the Project is to begin its implementation while the present officials, sympathetic to the Project's intent and methodologies, are in office. It is also for this reason that the Project is to keep in a close consultative relationship with these three positions, most particular with the Clerk.

**Valid restructuring of the PS already underway:** The Project is not involved in the restructuring process of the PS, which was initiated before the Preparatory Assistance phase began. As the key focus of the Project is reinvigorating the PS by concentrating on introducing procedural mechanisms and methodologies encouraging transparency and accountability as well as the implementation of a renewed training program, the willingness and capacities of the upper-middle level of management is crucial- particularly on the part of the Corporate Manager and the Financial and Emulation Manager. Related to this issue, if the upper Management does not endorse and enforce fully the related activities of transparent and accountable rules and procedures and improved communication; it is likely that the structural reform will not produce sustainable significant improvements. It is hoped that this close cooperative relationship designed to facilitate hands-on training, with the Inter-parliamentary Relations Unit, will result in a more trusted relationship of the Project within the entire PS structure, thereby reducing this risk

**Financial commitment for Sustainability:** At present the internal accountability of fiscal

## UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

management appears weak within the PS and in relation to the MPs. This is in part due to the lack of enforcement of transparent and accountable procedures and rules. If this is not rectified it is unlikely that any sustainable change can be assured in the present institutional reform process. Furthermore it threatens the integrity of the Project in so far as there is less assurance that the support being provided will translate into on-going sustainable activities.

**Internal tradition of sovereign autonomy:** The National Parliament of PNG is a vibrant, sophisticated and effective, albeit unique functioning institution of democracy and the PS, which supports it, continues to be still a functioning structure. The Project therefore must be aware that it does not have a directive but rather a facilitation role. At all times it must operate in such a way that this relationship of respect for the national ownership is foremost in terms of its staff's behavior and the programs it wishes to support. It must also follow established protocol and communication procedures of keeping the Speaker and the House Committee informed via regular and specific reports to the Clerk's Office.

### **Part VI: Legal Context**

This project document shall be the instrument referred to as such in Article 1 of the Standard Basic Agreement between the Government of Papua New Guinea and the United Nations Development Programme, signed by the parties on 7 April 1981. The host country implementing agency shall, for the purpose of the Standard Basic Assistance Agreement refer to the government co-operating agency described in that agreement.

In order to promote flexibility in the implementation and management of this UNDP project, the following types of revisions may be made to this project document with the signature of the UNDP Resident Representative only, provided he or she is assured that the other signatories (if applicable) of the project document have no objections to the proposed changes: Revisions in, or addition of, any of the annexes of the project document, revisions which do not involve significant changes in the immediate objectives, outputs or activities of the project, but are caused by the re-arrangement of inputs already agreed to or by cost increases due to inflation, and mandatory semi-annual revisions which re-phase the delivery of agreed project inputs, or reflect increased expert or other costs due to inflation, or take into account agency expenditure flexibility.

## UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

### Part VII: Results and Resources Framework

Intended OUTCOME as stated in the Country Results Framework: 1.1. Governance capacity built to ensure more accountable and efficient policies and strategies				
Outcome INDICATORS: Improved delivery of Parliamentary Services (PS) in the areas of Information Technology Communication (ITC), donor coordination, transparency and accountability to better serve the Parliamentarians meeting their legislative, oversight and representational roles. Reinforced democratic procedures through improved national-provincial linkage. Strengthened accountability and transparency in NP's collaboration with external bodies. Strengthened capacity of the Parliamentary Committees to contribute to Parliament exercising its legislative and oversight roles. Reinforced MPs capacities to execute their legislative, oversight and representational roles.				
Strategic Area of Support: Parliamentary Development; Applicable MYFF Goals including respective Service Lines: Goal 1: Fostering democratic governance, line 2.2 parliamentary development, Goal 2: Contributing to achievement of the PNG MDG particularly related to poverty alleviation, gender equality and the combat of HIV/AIDS				
Partnership Strategy: Elements of the strategy include: building on the Regional Sponsored initiative of the Legislative Needs Assessment and the Preparatory Assistance and from earlier studies focused on strengthening the Parliamentary Service. As well the Project will assist in coordinating Donor Assistance. The Project further intends to initiate programming in the key areas of representation, legislation and oversight to help meet Papua New Guinea's (PNG) commitments to the MDGs in such areas as gender balancing and poverty alleviation. Finally it will contribute to strengthening linkage to the provincial legislatures reinforcing decentralization.				
<b>Project title and number: National Parliament Support Project</b>				
Intended Outputs	Output Targets for 3 years	Indicative Activities	Inputs	
			Type	Cost in US \$
1 parliamentary service strengthened to provide improved services to the MP's.	First year	1.1. Introduce accountability and transparency indicators and processes into Parliamentary Service(PS) from job descriptions, to recruitment to monitoring and evaluation.	Hands-on contribution Short-term consultancies Workshops	
	First year and ½	1.2 Support a 3-year plan that includes man-	Workshop	

UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

		power, training and fiscal components	Sub-contract	
All three years	1.3. Support the implementation of the training plan in the areas of technical, administrative, financial and subject-specific skills		Sub-contracts	300,000
First year	1.4. Support the introduction of vertical and horizontal communication systems and approaches		Workshop Short-term consultancy	
All three years	1.5. Strengthen the ITC base with both hardware, software and training		Computers, printers, etc. Network strengthening Software for Hansard, HR data base, etc.	300,000
First year			Introduce electronic screening/ security	20,000
All three years but most concentrated in first 18 months	1.6. Direct support to the Corporation Management and Human Resource Officers and the Finance and Endowment Branch		See above Reinforce external research linkage and provide as per need Consultancies Workshops Providing conduit for other international support	50,000  100,000 60,000
All three years	1.7. Concentrated Support to the Bills and Papers; Reporting (Hansard); Committee Secretariat & House Committee Secretariat, Sergeant at Arms, Drafting and Legal Services; Information Services (Library) and Inter-parliamentary Relations		See above Reinforce external research linkage and provide as per need Consultancies	50,000

UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

			UNV Documentalist for one year Legal Drafter for 3 years Providing conduit for other international support Priority areas for ITC and training	100,000 75,000 225,000
2. strengthened parliamentary institutional linkages WITH 3 PILOTED provincial legislatures	First year focus on Bougainville, second year include other two pilot Provinces	2.1. Identify and support a focus for exchange of information-possibly tied to website	Support development of a website, Put key documents on-line	50,000
	First year focus on Bougainville, second year include other two pilot Provinces	2.2. Design an exchange plan identifying key components and methods	Study and exchange tours Workshop	50,000
	Third year activity	2.3. Design a policy and plan for comprehensive exchange	Short-term consultancy	50,000
3. strengthened accountability, transparency in PS's & collaboration with external bodies	All three years.	3.1. Develop transparent// accountable coordination mechanism for all forms of external assistance	Direct Project contribution	

UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

	All three years.	3.2. Strengthen linkage with key international parliamentary bodies	Able to access other budget lines to reinforce this hands-on assistance.	
	All three years.	3.3 Establish long-term working relations with donors and other parliaments	Direct Project contribution	
4. strengthen Critical committees of the National Parliament	Concentrated in first two years	4.1. Strengthening PS Committee Secretariat and other relevant divisions of the PS	See above	See above
	All three years	4.2. Strengthen Research-based decisions	Sub-contract local research bodies UNV parliamentary researcher for one-yr. Conduit for donor technical support	25,000  75,000  6,20,000
	First year	4.3. Strengthen Procedures	Workshops and improved PS	25,000
	First year and ½	4.4. Modified Legislation	Short term consultancies	50,000
	All three years	4.5 Improved understanding of MPs	Exchange workshops	100,000
5. strengthen capacity of Members of Parliament to perform their key functions	Second and third year	5.1 General reinforcement of MPs knowledge regarding the critical functions and mechanisms of Parliament	Induction Peer-exchange workshop	60,000
	First and third year	5.2 Increased gender-focused and gender balancing	Poverty alleviation and gender budget monitoring	60,000

UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

			workshop	
	To be determined	5.3.Critical legislation environment improved	Research support to review and propose modification in laws	60,000
	Second and third year	5.4.Stengthened representational function	Sub-contract perception research regarding roles and functioning of parliament Identification and advocacy of new options for citizen input into the parliamentary process	75,000
<b>TOTAL</b>				<b>2,580,000</b>

**UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT**

**Part VIII: 2006 Timetable of Activities**

<b>ACTIVITIES</b>	<b>01.JAN-30.JUNE</b>	<b>01.JULY-30.DEC</b>	<b>COST (US \$)</b>
OUTPUT 1: strengthened institutional (parliamentary service) support to the National parliament to provide improved services to the MP's..			
1.1. Introduce accountability and transparency indicators and processes into PS from job descriptions, to recruitment to monitoring and evaluation.	Project Staff to support Corporate Manager and HR Head of Unit to identify, design and begin implementation Series of in-house PS workshops	At least one consultancy to support in area to be identified	50,000  5,000
1.2. Support a 3-year plan that includes a man-power, training and fiscal plan	Sub-contract consultancy firm to provide management-level workshop and systematize the Unit's work plans into a master plan and In the interim the Project Staff will support the development of each Unit's work plan	Provide a final corporate three year plan at end of six month period. (total time of contract (one month in a six month period)-	25,000
1.3.Support the implementation of the training plan in the areas of technical, administrative, financial and subject-specific skills (including for MPs staff)	One of the Project Staff will work with counterpart in HR Unit to develop plan to be incorporated into Corporate Plan	Identify training providers and sub-contract for specific tasks over specified timeframes Commence training programs	100,000
1.4. Support the introduction of vertical and horizontal communication systems and approaches	Project Staff to support Corporate Manager and Financial and Endowment Chief to identify and initiate mechanisms such as institutionalized regular meetings, use of emails, monitoring reporting, etc.	Project Staff in assist in monitoring Evaluation workshop at end of fist year	2,000
1.5. Strengthen the ITC base with both hardware and software ( training under	With Head of ITC design a program of gradual introduction		

UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

training budget line 1.3)	and up-grade of ITC in PS Purchase of appropriate hardware and software This will be incorporated into the planning process above identified Introduce biometric security system		100,000  20,000
1.6. Direct support to the Corporate Manager, Human Resource Officers and the Finance and Endowment Branch	HR IT data-base program installed with training  Three month transparency consultancy to identify and program for Financial and Endowment Branch	Three month mentoring consultancy to support Corporate Manager and HR Head of Unit	35,000  50,000
1.7. Concentrated Support to the Bills and Papers; Reporting (Hansard); Committee Secretariat & House Committee Secretariat, Drafting and Legal Services; Information Services (Library) and Inter-parliamentary Relations	Hardware under ITC Software installed and training under ITC Planning under above components	International Consultancy of one month Several national consultancies to be identified Selective training overseas	15,000 10,000 10,000
OUTPUT 2: strengthened parliamentary institutional linkages between National and Bougainville, & 2 other Provincial Legislative Assemblies			
2.1. Identify and support a focus for exchange of information-possibly tied to website	Sub-contract design of website Rental of website Input of information Identify linkages-could be direct access and ITC costs at both ends	Strengthen hardware under ITC component above	Under ITC although a small portion can come from item 2.2.
2.2. Design an exchange plan identifying key components and methods	One week workshop Bougainville	One week workshop Bougainville One workshop in 2nd Province	50,000

UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

		A 2-month retainer local consultancy (	
2.3. Design a policy and plan for comprehensive exchange			Second and third year activity
<b>OUTPUT 3: Strengthened accountability and transparency in PS' collaboration with external bodies</b>			
3.1. Develop transparent/accountable coordination mechanism for all forms of external assistance	Provide hands-on training  Design accountability and transparency methodologies such as for external training and reporting on skill developments.	Provide hands-on training	.
3.2. Strengthen linkage with key international parliamentary bodies		Organize for some form of overseas training in this area	
3.3 Establish long-term working relations with donors and other parliaments		Design a methodology of follow-up to guarantee continuity of program support	
<b>OUTPUT 4: Strengthen eight(8) Critical Committees of the National Parliament</b>			
4.1. Strengthening PS Committee Secretariat and other relevant divisions of the PS	See item 1.7		
4.2. Strengthen Research base-decisions	Establish research links through sub-contracts	Sub-contract usage	50,000
	Legal and Accounting advisors to PAC	Continued	310,000
	UNV researcher for 1 year	Continued	75,000
4.3. Strengthen Procedures	Workshop with national consultant		3,000
4.4. Modified Legislation	Contract for one legislative item	Contract for 2nd legislative item	25,000
	Workshop UNV Legal Drafter	UNV Legal Drafter	25,000 3,000 75,000

UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

4.5 Improved understanding of MPs on general and specific legal issues related to democracy	Workshop with national consultant	Exchange with another parliament	3,000 25,000
OUTPUT 5: Strengthen capacity of members of parliament to perform their key functions			
5.1 General reinforcement of MPs knowledge regarding the critical functions and mechanisms of Parliament	Workshop to explain PS modifications that affect MPs		5,000
5.2 Increased gender-focused and gender balancing		First gender and poverty alleviation budgetary workshop with external sub-contract	25,000
5.3.Critical legislation environment improved	See under 3.4		
5.4.Stengthened representational function			Sub-contract begins in 2nd year
<b>TOTAL</b>			<b>1,000,000</b>

UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

**Part IX: Budget**

<b>ACTIVITIES</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>TOTAL</b>	<b>KINA TOTAL</b>	<b>SOURCE OF FUNDS</b>
Supply of ITC hardware and software	120,000	100,000	100,000	320,000	915,200	
A one year Parliamentary Research UNV Specialist for hands-on up-grading of skills of Library and Research Units	75,000			75,000	214,500	
A one year UNV Documentalist to support the Library, Hansard, Sergeant at Arms and Bills and Papers		75,000		75,000	214,500	
Input of measurable monitoring and evaluation items in all job descriptions						Project Implemented
Support to the Institutional Planning Process						Project Implemented
Support to the Training Planning Process						Project Implemented
Support implementation of Training in the areas of technical, administrative, financial and subject-specific skills	100,000	100,000	100,000	300,000	858,000	Contracts & sub-contracts for PS Staff and MP Staff
Reinforce vertical and horizontal exchange of information						Project implemented

UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

Short-term External consultancies as per need	100,000	100,000	50,000	250,000	715,000	Contracts
External research requirements as per need	50,000	50,000	50,000	150,000	429,000	Contracts and Sub-contract(s) with Research Institutions
Workshops primarily for PS	20,000	20,000	20,000	60,000	171,600	Include sub-contracts
Exchanges and workshops for Committee Members	25,000	25,000	50,000	100,000	286,000	Conduit for external support
Legal Drafting	75,000	75,000	75,000	225,000	643,500	Either contract or UNV
Providing conduit for other international support	310,000	310,000		620,000 +	1,779,400	AusAID
Support linkages to Provincial Parliaments	50,000	50,000	50,000	150,000	429,000	
Induction Peer-exchange workshop		30,000	30,000	60,000	171,600	Sub-contract
Poverty alleviation and gender budget monitoring workshop	30,000		30,000	60,000	171,600	Sub-contract
Research support to review and propose modification in laws	20,000	20,000	20,000	60,000	171,600	A series of contracts
Public Relations and Representational research and strengthening	25,000	25,000	25,000	75,000	214,500	Sub-contract
<b>Program Sub-total</b>	<b>890,000</b>	<b>980,000</b>	<b>600,000</b>	<b>2,580,000</b>	<b>7,404,600</b>	
CTA	150,000	150,000		300,000	88,000	
National Project Officer	30,000	35,000	40,000	105,000	300,300	
Research/Trainer Coordinator	20,000	25,000	30,000	75,000	214,500	

UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

Administrative Assistant	15,000	17,000	19,000	51,000	145,860	
Driver	5,000	7,000	9,000	21,000	60,060	
Computer/printer		5,000		5,000	14,300	
Audio/visual equipment-multimedia projector	15,000			15,000	42,900	
Rental and maintenance-Premises	5,000	5,000	5,000	15,000	42,900	
Rental, maintenance and Repairs of equipment and vehicle	10,000	10,000	10,000	30,000	85,800	
Office supplies	5,000	5,000	5,000	15,000	42,900	
Miscellaneous & Operational costs	10,000	10,000	10,000	30,000	85,800	
Monitoring and Evaluation		30,000	30,000	60,000	171,600	
<b>Management Sub-total</b>	<b>265,000</b>	<b>299,000</b>	<b>158,000</b>	<b>722,000</b>	<b>2,064,920</b>	
<b>Total</b>	<b>1,265,000</b>	<b>1,279,000</b>	<b>758,000</b>	<b>3,302,000</b>	<b>8,814,520</b>	
<b>In-kind Contribution</b>						
Office & Conference Space rental with utilities	12,000	12,000	12,000	36,000	102,960	Parliamentary Service
Technical Assistance/Counterpart Staff	12,000	12,000	12,000	36,000	102,960	Parliamentary Service
<b>Total</b>	<b>24,000</b>	<b>24,000</b>	<b>24,000</b>	<b>72,000</b>	<b>205,920</b>	

\* Not included in this budget as already in the Preparatory Assistance Phase programming budget.

\*\* Activities without a corresponding budget are either covered within the Project Management, other line activities or under the rubric of 'conduit for donor assistance'

# UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

## Part X: ANNEXES

### Annex 01: Terms of Reference for National Project Manager

Job Title:	National Project Manager
Project Name and ID:	Support to National Parliament Project
Duty Station:	Port Moresby, Papua New Guinea
Duration:	36 Months
Starting Date:	March 2006

#### Duties and Responsibilities:

Under the overall guidance of the Project Steering Committee (PSC) and direct supervision of the UNDP Resident Representative, the Project Manager will undertake the following duties and responsibilities for smooth implementation and management of the project:

#### 1. Project Management (day-to-day):

Assume overall responsibility for implementation of Project activities, and monitor them on regular basis;

Supervise and provide guidance to the project personnel and consultants in achieving the results efficiently;

Manage and account for all project finances, and provide quarterly financial report, and maintain project budget, in consultation with the UNDP Country Office;

Prepare annual work plan, quarterly and terminal reports, following the UNDP procedures;

Organize periodic Project Steering Committees (PSC) meetings, and act as a Secretary in the meetings;

Participate in the project evaluation and monitoring exercises;

Supervise the procurement of the required project equipment and assets, and their maintenance, with an inventory;

Liaise with the Parliamentary Service and other relevant authorities, UN agencies, NGOs and Civil Society Organizations for effective collaboration with the project activities;

Identify and provide a recommendatory list of potential implementing partners for implementation of project activities, based on their successes, strengths and weaknesses in the relevant fields;

Assist in development of TORs and Agreements, and participate in the recruitment process to recruit consultants or assign organizations to be involved in the implementation of the project activities;

Conduct and participate in the in-depth reviews, workshops, seminars and meetings, to achieve outputs of the project, and participate in them to provide advice and technical supports;

Organize study tours and work attachments and create a knowledge networking system in the Parliamentary Service, in liaison with the Office of the Clerk; and

Disseminate the information, findings of the reviews and project activities through mass media and UNDP web site

#### Qualifications:

## UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

- Bachelor's degree in political science, law, social science, economics, or its equivalent in related development disciplines;
- Demonstrated experience in project management and the designing, implementing and monitoring of project activities;
- Highly advantageous if with previous work experience with Parliamentary Service;
- Highly advantageous if with previous work experience with the UN system;
- Familiarity with the PNG Parliament, and its systems and processes;
- Sound capacity building skills;
- Ability to draft, edit and produce written proposals and results-orientated reports;
- Organizational capacity to conduct workshops, seminars, and meetings amongst the high level officials;
- Networking ability at the national and regional level, in the field of parliamentary development;
- Ability to organize international study tours and on-the-job training programmes;
- Good communication, interpersonal, liaison and negotiating skills;
- Ability to work under pressure and to meet strict deadlines; results-driven;
- Computer literacy; and
- Ability to work with a broad range of clientele and resource persons of diverse backgrounds, religious and political persuasions, and educational attainments;

# UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

## Annex 02: Terms of Reference for Advisors

### External Advisor

Job Title:	External Advisor
Project Name and ID:	Support to National Parliament Project
Duty Station:	Port Moresby, Papua New Guinea
Duration:	9 Months over a three-year period from 03 2006 until 02 2009
Starting Date:	March, 2006 to February, 2009

**JOB SUMMARY:** Under the overall guidance of the Project Steering Committee (PSC) and direct supervision of the UNDP Resident Representative, the CTA will undertake the following duties and responsibilities:

- Provide technical advice on good governance, parliamentary functions and processes and institutional capacity strengthening;
- Provide technical guidance and support to project personnel and consultants;
- Assist and supervise the preparation of the annual work plan, biannual reviews and terminal reports in compliance with UNDP procedures.
- Draft phase two Project Document
- Participate in any evaluation

### QUALIFICATIONS:

- Minimum of Masters Degree or its equivalent;
- Minimum 10 years experience in institutional capacity building and/or revitalization;
- Demonstrate political sensitivity and capacity to negotiate and maneuver within the context of PNG politics;
- Previous work experience with UN highly advantageous;
- In-depth technical knowledge and skills in capacity building, more specifically in Parliamentary Services;
- Strong training and analytical skills;
- Fluency in verbal and written English;
- Highly developed inter-cultural communication and negotiation skills; and
- Computer literate.

# UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

## Senior National Advisor

Job Title: Senior National Advisor  
Project Name and ID: Support to National Parliament Project  
Duty Station: Port Moresby, Papua New Guinea  
Duration: One year of date of signature of contract renewable with specified TOR for each year  
Starting Date: May 2006

**Background:** UNDP has initiated a 3 year Parliamentary Project which has five(5) objects two of which includes the strengthening of the linkage between the National Parliament and the Provincial legislative bodies and strengthening Parliamentary Committees. It was decided that three provinces would be piloted wherein both local issues would be addressed as well as linkage support. Bougainville's House of Representative was identified as the first legislative body to be supported in 2006. Within the strengthening of the Parliamentary Committees several key activities have been identified including hands-on support to both select and permanent committees. To provide hands on support to these two program components as well as over-arching political guidance to the Project, UNDP Parliamentary Support Project will employ with a renewable 6 months/year retainer contract a highly qualified professional with national parliament and provincial expertise.

### **Scope of Work:**

This professional will be responsible for the following:

#### A. Related to Provincial Linkage:

- a. Execute the Autonomous Region of Bougainville's House of Representative support program:
  - Identify with the Speaker, the Clerk and the MHRs how best to meet this objective and to develop a one-year operational support plan of implementation for approval by the House of Representatives and the Project.
  - Coordinate work with the appropriate Parliamentary Committees so as they can contribute to the Government's Program in this domain.
  - Provide appropriate skills development for the relevant MHRs in the area of reconciliation and peace promotion and consolidation.
  - Provide for at least three field level workshops for the MHRs to contribute to reconciliation and peace promotion:
    - At least one workshop will include members of armed combatant groups that have not been fully incorporated into the peace process.
    - At least one workshop will be to increase gender-balancing in reconciliation and peace promotion and consolidation.
  - Assist the House of Representative in strengthening their budgetary and governmental program monitoring capacity from the perspective of peace promotion and reconciliation.
  - Produce a Report for the House of Representatives and the National Parliament, based on the experiences garnered as to how a legislative body can best contribute to the promotion and consolidation of peace.

## UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

- b. Promote and facilitate an exchange of information, critical documents and support between the House of Representative of the Autonomous Region of Bougainville and the National Parliament of Papua New Guinea, as well as for other provincial legislative bodies. Specific activities will be identified on an on-going basis.
  - c. Initiate the provincial linkage programs with the other two priority provincial legislative bodies and verify the acceptability of an HIV/AIDS focus for the Eastern Highlands Province and a gender focus for the Morobe Bay Province as their areas of central substantive support from the Project. Alternative focuses can be accepted.
- B. Parliamentary Committee Strengthening:
- a. Identify with the Committee Chairpersons, the Clerk and the Project at least one Select Committee such as the Ombudsman Committee, and at least one Permanent Committee, such as the Appointments Committee, to provide hands-on assistance from identifying a pertinent issue with its agenda, through a review of pertinent legislation, budgetary issues that affect the issue, governmental and non-governmental activities that affect the issue to produce one or more reports to be tabled and with follow-up on recommendations made.
  - b. Through the hands-on support contribute to identifying issues, both structural and cultural that obstructs the effective functioning of committees and make pragmatic recommendations to overcome these obstacles.
  - c. Provide oversight and guidance to the Project on all its committee strengthening work.
- C. General Over-sight and Guidance:
- a. Provide overall political guidance to the Project.
  - b. Participate in all review and planning exercises of the Project.

### **Outputs for 2006:**

1. The planning, implementation and evaluation of a peace consolidation/ peace promotion program for the House of Representatives of the Autonomous Region of Bougainville.
2. A House of Representatives Peace Plan
3. Individual Parliamentary Committees Plan of Action
4. Orientation material for reconciliation and peace promotion and consolidation for the MPs.
5. Training of at least 25 Members of the House of Representation in reconciliation, peace promotion techniques and methodologies.
6. Three workshops that will include dealing with armed-groups and women.
7. An orientation manual for continued work in peace promotion
8. An end-of Project analytical Report to help orient future involvement by the House of Representatives and for other legislative bodies in PNG.
9. At least two Parliamentary Committee Reports tabled in the National Parliament with recommendations.
10. A report identifying structural and cultural difficulties that impede the effectiveness of the committee system with pragmatic recommendations for surmounting these obstacles
11. An effective and coordinated programming on the part of the Project in two of its most critical operational areas of Provincial linkages and Parliamentary Committees.
12. Political sound program planning, evaluation and implementation.

# UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

## Annex 03: Terms of Reference for Research/Training Coordinator

Job Title:	Research/Trainer Coordinator
Project Name and ID:	Support to National Parliament Project
Duty Station:	Port Moresby, Papua New Guinea
Duration:	36 Months
Starting Date:	January 2006

### Duties and Responsibilities:

Working under the overall supervision of the Project Manager and with the guidance of the Chief Technical Advisor, the Research/Trainer Coordinator will be responsible for the compilation and presentation of all the research and the coordination of all the training required by the Project. Within this context the Research/Trainer Coordinator will undertake the following:

- Coordinate all research and training required by the Project;
- Design a Research/training work plan that identifies tasks, responsibilities, and sources of information, methodologies of research, and cost and other input requirements;
- Provide hands-on support to the Parliamentary Committees, the Committee Secretariat, the Research Unit, the Training Staff of the Human Resource Division of the Parliamentary Service, and the Inter-parliamentary Relations Unit;
- Participate in the design, implementation, monitoring and evaluation of the research and training components of the Parliamentary Service;
- Develop a set of criteria, in consultation with the stakeholders, and select the officials of Parliamentary Services for the study tours and on-the-job training programmes;
- Participate in the Planning Activity of the Project for the Parliamentary Service;
- Develop the Terms of References (TORs) for the international and local consultants and the service contractors;
- Supervise the research and training of all external providers;
- Liaise with national and international relevant research and provider of information institutions.
- Support the Project Manager in the preparation of all reports, media disseminations;
- Coordinate and prepare for distribution all research and planning documents of the Project, including Power Point presentations for final approval of the CTA and Project Manager; and
- Perform other related functions as oriented by the Project Manager.

### Qualifications:

- Minimum of five years experience in research and training;
- Capable of coordination, supervision, monitoring and evaluation of project activities;
- Capable producer of professional documents;
- Highly computer literate including in Word, Excel and Power Point;
- Advantageous to have institutional capacity building experience;
- A basic knowledge of rules and laws governing Parliament and its work;
- Ability to work with Senior Parliament Staff and key Public Figures; and
- Diplomatic, sensitive and non-partisan politically

# UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

## Annex 04: Terms of Reference for Administrative Assistant

Job Title: Administrative Assistant  
Project Name and ID: Support to National Parliament Project  
Duty Station: Port Moresby, Papua New Guinea  
Duration: 36 Months  
Starting Date: January 2006

### Duties and Responsibilities:

Under the overall supervision of the National Project Manager in consultation with the Chief Technical Advisor (CTA), based in the Project Implementation Unit (PIU) at Parliamentary Service, the Administrative Assistant will assist in the smooth management of the project's day-to-day administrative, financial and office matters. As the execution of Project will follow the Direct Execution Modality (DEX) of UNDP, the incumbent, in consultation with the UNDP Country Office (CO), will follow the UNDP procedures in performing his/ her following duties and responsibilities:

- Liaise with the Administrative and Finance Sections of UNDP CO to ensure authorization and prompt processing of all relevant requests in relation to project activities;
- Ensure that all the requests for administrative action include necessary documentation is available;
- Monitor the administrative and other related expenditures, and ensure that these are within the allocation approved by the UNDP CO
- Support the National Project Manager in all interactions dependent on Atlas;
- Prepare detailed cost estimates and participate in budget analysis and projections as required;
- Assist in project budget revisions required time to time;
- Maintain records for keeping track of payments under subcontracts;
- Analyze and evaluate procurement requisitions, verify and ascertain the adequacy of specifications, Torso, target dates, sources of materials and contracts/ vendors, and assist in preparing shortlists for procurement;
- For travel authorizations ensure that the account code is correct and compute the DSA of the traveller and process the travel claims submitted;
- Make project related travel arrangements, required during the implementation of activities;
- Organize and coordinate shipping of orders as and when required; and resolve post order problems for purchases, i.e. shipping delays, commissioning of equipment, incorrect deliveries, order cancellations, liquidated damages and other issues;
- Assist in organizing project activities, such as workshops, training sessions, seminars and meetings;
- Assist in organizing overseas study tours and on-the-job training for the officials of Parliamentary Services;
- Participate in the meetings, and prepare minutes of the meetings;
- Provide administrative and logistic backstopping in recruitment of consultants;
- Maintain supervisor's calendar of activities and appointments;
- Liaise with Parliamentary Services, other government organizations, UN agencies and NGOs on work-related matters;
- Maintain attendance and leave records of project personnel;
- Prepare contracts of project personnel in coordination with UNDP, and follow up on contract extensions;
- Receive, screen, log and route correspondence, attach necessary background information and maintain a follow-up system;
- Maintain project files, incoming and outgoing chronological files and confidential files;

## UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

- Prepare correspondence for the CTA's signature in conformity with the established procedures and accuracy of statements before being signed;
- Maintain the project equipment and assets, and update the inventories;
- Monitor the vehicle logbooks; and
- Perform other duties, if required.

### **Qualifications:**

- Completion of Secondary Education;
- Fully conversant with computer and office automation techniques;
- Five years working experience in general administration;
- Full working knowledge of English;
- Working experience in any UN agencies and NGOs will be desirable, but not required;
- Familiarity with the UNDP "Atlas" financial management skills will be highly advantageous;
- Excellent organizational skills;
- Ability to perform multi-tasks;
- Hardworking and meeting deadlines; and
- Pleasant personality.



# UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

## **Annex 05: Terms of Reference for Project Driver**

Job Title:	Driver
Project Name and ID:	Support to National Parliament Project
Duty Station:	Port Moresby, Papua New Guinea, with travel within PNG
Duration:	36 Months
Starting Date:	January 2006

### **Duties and Responsibilities:**

Under the overall supervision of the National Project Manager and under the direct supervision of the Administrative Assistant, the Project Driver will undertake the following duties and responsibilities:

- Drive the project team members to and from appointments on daily basis;
- Deliver messages, letters and other official documents/ papers to the officials of different departments, agencies and organizations;
- Drive counterpart staff of the Parliamentary Service and of the MPs within the framework of the Project's programs under the coordination of the Administrative Assistant;
- Maintain vehicles in a clean and safe condition, including vehicle radio communications;
- Maintain vehicle logs and keep records;
- Undertake administrative, data entry, reception and other duties as required; and
- Work flexible hours as required.

### **Qualifications:**

- Must have a valid driving license;
- High School/ Middle English School certificate;
- Have 5 years of safe driving experience;
- Punctual;
- Reliable and honest; and
- Must be of sober habits.

# UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

## Annex 06: Terms of Reference for Reference for Documentalist/ Trainer

Post Title	:	Documentalist Trainer (DT)
Duty Station	:	PNG National Parliament, Port Moresby
Duration		12 months
Date Required		March, 2007

### Duties and Responsibilities:

Under the overall supervision of the Director of Administrative Services and direct supervision of the Senior Librarian, the Documentalist/Trainer (DT) will undertake the following duties and responsibilities:

- Develop and/or recommend to Parliamentary Service, appropriate document management systems and services necessary for the description, organizing and maintaining of both materials tabled in parliament, and those produced by parliament;
- Develop and/or recommend to Parliamentary Service, systems for the capture and conversion into electronic or digital format, parliamentary papers and publications;
- Prepare and advice to Parliamentary Service a work plan/schedule for the duration of the project, and provide regular monthly reports on the progress of the project;
- Advise on appropriate hardware and software necessary for establishing and maintaining of a records management system for parliamentary papers and publications;
- Develop working linkages and liaisons between Bills and Papers and other information production and handling entities within the Parliamentary Service, such as the Library, Hansard, and Office of the Parliamentary Counsel, Inter-Parliamentary Relations Office and the Committees Secretariat for the development of a cohesive and coordinated information delivery service to Parliament;
- Develop appropriate indexes, publications and appropriate information seeking/research aiding tools for ease of access and identification of bills, parliamentary papers, and other parliamentary publications;
- Prepare a policy document/manual on the operating, managing and maintaining procedures of bills; parliamentary papers and other parliamentary publications;
- Conduct a skills audit of counterpart (Bills and Papers, Library and Hansard) staff; and
- Design training package and provide hands-on training of counterpart staff to maintain established systems of operation and procedures.
- Prepare and submit monthly progress reports during the course of the project to the Project Manager of the UNDP Support Project, to the PNG National Parliament and the Director of PS Administration, with a final report to be submitted two weeks before the end of the project.

### Qualifications:

- Post-graduate qualification in Library and/or Information Science;

## UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

- Substantial work experience in modern IT led libraries or document handling facilities;
- Experience in similar projects;
- Experience working in parliamentary libraries highly desirable;
- PNG or South Pacific experience advantageous;
- Good communication skills;
- Sound knowledge of parliamentary process;
- Understanding of sensitivity of working with parliamentary information, and MPs; and
- Good people skills

**Conditions and Level of Appointment:** 12 months UN assignment

### MILESTONES

	Deliverables	Expected Time Frame for Accomplishment (Months after appointment)
1	Complete Skills Audit and Systems Analysis	1
2	Setup electronic database	3
3	Complete Work Manual for Database and Procedures for production of indexes and information tools	5
4	Complete systems for conversion of documents to electronic format	7
5	Complete Work Manual for document conversion procedures	8
6	Establish Training Programme for counterpart staff	9
7	Setup Archive System within Bills and Papers	10
8	Final Report with recommendations	12

# UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

## Annex 07: Terms of Reference for Parliamentary Researcher/ Trainer

Post Title : Parliamentary Researcher Trainer (LRT)  
Duty Station : PNG National Parliament, Port Moresby, NCD, Papua New Guinea  
Duration : 12 months  
Date Required : March 2006

### Duties and Responsibilities:

Under the overall guidance of the Director, Administrative Services, and the direct supervision of Senior Manager of Information Support, the Parliamentary Researcher Trainer (LRT) will be responsible for the following:

- Provide nonpartisan professional legal and social-economic research analysis and written assistance to Parliamentary Committees and individual MPs;
- Coordinate with legal drafters to provide bills and amendment drafting assistance, and legal advice to Parliamentary Committees and individual MP's;
- Assist in the identifying of Annual Plan of Activities and defining of priorities for each Parliamentary Committee'
- Create an electronic database of experts, both institutions and individuals, for purposes of referring issues before Parliament.
- Design and set up an electronic system to register and file legal and social-economic research documents and correspondence;
- Prepare the 'Legislative Digest' for the past year;
- Produce a work manual for legal and social-economic research;
- Conduct skills audit of counterpart Parliamentary Service staff;
- Design a training programme and provide hands-on training to counterpart staff; and
- Follow-up and report on work progress to Parliament Service;
- Provide Monthly Progress Reports to the Project Manager of UNDP Project Support to the PNG National Parliament., through the Senior Manager of Information Support and the Director of Administration.; and
- Submit final report to the Project Manager of UNDP Project Support to the PNG National Parliament, two weeks before the end of the assignment.

### Qualifications:

- Minimum of Bachelor Degree in Law or relevant subject area;
- At least five years experience in legal and social-economic research work for parliaments and/or other governance and human rights institutions and/or organizations;
- Experience working in parliamentary legal research highly desirable;
- PNG or South Pacific experience advantageous;
- Training experience;
- Sound knowledge of parliament process;
- Understanding of sensitivity of working with parliamentary information, and MP's;
- Highly skilled in electronic/internet research, and
- Culturally sensitive and adaptable.

**Conditions and Level of Appointment:** 12 months UN assignment

## UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

### MILESTONES

Deliverables		Expected Time Frame for Accomplishment (Months after appointment)
1	Complete Skills Audit and Analysis of Legal-Social-economic Research requirements	2
2	Setup electronic register of documents and research papers, and filing system	4
3	Complete survey of pool of experts and design of experts database	6
4	Establish training programme for counterpart staff	7
5	Complete Work Manual for Legal –social-economic Research	9
6	Final report with recommendations	12

# UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

## Annex 08: Terms of Reference for Legal Drafter

Post Title : Legal Drafter (LT)  
Duty Station : PNG National Parliament, Port Moresby, NCD, Papua New Guinea  
Duration : 12 months  
Date Required : March 2006

### Duties and Responsibilities;

Under the supervision of the Clerk of Papua New Guinea National Parliament, and the management of the Head of the Legal Division, the Legal Drafter will undertake the following responsibilities:

- Conduct research or studies of judicial nature, and prepare drafts of proposed acts or legislation for the Parliament and individual MPs;
- Follow the various phases of legislative proceedings, provide technical support pertaining to the regimental or statutory rules that may be requested by the Speaker, the Members of Parliament or by the Clerk;
- Train young Lawyers in the techniques of making of laws, drafting the texts of bills, petitions, motions and regulations and other legal documents related to the proceeding of the Parliament; and
- Provide Monthly Progress Reports to the Project Manager of UNDP Project Support to the PNG National Parliament., through the Senior Manager of Information Support and the Director of Administration.; and
- Submit final report to the Project Manager of UNDP Project Support to the PNG National Parliament, two weeks before the end of the assignment.

**Requirements for transfer of skills and knowledge:** List of knowledge/skills that the PNG counterpart staff are expected to acquire through on-the-job training, coaching and mentoring by the Service Provider:

- ◇ Drafting acts or legislation of Parliament and other documents related to the proceedings of the Parliament;
- ◇ Technical advice and support to the plenary and permanent Committees;
- Supporting the Speaker and the Clerk on legal framework, for legislation that are up for decision making;
- ◇ Collecting, filing and maintaining an up to date record of legislation, jurisprudence and doctrines that are pertinent to a specific activity in the Parliament; and
- ◇ Developing concepts, formulating activities, and verifying contents of legislative enactment before they are submitted to the Plenary and the Committees.

### Requirements for Systems and Processes to be developed:

- ◇ Legislative proceedings, in-house regulations, preparation of technical documents, methodology for filing records and general legislative functions;
- ◇ Instruction manuals or standard operating procedures to comprehend the way and manner under which the activities in the National Parliament are developed and how to support the Plenary and the Committees; and
- ◇ Training programs on the role of technical-judicial drafter/supporter.

## UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

### Qualifications:

- Degree in Law, with specialization in legislative drafting
- More than 10 years experience as a legal Advisor or Counselor on making or drafting legislation, and providing support to Parliament or Cabinet or relevant legislative drafting body;
- Knowledge of information technology such as word processing, database, multi-media presentations and internet networking;
- Skills in information transfer;
- Proficient in oral and written communication; self-sufficient; and capable of expressing clear ideas;
- Measure up to commitment; deliver on deadlines;
- South Pacific or Papua New Guinea experience highly advantageous; and
- Demonstrated ability to work with other cultures.

### MILESTONES:

Deliverables		time frame in months:
1	Direct drafting support to at least 6 pieces of legislation	1st within 3 months
2	Manual for legislative drafting	6
3	Legal Guidelines for recruiting and the selection of Parliamentary Service personnel, in accordance with proposed modification of regulations.	6
4	Orientation booklet for the Members of Parliament on the legislative process and the support that can be provided by the legal unit of the PS	6
5	Establish training programme for counterpart staff	7
6	Final	12

# UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

## **Annex 09: Terms of Reference for Project Steering Committee**

### **The Project Steering Committee:**

Strengthening Aid Coordination and Management Capacity – Support to National Parliament (PA)

### **Institutional Background:**

The Project Steering Committee (PSC) is being established to oversee and direct project implementation and in conformity with the project execution modality: The project is UNDP Direct Executed (DEX) with the National Parliament's Parliamentary Service as implementing partner.

### **Composition of the Project Steering Committee:**

The management of the project shall be administered by the Project Steering Committee, which shall consist of:

- The Clerk of the Parliament and/or the Director of Administration Services as his alternate-Chairperson;
- The Chairperson, or his/her nominee, of the Permanent House Committee-which through the Clerk's Office, will provide the interface of the Project with the Parliament;
- Representative from Senior DNPRD Management- Member;
- The UNDP Deputy Resident Representative and/or his/her designated officer (Deputy Chairperson);
- Major Donor-Members; and
- National Project Manager and Chief Technical Advisor (CTA) /as Ex-Officio;

### **Meetings and quorum of the Project Steering Committee:**

The PSC shall meet on quarterly basis or as required by the Chairman as the need arises. PSC meeting may be called to take place at such date, venue and time as may be determined by:

The Chairperson; or

The Deputy Chairperson; or

Any three (3) members of the PSC that must include representation of both the PS and UNDP.

Written notice of a meeting of the Committee shall be given by Project Manager to each member of the Committee at least three (3) days or such other period as may be unanimously agreed upon by the members of the Executive Committee) before the time appointed for the holding of the meeting. Notice of a meeting given under paragraph (a) shall specify the general nature of the business to be transacted at the meeting and any other business the members present at the meeting unanimously agree to treat as urgent business.

Three (3) members of the PSC shall constitute a quorum for the transaction of the business of a meeting of the Committee of at least one (1) from the Parliamentary Service and one (1) UNDP representative is present.

In the event of a lack of quorum the meeting stands adjourned for such period as the members present may agree to and shall set another time convenient.

At a meeting of the PSC:

## UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

(i) The Chairperson or, in the Chairperson's absence, the Deputy-Chairperson shall preside; The Project Manager and/or the CTA should be present as observers and to report on the progress of the project. The Project Manager will submit a written progress report to PSC members at least 3 days before the meeting takes place.

(ii) Voting on Decisions by the Project Steering & Advisory Committee:

- Questions arising at a meeting of the PSC shall be determined by a simple majority of the votes of members present at the meeting;
- Each member present at a meeting of the Committee is entitled to one vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote;
- The Steering Committee decisions can only be overridden by a 'veto' vote of the House Committee;
- All decisions shall be recorded in the minutes of the respective PSC meeting; and
- All minutes shall be approved at the beginning of subsequent PSC meeting.

### **Scope of Responsibility:**

The Project Steering Committee shall oversee the implementation of the project including:

- Setting policy directions and guidelines in the implementation of the project, including the process for recruitment, acquisition of assets, strategies and plans in the implementation of the project.
- Shall in the light of progress of project implementation, deliberate and make decisions conducive to the advancement of the project;
- Shall comment on and endorse work plans submitted by the Project Manager;
- Provide instructions and guidance to the Project Manager on the coordination of the project implementation;
- Shall take any other decisions with regard to the project to ensure its proper execution and delivery; and
- Shall ensure that the project is executed; completed and available funds are spent within their allotted period on an annual basis.

Approved: 31, May 2005,  
Modified for Approval: 11, August, 2005

### **Annex 10: Timetable of Activities**

#### **TIMETABLE OF ACTIVITIES:**

UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

OUTPUTS	2006	2007	2008
1.1 Improved ITC	Continued support to establishing an internet café for use by staff and MPs.		
	Supply of ITC hardware and software	Supply of ITC hardware and software	Supply of ITC hardware and software
	Continued support to putting Hansard and other key Parliament documents on-line in accessible programs		
	Provision of a wide-range of ITC training for MPs and Staff	Provision of a wide-range of ITC training for MPs and Staff	Provision of a wide-range of ITC training for MPs and Staff
	A 6-month one-year Parliamentary Research Specialist for hands-on up-grading of skills of Library and Research Units		
		Plan including fiscal component for putting Parliament completely on-line	
1.2. Strengthened Human Resource Management	Input of measurable monitoring and evaluation items in all job descriptions		
	Support to the Corporate Planning Process		
	Support to the Training Planning Process		
	Support implementation of Training in the areas of technical, administrative, financial and subject-specific skills	Support implementation of Training in the areas of technical, administrative, financial and subject-specific skills	Support implementation of Training in the areas of technical, administrative, financial and subject-specific skills
	Introduce electronic data base		
	Introduce management electronic practices for communication		
	Reinforce vertical and horizontal exchange of information	Reinforce vertical and horizontal exchange of information	
1.3. Strengthen PS divisions essential to the good	These units will be the priority areas for all the activities identified	These units will be the priority areas for all the activities identified	These units will be the priority areas for all the activities identified

UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

functioning of the plenary and committees and linkage to the provinces, namely: Bills and Papers; Reporting (Hansard); Committee Secretariat, Drafting and Legal Services; and Information Services (Library)	above in terms of training, personnel/consultancies, equipment, etc.	above in terms of training, personnel/consultancies, equipment, etc.	above in terms of training, personnel/consultancies, equipment, etc.
		Provide a legal research consultancy for one-year to build up local capacity	
		Identify and cost alternative external sources of expertise to be included in annual PS budget	
1.4. General Support to PS	On-going support from the Project Staff	On-going support from the Project Staff	
	Short-term External consultancies as per need	Short-term External consultancies as per need	
	Short-term External consultancies as per need	External research requirements as per need	Short-term External consultancies as per need
	Providing conduit for other international support	Providing conduit for other international support	Providing conduit for other international support
2.1.Reinvigorate 6 critical committees:	Strengthening PS Committee Secretariat and other relevant divisions of the PS	Strengthening PS Committee Secretariat and other relevant divisions of the PS	
	Strengthen Technical Support through training program	Strengthen Technical Support through training program	Strengthen Technical Support through training program
		Exchange and workshops for Committee Members	Exchange and workshops for Committee Members
	Providing conduit for other international support	Providing conduit for other international support	Providing conduit for other international support
		Formulation of needed legislation	
3.1. Improved Exchange of	IT support to better communicate with pilot	IT support to better communicate with pilot	

UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

Information between the Provincial Parliaments of Bougainville, Morobe and Eastern Highlands Provinces and the National Parliament	provinces-first Province of Bougainville	Provinces; Morobe and Eastern Highlands.	
3.2.Improved functioning of the Provincial Parliaments	Sharing of Central Level key operational information in the form of documents, etc. applicable to the Provincial Legislature of Bougainville	Sharing of Central Level key operational information in the form of documents, etc. applicable to the three provincial legislatures	Sharing of Central Level key operational information in the form of documents, etc. applicable to the three provincial legislatures
	Support Training provided by the National PS to the Provincial House of Representatives of Bougainville	Support Training provided by the National PS to the three targeted provincial legislatures	Support Training provided by the National PS to the three provincial legislatures
3.3.Plan of a comprehensive linkage program			Based on the experience of the pilot links design a plan to extend similar support to the other provincial legislatures.
4.1 General reinforcement of MPs knowledge regarding the critical functions and mechanisms of Parliament		Induction Peer-exchange workshop	
4.2 Increased gender-focused and gender balancing		Poverty alleviation and gender budget monitoring workshop	
4.3.Critical legislation environment improved	Research support to review and propose modification in laws	Research support to review and propose modification in laws	
4.4.Stengthened representational function		Perception research regarding roles and functioning of parliament	
		Identification and	

UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

		advocacy of new options for citizen input into the parliamentary process	
4.6.Strengthening 6 critical Committees to improve monitoring and legislative functions		Research support to review and propose modification in laws	
	Organize external exchanges	Organizing external exchanges	Organizing external exchanges

# UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

## Annex 11: Strengthening the Parliamentary Committees

### Introduction:

The National Parliament, to be more effective as a legislature, must take a pragmatic approach to improving and strengthening the way parliamentary committees function in this country. This can only be done by convincing the Parliament to take some bold and practical steps and the sooner this is done the better.

Parliamentary committees are an extension of the Parliament and are essential to its proper functioning. When they do function well, they provide a very effective supervisory role over the business of the House and for monitoring the Executive's decisions and functioning. Committees provide a resource base and leverage to parliaments through research and information that is not normally available immediately in the plenary. The most effective Parliaments anywhere in the world are those that have a strong, well managed and effective Committee system.

The task of strengthening the Parliamentary Committees in PNG Parliament will involve the UNDP Project, the Committee Secretariat, the Chairmen and members of committees and other departments and divisions in the Parliamentary Service. Most importantly, it will require willingness and a strong commitment from the Clerk and the Speaker to take critical decisions and insist that accompanying remedial actions occur in a timely manner.

### Understanding the issues:

To understand the issues, the Project first met with 8 Chairmen of Committees on 10 June 2005. The Chairmen present took the opportunity to air their concerns, raised questions, sought clarifications and explanations and advanced suggestions that are helpful in understanding the current shortcomings in the operations of the committees and how these shortcomings might be overcome. A further two separate meetings were convened by the Project during the same month of June with staff of the Committee Secretariat, Library/Research/Legal and two former senior parliamentary officers who possessed substantial knowledge and experience in the areas of committees' functions. Discussions included an assessment of the current strengths and weaknesses of the committees and shed light on how committees in PNG are legally defined, the effectiveness of the roles of committee members and resources and support provided to committees.

From meeting with these two critical groups along with different written reviews and support to the PAC recruitment of legal and accounting consultants, the following issues were identified as being of serious concern:

- ◇The numbers of committees (39) and size of memberships needs to be rationalized;
- ◇There appears to be four generic types or categories of committees and their generic TORs do not clearly define the purposes for which they were established, their relationships with government and civil society, their procedures and methodologies;
- ◇Committee-specific TORs in many cases are not precise enough or non-existent;
- ◇Inadequacy of briefs and support to Chairmen of Committees;
- ◇inadequate documentation and keeping of records for historical tracking of the work of specific committees;
- ◇Lack of planning and budgeting for the most effective use of financial and human resources;
- ◇Weakened capacity of the Secretariat and Research Division so that they are no longer able to provide more than minimum service to the committees;

## UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

- ◇ Inadequate training of committee staff, as well as other support staff;
- ◇ Lack of or non-compliance with discipline, rules and procedures for committee meetings; and
- ◇ Serious lack of Outputs from the committees (Reports to Parliament, etc)

### **APPROACH TO ADDRESS THESE ISSUES:**

It was felt that the approach should be non-confrontational due to remuneration, work ethic and overall weak resources issues that could defeat any serious improvement. Instead a step-by-step methodology was considered to be more appropriate which would have three critical phases:

- (i) Concentrated support to selected committees;
- (ii) Review and amendment of needed legislation to address the overall re-activation of committees; and
- (iii) Consolidating a longer-term support structure to ensure the well functioning of the committees.

### **Phase One: Concentration on Selected Committees.**

Considering the Project's resource base and the issues to be addressed, the most viable approach determined is to concentrate the Project's initial efforts on improving the effectiveness of up to 8 key critical committees in the terms of direct support and indirect support through existing Parliamentary Service Units. The actual selection of the Committees will depend on a political process but the following criteria should determine the selection:

- Critical to the functions of parliament such as legislation and budget monitoring;
- Critical concerns to PNG's development such as HIV/AIDS;
- High level of willingness and commitment of the Chairs and the committee members to radically improve their committee's work; and
- Potential for obtaining significant improvements and demonstrable results to reinforce the need for a complete revitalization of these parliamentary mechanisms such as the PAC and Appointments Committees.

### **Phase Two: Legislation for Improved Committees:**

Based on what was learnt in Phase One, legislation for improving the functioning of the committees will be drafted for passage by the end of the present Government, so as when the new Government enters in 2007, a comprehensive revitalized committee system will be in place.

### **Phase Three: Consolidation of a Revitalized Committee System.**

This will start after the 2007 elections once the new Parliament is in place. Support started in the earlier phase will now be expanded to include all the committees. This phase will be initiated with the post-election induction workshop for the in-coming MPs.

### **Methodology:**

General: The Project, in cooperation with the Committees Secretariat will convene with the chairs of all the committees to discuss the intended support program and have them select the committees to participate in phase one. The next step will be to conduct a workshop with the selected Chairs to

Develop a specific support program for each of them within budgetary constraints. The workshop with the Chairs will then be followed-up with the entire committee membership of each committee

## UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

selected.

Simultaneously the Project will work with the Secretariat and other pertinent bodies of the Parliamentary Service to develop and support their working relationship with the committees selected. As well a short-term consultancy will be given to a national expert to begin work on the legal issues that presently constrain the functioning of the committees.

This process will be highly pragmatic and participatory with the Project acting as the facilitator and the Chairs, Committees and the relevant PS units will undertake the following activities:

- Identifying the problems and weaknesses;
- Determining the necessary steps and invoking practical solutions to overcome these difficulties;
- Ensuring that any remedial measures taken are affordable and sustainable; and,
- Putting in place monitoring mechanisms and methods to guard against a reoccurrence of the same problems and weaknesses.

### **Specific aspects: More specifically, this process will:**

Draft or extract TOR of all the committees that have been identified for first up assistance.  
Engage the Chairmen and later full membership of the committees and brainstorm the TOR in a highly participatory atmosphere.  
Engage the Chairmen in discussing what they perceive as their roles and functions and their views on how to improve operations of their respective committees.  
Seek contributions on these from Committee Secretariat staff in the presence of the Chairmen.  
Discuss adequacy of legislation (including likely improvements) pertaining to the roles, powers and function of the Committees.  
Discuss the work plans, programs, rules, procedures that will improve operations and performance of the Committees  
Discuss visits by/to peer colleague Parliaments that have an effective committee system.  
Get the Chairmen to pick a Committee to be supported for a week to produce a report on a pertinent or topical issue for presentation to the Parliament.  
Discuss problems and weaknesses identified above, suggesting the way forward.  
Identify the best and most effective way for Committees to bring about positive influence or change to the plenary.

It is essential to recognize that the support to the PAC had already been identified as critical and the decision to support this Committee by AusAID preceded the launching of the UNDP Project, although the actual support activities are subsumed within the UNDP Project. To date, this has entailed supporting the development of TORs and the recruitment process of one legal and one accounting advisor to provide direct expert support to this committee. Once the consultants are in place, the Project will provide monitoring functions for this support and help integrate this committee-specific support into the larger support to committees.

### **Process Outputs: The intended Outputs of this process are as follows:**

Clarification and further specification of Committee TORs;  
Establishing consensus-based procedural/methodology TORs for the committees;  
Identifying critical PS support required and how to obtain it; and  
Finalizing the Project support to be provided

*Timeframe:* The above Process should be completed within the timeframe of the Preparatory Assistance Phase of UNDP's Support to the Parliament Project so as the concentrated support

## UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

program that will result can begin in early 2006.

*Project-specific inputs:* Some of the critical actions to support the strengthening of the PNG's Parliamentary Committees are:

- Hands-on strengthening of the support offered by the Committees Secretariat;
- IT equipment and training support to the relevant units;
- Strengthening the research capacity of the PS through:
  - Developing links to national research bodies;
  - Placement of a research specialist for one year;
  - Facilitate the placement of a legal and an accounting expert in the PAC;
  - Three-years support to legal drafting; and
  - Placement of a documentalist in the PS for one year.
- Development of manuals both generic and committee specific;
- Consultancy to prepare the legislation and other legal documents;
- Hands-on strengthening of the selected committees through a series of workshops and one-on-one consultations;
- Induction workshop for in-coming MPs to orient the revitalized committee system;
- Support to the provincial parliaments to help establish their committee systems;
- Continued support in the form of short-term consultancies, cooperation agreements with other Parliaments for on-going committee exchanges and mutual collaboration, etc.; and
- Providing a conduit for other external support to the committees.

### **Intended outcome and outputs:**

*Outcome:* Through the revitalization of the Parliamentary Committee system, enrich the capacity of the Parliament to fulfill their intended roles of legislation, oversight and representation.

#### *Outputs:*

- needed legislation to revitalize the committee system;
- improved generic procedural TORs for the different types of committees;
- clear mandated and operational TORs for each committee;
- operational manuals to guide the work of the Committee Secretariat;
- improved quality of PS support to the committees;
- improved informational base for the functioning of the committees; and
- Committees playing a more active role in the parliamentary processes.

# UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

## **Annex 12: Strengthening Legislative Linkages in PNG**

One of the Project's components is to strengthen the linkage between the national and provincial parliaments. There are various reasons for this. The first and most obvious is to allow the various levels to benefit from the experiences, particularly institutional of the other level. In this case the PNG National Parliament has been functioning for thirty years and its parliamentary service has an impressive accumulation of processes, procedures and documental support that can be useful to the provincial assemblies. The second reason is stimulating democracy at one level can have a beneficial effect on the other. For example, by supporting the committee system, or the Clerk system, at the provincial levels can provide interesting experiences that may have some positive contribution for the national level or at least for the other provinces.

Under the present Project design, 100,000 US Dollars is budgeted to support this linkage focusing on three provinces over a three year period. The proposal was to start with the linkage with the newly created House of Representatives of the Autonomous Region of Bougainville (ARB).

In October, 2005 the Project sent a Mission to the ARB to support the House of Representatives in the establishment of its committee system while at the same time evaluating with the Clerk and the Speaker what future form of support from the Project would be most useful. (Related to the first object please refer to the Mission Report.)

What became apparent was the need not only to support the Provincial Legislature but also to help develop mechanism to motivate and mobilize the existing locally-available resources of the representatives and legislature bureaucracies. A key mobilization motivation was determined to be critical to the success of this component, but it needed to be complimented by developing a systemic interactive methodology to link the two levels of legislatures as well as providing advisory services on an ad-hoc basis. Added to this was the need for the dissemination of the experiences gained with the other provinces.

In summation, a four-pronged programming was conceived, based on the following four major activities:

- Determine and support a central motivational component for each provincial legislature as well as the vehicle, such as the committee system, to promote this component.
- Develop a mutually interactive mechanism for the exchange of critical information, particularly related to procedures and processes. Having a National Parliament website with a web master will facilitate this as long as the provincial legislative services have internet access.
- The Project staff needs to be available to provide advice on an ad-hoc basis. An example of this was the support provided to the ARB to clarify some of the functional conditions of the mechanism of legislative committee systems.
- Support the dissemination of the experiences gained with the other provinces. One example would be to support periodic workshops, such as the Clerks Workshop anticipated for this year. Another example would be taking the lessons learnt from one province to another province to determine if they are applicable.

For the ARB's House of Representatives; this model would take the motivational/mobilize of Peace promotion and consolidation for this initial legislature. The suggestion of how to do this component support would be to offer a 'task-based' consultancy to help develop the House of Representatives and its Peace Promotion and Reconciliation Committee into a value-added 'facilitator' of this process. The consultancy would cover professional personnel and operational costs and project money for various levels of workshops with: the House of Representatives and its

## UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

committees; affected communities and interest groups of the ARB; with the National Parliament of PNG and other provinces for sharing of lessons learnt.

# UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

## Annex 13: Strengthening Gender Balancing

### Current status of women in Parliament in Papua New Guinea.

Papua New Guineans are caught between the international expectations as to the status of women and traditional understanding of the role of women. Pressure on successive governments to effectively address the gender issue is driven by both a conviction to recognize and support the role of women and an obligation to honor international conventions of which PNG is party to; such as its ratification of the Convention on Elimination of All Forms of Discrimination Against Women (CEDAW) in 1994.

From independence, the equality of women was envisaged as reflected in the Preamble of the Constitution. The National Goals and Directive Principles make specific reference to role of women in PNG Society. The first goal, Integral Human Development, calls for “everyone to be involved in our endeavors to achieve integral human development of the whole person for every person and to seek fulfillment through his or her contribution to the common good”. This was further reinforced in the second goal, Equality and Participation, which states; “We declare our second goal to be for all citizens to have an equal opportunity to participate in, and benefit from, the development of our country”, and “ we accordingly call for ‘Equal participation by women citizens in all political, economic, social and religious activities.’” Finally, this was complimented by Division 3 Sections 32-56 of the National Goals and Directive Principles which guarantees the Basic Rights of every Papua New Guinean.

Subsequently, Papua New Guinea Governments had attempted to establish a level playing field to enable women to participate equally with men in the affairs of the country. Among the key commitments by the government since the 1970s are:

- The appointment of a Women’s Adviser to the Prime Minister in 1974;
- The creation of a Women’s Unit in the Department of Decentralization and subsequent appointment of Women’s Activity Officer in all provinces of Papua New Guinea;
- The establishment of the National Council of Women under an Act of Parliament in 1979;
- The Upgrading of the Women’s Section to Divisional Status in 1983;
- The establishment of the National Women’s Development Program in 1984;
- The establishment of the National Women’s Policy in 1990; and
- The Women’s Division Five-Year Management Plan in 1995

While some progress has been made toward enhancing the status of women, the overall results have been mixed. It is generally recognized that the incorporation of women into positions of authority in the political domains of Papua New Guinea such as Parliament and the public service is incomplete. In the current Parliament there is only one female Member, Hon. Dame Carol Kidu. Since independence only four women have served in the National Parliament. Few women have served as Cabinet Ministers. The number of women in the senior ranks of the public service is limited. Women do hold senior positions but disproportionately to men. The majority of women in the public service, however, are employed in lower level, primarily clerical positions.

This very poor gender balance is reflected in civil society where women contribute only 18% of the GNP and where over 50% of all PNG women have been assaulted. Women in general have less access to education and the health services have not been sufficiently adapted for natal and post-natal care. In other words, the lack of gender parity and equality is one of PNG’s major developmental and human rights issues.

## UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

### **Participation of women in parliament and other institutions**

Key challenges confronting the Governments and civil societies in promoting gender balance in political representation are:

**Improved Informational Base on Gender:** There is a need for a comprehensive review based on gender sensitive criteria of the current policies and practices of the Parliament, the Government and civil society organizations aimed at moving from 'de jure' to 'de factor' equality and strengthening women's participation in political leadership, in general and women's representation, in particular.

### **Promote Gender Mainstreaming in Parliament's Methodologies:**

- increasing the representation of women in development planning especially in parliamentary working committees;
- focusing on the work programs of parliaments, the goals, strategies, resource allocation, planning and implementation process;
- promote the full and equal participation of women in decision-making in all areas and at all levels of decision-making and access to women and women NGOs to the preparation of government; and
- budgetary process and allocation of human and financial resources.

**Expanding Gender Consciousness:** There are many women who enter public life lacking a gender perspective – this should be seen as a challenge rather than an obstacle. These women can benefit from seminars and training to develop or deepen their gender perspective and contribute significantly to pushing the women's agenda.

**Involving Men in the Change Process:** Efforts should also be taken to involve men in the change process. Men's concerns and experiences should also be considered in developing strategies for change. Their understanding of women's situations would help in accelerating the formulation and implementation of gender responsive policies and programs.

**Strengthening Partnership between Government and Civil Society:** There should be a working relationship or at least dialogue and interaction among stakeholders (political parties, women elected, women NGOs) in formulating, implementing, monitoring and evaluating policy outcomes of policies and strategies on gender balance.

**Involving Constituents in the Change Process:** Women at the grassroots level - these are the constituents who ultimately have to benefit from any strategic intervention for change. They should always be consulted in the process of gender setting and advocacy work for any initiative to be acceptable and doable.

### **What the project needs to address:**

**General Guideline:** Through hands-on interactions the Project will promote Women's equal participation in Politics. The Project will follow up on targets set by the Fifth Meeting of Commonwealth Ministers Responsible for Women's Affairs and the policies and priorities identified in the Commonwealth Plan of Action for 30% of women to achieved gender equality in political representation and decision-making process with relevant government bodies and agencies by 2005.

**Add a Gender Focus in the Parliamentary Committees:** This would be done through the modifications of the TORs- both generic and specific, of the parliamentary committees

**Promote Gender-Sensitive Budgeting:** In collaboration with relevant government Departments and

## UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

Agencies to promote the use of the national budget as an instrument for ensuring that all sector programs benefit women and girls, men and boys equally. In support of this, the Project will provide several gender and poverty-alleviation sensitive workshops for monitoring budgets.

***Supporting the HIV/AIDS Committee:*** The Project will promote and monitor this parliamentary committee's work for mainstreaming gender equality in the multi sectoral response to HIV/AIDS.

***Follow-up to the CPA sponsored PNG Parliamentary Gender Workshop:*** The Project will promote and support where possible the following resolution passed in relation to gender equality and balance in political representation at this workshop that was held in July, 2005, namely:

That the PNG Government adopt an affirmative action strategy to aim for the Commonwealth Plan of Action for Gender Equality 2005-2015 target of 30% women in parliament;

The first step towards achieving this target is an amendment to Section 101 of the Constitution to provide for 20 seats in the Parliament to be reserved for women only to be elected from both men and women. The proposed amendment be enacted prior to the 2007 election; and,

The proposed amendment to the Constitution (ii) is rescinded when 30% of non-reserved seats in Parliament are held by women. (It is thought that once the 30% representation is achieved, women may be in a strong position to compete and contest for all seats on an equal footing. By then there may be no need for any constitutional guarantees.)

***Support gender balancing within the Parliamentary Service:*** This will be done by the Project through:

Assisting in the modification of policies in relation to training and recruitment to include gender equality;.

Assisting in developing training plans to include gender balance;

Conducting workshops to promote gender awareness; and

Supporting gender equality in fair representation in the management area through management workshops

***Support gender balancing through the Project's support to the Provincial Legislative Services:***

This will be done through:

Support for exchange of information through a website;

Study and exchange tours to get more information about the needs of women representatives in the provincial assemblies;

Conduct gender workshop; and

Provide short term consultancy.

# UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

## Annex 14: Strengthening the Parliamentary Service

### Preamble

The Papua New Guinea National Parliament has remained a vibrant and functional institution over the last thirty years. Over the same period, the Parliamentary Service which is responsible for the provision of advisory and administrative services to the Parliament has facilitated the successful discharge of roles and responsibilities by the Members of Parliament.

With advancing technology, the emergence of new management ideologies globally and the gradual decline in the support it has been able to offer, it became imperative for the Service to embark on a number of institutional reforming exercises. The most recent of such exercises has focused on the upper level management restructuring to date.

Institutional strengthening is one of the focuses of the UNDP Project. In that regard, it supports moves taken so far in that direction by the Parliamentary Service (PS) and through this paper provides a distillation of observations and recommendations primarily from earlier reviews. Based on this summary the Project, in consultation with the Clerk of the Parliament, has identified key areas that it feels it can pursue to assist the PS in its revitalization.

### 1.0 Recommendation: General Administration/Human Resource

*1.0.1 Restructure:* Institutional reforms are undertaken to bring about changes in organizations. Such changes are more effective when comprehensive and holistic, an approach that will better ensure effectiveness and sustainability. This type of restructuring exercises needs to be thoroughly organized and approached methodically to ensure that planned changes occur throughout the institution. Adequate budgetary support should be maintained through the development of an acceptable fiscal plan.

*1.0.2 Management Methodologies:* Organizations rely heavily on systems of job specialization, authority, information flows, discipline and control. These are all part of the formal structure of the organization and are recorded in official policies, rules, regulations and procedures. They are established to ensure that activities are co-coordinated, regulated, and predictable, and are in the long run, transparent.

It is recommended that to further enforce this, line managers be increasingly encouraged and empowered to make decisions and to take appropriate action as and when required. The resulting decentralized decision-making would need to be made accountable with checks and balances built in. Furthermore, it would help the buy-in commitment of management to the intended changes.

Comprehensive reform needs to have a focal point and it is suggested that this be either the Corporate Management or the Human Resource Division of the PS as so much of the reform will need detailed application of human resource methods and procedures to ensure transparency and accountability.

Other considerations recommended are:

Ample time must be allowed for the implementation of planned changes;

Achievable performance targets, which would form the basis for evaluating and assessing line

## UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

managers should be established; and

Selections and appointments to all senior positions should be scrutinized to ensure transparency in appointments.

*1.0.3 Human Resource Plan:* Institutional success does not only lie in access to finance, but within the organization itself, in people and processes capable of delivering the organization's strategies. The reforming exercise currently underway in the PS places some emphasis on these in recognition of its role of providing timely and effective services to Parliament. To reinforce this it is recommended that a sustainable human resource plan formalize these initiatives to ensure that enabling mechanisms are developed and operational. Three such mechanisms are suggested in the latter part of this document.

*1.0.4 Training Program:* Training enhances capacity, and increases productivity. Changes being pursued by the PS through the current restructuring exercise can be optimized through implementing a formal training program. Training responsibilities and related activities should be spearheaded by Human Resources with input from the line managers. Training and skills enhancement programs should be developed, or identified, for all middle level managers in the PS.

### **2.0 Recommendations Concerning Specific Service Areas of PS:**

There are some critical areas that provide a direct service to the functioning of Parliament where the Project would like to concentrate much of its support to the Parliamentary Services that include:

*2.0.1. Legal, Research and Library Services:* These services need to be enhanced to bring them back to their former levels of service. Legal Services and the Research Unit should be producing briefing papers on proposed legislation and any other issues which Members need information on and which would increase their awareness of and knowledge on issues which all Members must deal with. The Library should be more functional and should consolidate its database to facilitate swift and smooth services. Linkages with appropriate organizations and legislatures within the country as well as outside would also be beneficial.

*2.0.2. Information Technology Communication Unit:* The level of support available from the Technical Services Section of the PS is inadequate to meet the IT demands of the Parliament. Consequently, efforts so far taken to establish an IT Unit in the Service are timely and the Project will provide substantial support in this area. An IT Manager has recently been recruited to head the Unit.

*2.0.3 Hansard & Bills and Papers:* Steps should be taken to immediately place Hansard on-line and to ensure that it is produced on time. To begin with, persistent and ongoing technical problems such as lack of operational computers should be addressed and appropriate programs put in place so as this critical information be easily accessible to the MPs. Therefore this work should consider outsourcing its IT needs until such time the IT Unit in Parliament is sufficiently bolstered to cope with current demands.

*2.0.4 Committee's Secretariat:* This area has been identified as a priority area for the Project and needs considerable up-grading of the support it offers the Committees. Linkages should be established and maintained with the parliamentary committees both within and outside the country.

### **3.0 Proposed Procedural Support from the Project:**

## UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

Recognizing how the PS has already begun its restructuring, the Project feels that it can best support the revitalization process in concentration its efforts in the following three areas:

### **4.0. Enhancing the Accountability and Transparency Methodologies:**

There is a great need for introducing modern systems, procedures and rules for increased accountability and transparency. This is particularly emphasized for Human Resource and Finance. Broadly defined, accountability means holding individuals and organizations responsible for performance measured as objectively as possible. Transparency on the other hand, provides assurance that processes undertaken are unbiased and observable by all and appropriate. For increased accountability and transparency in HR and Finance, the following activities, amongst others, would be supported:

- Up-date or produce General Orders for the Parliamentary Service. This manual would set the rules, regulations, policies, and procedures to govern the operations and administration of PS matters. Promote a Code of Ethics. Clear and simple statements of acceptable behavior in the workplace would clarify for all what is expected. The result would be a disciplined, effective and honest workforce.

- Compliment existing work on Job Descriptions to make them clear, concise, with clear measurable outputs and indicators and clear reporting lines.

- Up-date a Rules and Regulations Manual to govern the conduct of processes such as:

- Selections and appointments
- Promotions
- Selections for training
- Remuneration
- Payments for services of various kinds.

- Establish a Monitoring and Feedback System to ensure that tasks are done in compliance with established rules and regulations and corrective measures are built into the system.

#### *4.0.1 Encourage and Support Mechanism for a Comprehensive Planning Process:*

Planning is the process by which the guiding members of an organization envision its future and develop the necessary procedures and operations to achieve that future. The strategic plan provides the framework for annual plans. To support the revitalization of the PS several levels of planning ranging from the specific Unit or Division to the entire PS structure would be useful which would result in a medium-term plan that identifies the existing situation constraints, prioritized activities correlated with various inputs-fiscal, personnel and procedural, and indicators to monitor the progress. A medium-term plan of 3-5 years would guide the use of the annual plans as tools for the institutional revitalization and operation.

In the planning process the following ingredients usually need to be developed, which the Project would support:

- A Mission statement – The mission is the reason for the existence of the organization – its ultimate purpose. This statement is very short but inclusive.

## UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

- A Positioning Statement – This statement defines how the organization is situated in terms of its intended mission.
- Strategy involves how the mission statement is to be reached from a clear understanding of the positioning statement, i.e. the identification and prioritization and sequencing of precise actions that are defined with the required fiscal, human resource and procedural inputs required. This has to be a downwards and upwards process so as the inputs from the Unit or Division levels are harmonized into a single corporate or institutional plan.
- Performance Measures – To successfully implement a Strategic Plan, it needs to be constantly monitored and measured against concrete benchmarks. One of the tools to do this would be the annual plans which are both consequences and contributions to the strategic plan.

*4.0.2 Modern Mechanism for Promoting Internal Communication:* An important part of employees' work nowadays is communication and organizational communication is a key element of organizational climate, or the underlying basis of the organization itself. Some of the activities that the Project proposes to promote and support in this area are:

- Ensure all staff receives a copy of the PS strategic plan which includes the institution's mission, vision, value statement, strategic goals and strategies about how these goals will be achieved.
- Ensure staff receives an employee handbook that contains all up-to-date personnel policies.
- Develop a basic set of procedures for how routine tasks are conducted and include them in the Operations Manual.
- Ensure all staff has a copy of their job descriptions and the organization chart/structure.
- Hold regular meetings even if there is nothing pressing to report.
- Ensure all staff receives yearly performance reviews, including their goals for the year, updated job descriptions, accomplishments, needs for improvements, etc.
- Senior managers and line managers should have face to face contact with the staff on a regular basis. Even if the staff population is high, management should stroll by once in a while.

*4.0.3 Proposed Project Inputs to Support the Revitalization of the Parliamentary Services:* The revitalization of the Parliamentary Service is the primary focus of support of the Project with the following inputs:

- Hands-on contribution from the Project Staff along with short-term consultancies and workshops to introduce Accountability and Transparency mechanisms during the first year;
- Workshops and a sub-contract Planning Firm to develop both the 3-year and Annual Plans. This will be supported by hands-on contributions from the Project Staff during the first year;
- Workshops and a short-term consultancy to support Communication Mechanisms during the first year;
- Hands-on monitoring for subsequent two-years to the above processes;
- Fiscal support for sub-contracting training providers for all three years (300,000 US \$);
- Fiscal support to the ITC strengthening (300,000 US \$);
- Direct consultancy and hands-on support to the Financial, Corporate and Human Resource Divisions;
- A one-year support to a Documentalist;
- A one-year support to a Research Specialist; and
- Three-year support to Legal Drafting.

# UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

## Annex 15: Strengthening Legislation

### **Preamble:**

The “Strengthening of Parliamentary Democracy for the 21 Century: Legislative Needs Assessment Report’ produced by Henry Okole, Bernard Narokobi and Quinton Clements between November 2002 to February 2003 provides a rich, panoramic oversight of some of the major legislative issues that need to be reviewed to contribute to the strengthening of democracy in Papua New Guinea. The purpose of this summary review of recommendations is to facilitate the various relevant Parliamentary Committees in identifying priority areas of legislation and to determine how the UNDP Support to Parliament Project can contribute to the review and redrafting of some of the needed legislation.

### **Recommendations:**

#### **National Parliament:**

That Section 102 of the Constitution should be invoked to appoint three nominated women representatives to Parliament and a sunset clause introduced to allay the concerns of elected MPs and candidates.

That quorum clauses of both the Constitution (Section 113 (2) and Standing Order of the National Parliament (Part VII) be reviewed to ensure all Members, where possible attend sittings of the Parliament.

That the need for a legislated timetable enabling committees to accept and consider Bills within a reasonable time be reviewed.

That different categories of legislation in terms of priority are introduced in order to minimize the practice of ‘24 hour bills’ and enable MPs to understand legislation under consideration.

That the Standing Orders Committee examine Part XIX of the Standing Orders of the National Parliament with a view to creating a simplified and more effective process for consideration of legislation.

That the Standing Orders Committee in accordance with Standing Order 19 (2) conduct a review of the Standing Orders as some of the 284 orders, supplemented by other laws are outdated, contradictory or simply neglected..

#### **Parliamentary Committees:**

Amend the Permanent Parliamentary Committees Act 1994 to require that Bills and Policy papers be submitted to the relevant committee before the Second reading and before the Reports are adopted or debate is closed;

Those Standing Orders 247, and 248, (Part XXIV) are reviewed for fairer representation across party lines. The Speaker, Leader of Opposition, Leader of Government Business and Leaders of the smaller Parties should be involved in selection process for chair, deputies and members, after consultation with all political parties having at least three elected MPs;

Consider co-opting citizens to Special/ Sessional Committees and revise Standing Orders accordingly

Amend the Standing Order, Part VII for:

Committees continue to meet during recess time and report to Parliament their findings when Parliament meets;

That members who do not attend scheduled meetings are fined and repeated non-attendance result in misconduct charges for which an MP may be dismissed from Parliament;

That Standing Orders be amended to ensure Members do not participate in deliberative meetings involving matters in which they have pecuniary interests or filial relations and that any vote they

## UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

cast on such matters may on application by any person be nullified by the Speaker and the offender dealt with by the Ethics Committee, under the Leadership Code; and  
That the Permanent Parliamentary Committees Act 1994, the Standing Orders and the Constitution be amended to empower committees to charge any person including Ministers, Public Servants and others who fail to cooperate with committees in the process of the conduct of their work.

### **Organic Law on Provincial and Local Level Government and Organic Law on Provincial and Local Level Government Elections:**

Conduct a legislative needs assessment of provincial assemblies including considering establishing a separate office of the Speaker.

Establishing a four-person Local-Level Government Commission representing each region of the country.

Approval and implementation prior to the 2007 national elections of the Commonwealth Expert Group on Papua New Guinea's Electoral Arrangement recommendations in relation to the future conduct and management of elections..

That Courts of Disputed Returns be appointed for each of the four regions of the country, each headed by a serving or retired judge and two magistrates, with limited appeal on leave of the National Court.

That the Electoral Boundaries Commission in line with Sections 25-42 of the Organic Law on National and Local-level Government Elections, review the number of open and regional electorates.

That sections 73-74 of the Organic Law on National and Local-level Government Elections be amended to ensure the updating of the Common Roll is completed prior to the issuing of writs.

That sections 98-118 of the Organic Law on National and Local-level Government Elections be reviewed and amended to ensure that candidates who are involved in corrupt and illegal practices - such as personating, double-voting, treating, undue influence and bribery – should be prosecuted before or during elections and if found guilty be disqualified from contesting the elections

Conduct a joint review of Election law in conjunction with Criminal Code and Summary Offences Act

### **Organic Law on the Integrity of Political Parties and Candidates:**

Amend law to have disincentive to parties being established simply to contest elections and prevent parties from creating offshoots and then joining up again after a government is formed, i.e. with particular reference to the status of independent candidates and MPS and the proliferation of political parties during elections.

Review the possibilities of contravening other laws such as:

Sections 59 and 92 of the OLIPPAC may be in direct conflict with Section 129(c) of the Constitution which prohibits non-citizens from contributing funds to political parties or candidates;

Parts of Section 80 of the OLIPPAC limiting the grounds for an MP to resign from a party that endorsed him may well be unconstitutional as it limits the freedom of association;

So far, no funds have been paid to political parties in line with Section 61 of the OLIPPAC, which states that K10, 000 should be paid to each endorsed and elected party candidate. The question now is whether this money will be paid at all. But more critical, whether payments will be made to disbanded parties and their members who have since joined other parties. Hence, some clarity is needed for Sections 61-65 of the OLIPPAC;

Section 68 stipulates that only successful candidates need to file returns. It may be necessary to amend that section to ensure a blanket requirement where all candidates are to file returns. This would be a plausible strategy to strengthen political parties and to keep a record of levels of

## UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

spending by candidates in order to promote transparency and curtail excessive spending;  
An argument may be presented that parts of Sections 70 and 92 of the OLIPPAC might be inconsistent with sections 35(4)(a) and 70(4) of the Constitution. Section 71 of the OLIPPAC may also contravene Section 44(7) of the Constitution;

Sections 72-73 of the OLIPPAC requires the Ombudsman Commission to investigate the grounds upon which an MP resigns from a party and satisfy itself if the Member is guilty of misconduct in office under Section 70(3). This appears to be a judicial function that may be exercised only by a judicial officer under the Organic Law on the Duties and Responsibilities of Leadership;

Sections 77-78 of the OLIPPAC deal with defections and voting against ones own party. These provisions may be unconstitutional, and may even contravene freedom of thought and conscience (Sections 45 of the Constitution, and possibly Section 50 too of the same law, which stipulates the right to vote and stand for public office). Even the “deemed to have resigned” wording in Section 79(a) of the OLIPPAC appears to be inconsistent with the Constitution. A much neater way of dealing with defections and resignations is to deem existence of a vacancy, justifying a by-election; The wording of Sections 80-85 of the OLIPPAC inclusive appears convoluted and unclear. The provisions need redrafting to clarify when and how an independent candidate may vote in various situations. It is also arguable that parts of these sections are inconsistent with some sections of the Constitution; and

Section 87 of the OLIPPAC attempts to create the offence of interference by a party or a person with a Member of Parliament in relation to his or her freedom of movement. This section should be reconsidered in relation to provisions of the Criminal Code Act, particularly Sections 54-55. The penalties under Sections 3-11 of the Parliamentary Powers and Privileges Act 1964 also need to be revised to maintain consistency. They have to be brought in line with Section 115 of the Constitution.

In another related area is the encouragement of women candidates. It would appear that the Organic Law on the Integrity of Political Parties and Candidates (OLIPPAC) has failed to encourage political parties to support more female candidates. Section 62 of the OLIPPAC provides that a female candidate who receives 10 percent or more of the votes shall have 75 percent of her campaign expenses refunded by Central Fund Board of Management to the political party that endorsed her. However, it appears this is not a sufficient incentive for political parties to endorse female candidates. Parties will endorse and financially support potentially successful candidates, regardless whether they are men or women. As the Central Fund does not currently have the funds to meet the requirements of Section 62 of the Organic Law, it is unlikely political parties will take this into consideration when choosing candidates in the future.

### **Organic Law on the Duties and Responsibilities of Leadership:**

For the purpose of holding public office in the future, leaders who resign or cease to be leaders should be pursued by the Ombudsman Commission, not to attract the penalty of dismissal, but for other penalties such as fines, restitution of property, or disqualification for holding public office in the future;

The Ombudsman Commission should pursue leaders in or out of office on civil claims to recover money or property of the state stolen or misappropriated during their respective terms in public office;

In the interest of transparency and accountability, the Ombudsman Commission should make annual declarations and account for the conduct of the commission to a third body. This body ideally should consist of the Prime Minister, Opposition Leader, the Speaker, and their nominees;

For the purposes of restoring faith in state institutions, the Ombudsman Commission should follow

## UNDP/PNG NATIONAL PARLIAMENTARY SUPPORT PROJECT

up with appropriate authorities such as the Crown Prosecutor some of the high profile cases that it has investigated in the past

To protect the image and integrity of government, convicted and disgraced Members of Parliament and senior public servants are prohibited from holding public office.

That section 26-31 of the Constitution and the Organic Law on the Duties and Responsibilities of Leadership is amended to provide that the individuals under investigation by the Ombudsman Commission for breach of the Leadership Code should not escape the prosecution due to resignation.

In order to prevent allegations of interference in the political process and ensure all candidates are treated fairly, the Organic Law on the Duties and Responsibilities of Leadership should be amended to prevent the Ombudsman Commission from conducting investigations during an election period.

### **Other legislation issues:**

The Constitutional Review Commission and Law Reform Commission (CLRC) recommends the review and possible reactivating of 10 laws related to freedom of information, compensation and corruption and bribery that include legislation on administration, family law, domestic violence and natural resources. Its recommendations should be considered simultaneously with the above and established working relationships should be required between the Commissions with the appropriate Parliamentary Committees.

**Methodology:** The Project intends to support Legislative work through its support to committees, particularly the Legislative Committee and its support to the Parliamentary Service. This support will take the following forms:

Hands-on support to the Legislation Committee and other legal committees to redefine and clarify their mandate and working procedures. This in turn will further define issues related to:

Gender balancing

Relationships with organizations such as The Constitutional Review Commission and Law Reform Commission

Legal drafting support in the form of three-year support for either a legal drafting position or for sub-contracting this service with another structure such as the First Legislative Council

Improved research capacity through the placement for one year of a legal researcher

Facility for out-source contracting research and legal work

Facility for short-term consultancies