COMMITTEE ON CABINET AFFAIRS: CONSIDERATION OF THE ZAMBIA INSTITUTE OF DIPLOMACY AND INTERNATIONAL STUDIES

(AMENDMENT) BILL NO. 14 OF 2021

START

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- To be a source of quality data and encourage debate on social and economic policy issues
- To support government machinery in recommending policy and procedures to ensure effective delivery of national agenda

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INTRODUCTION

The Zambia Institute of Diplomacy and International Studies (ZIDIS) was established by an Act of Parliament, the ***Zambia Institute of Diplomacy and International Studies Act, Chapter 22 of the Laws of Zambia***. It is a statutory body under the Ministry of Foreign Affairs vested with the mandate to conduct training in diplomacy and international relations. Through this training it is anticipated that the country will have a career diplomatic service that will drive effective and efficient implementation of Zambia's foreign policy. This also aimed at ensuring enhanced professionalism in service delivery.

SALIENT FEATURES OF THE ACT

Section six of the principal Act provides for functions of ZIDIS. These are:

1. To engage the necessary staff for the running of the institute;
2. Formulate policies;
3. Ensure business of ZIDIS is carried out.

Section seven of the Act provides for the composition of its Board of Governors, as follows:

1. Permanent Secretary in the Ministry responsible for Foreign Affairs, who is also Chairman of the Board;
2. A representative from the National Institute of Public Administration;
3. A lawyer representing the Attorney General;
4. A representative of the Ministry of Science, Technical Education and Vocational Training;
5. A representative of Cabinet Office;
6. A representative of the University of Zambia;
7. Three persons of long standing diplomatic experience.

Section Eleven of the Act stipulates that ZIDIS shall perform its functions through committees established under the Act.

PROPOSED AMENDMENTS AND RAMIFICATIONS

- The Zambia Institute of Diplomacy and International Studies ***(Amendment) Bill No.14 of 2021)*** has been drafted with the proposed object to amend the principal Act in relation to the composition of the Board as contained in Section Seven as well as to expand on the functions of the Board by introduction of a clause to allow for the Minister to enter into performance contracts with the said Board.

- The Bill proposes to amend Section Six of the principal Act by expanding the functions of the Board by introducing the option of the Minister to give the Board general or specific directions relating to the performance of its functions. Where such directions are given by the Minster, the Board will be required to carry out such directions as guided by the Act.

- Further under Section Six, the proposed amendment seeks to introduce performance contracts with the Board for a specified period, which is most likely for the duration of the tenure of the Board.

- The Bill proposes to replace the provision under Section Seven relating to the Permanent Secretary in the Ministry responsible for foreign affairs being the Chairperson of the Board by the substitution thereof with the word "Chairperson" without specific reference to whether this will be by virtue of an office held or otherwise. In effect, this implies that the Chairperson of the Board may be appointed from outside the Ministry.

- The Bill seeks to amend Section Seven with the change in title of the Ministry formerly in charge of science, technical education and vocational training. This is because the portfolio mandate of the said Ministry no longer includes science.

The major thrust of the amendment is therefore the introduction of the requirement for performance contracts. This is government policy for an effective and efficient service delivery system in the public service.

LESSONS LEARNT FROM BEST PRACTICE

The use of Performance Contracts has been acclaimed as an effective and promising means of improving the performance of public enterprises as well as Government departments. A Performance Contract is an agreement between a Government and a public agency which establishes general goals for the agency, sets targets for measuring performance and provides incentives for achieving these targets. They include a variety of incentive-based mechanisms for controlling public agencies controlling the outcome rather than the process.

A large number of Governments and international organisations are currently implementing policies using this method to improve the performance of public enterprises in their countries. Performance Contracts represent a state-of-the-art tool for improving public sector performance. They are now considered an essential tool for enhancing good governance and accountability for results in the public sector.

The expected outcomes of the introduction of Performance Contracts include:

- Improved efficiency in service delivery to the public by ensuring that, holders of public office are held accountable for results;
- Improvement in performance and efficiency in resource utilization and ensuring that public resources are focused on attainment of the key national policy priorities;
- Institutionalization of a performance -oriented culture in the Public Service;
- Ability to measure and evaluate performance;
- Ability to link reward for work to measurable performance;
- Instilling accountability for results at all levels in the Government;
- Ensuring that the culture of accountability pervades all levels of Government;
- Ability to strategize the management of public resources;

Kenya

The Government of Kenya introduced Performance Contracting in the Public Service as one of the tools to improve service delivery. Since its introduction in 2004, when only a few State Corporations were participating, Performance Contracting is now being implemented in a majority of the Ministries, Departments and Agencies (MDAs). The decision to extend its coverage to all MDAs was as a result of the benefits that were beginning to be manifest in participating institutions through improved administrative and financial performance as well as improved service delivery. Ministries were for the first time being required to work towards set targets, draw out service charters with their clients and compare their performance with the best in the world. The results of these efforts were so significant that they won international recognition with various African countries wishing to learn from Kenya's experience.

South Korea

South Korea has developed a performance management system that features performance measurement, performance budgeting, and related performance management strategies and perspectives. The core policy of South Korea's government performance management and evaluation system is embodied in the Framework Act on Government Performance Evaluation (FAGPE) of 2006. This law, enacted with the purpose of improving efficiency, effectiveness, and accountability, was largely inspired by, and borrows features from, the U.S. Government Performance and Results Act (GPRA) of 1993. Nevertheless, the Korean government performance management and evaluation system has developed features that reflect the particular context, characteristics, and needs of the Korean public sector.

The Korean central government currently implements several different evaluation systems: self-evaluation, specific evaluation, or teukjung evaluation, of central agencies, performance evaluation of quasi-governmental organizations and public enterprises, and local government performance evaluation. Self-evaluation focuses on an organization's setting of performance responsibilities and

targets and subsequent evaluation of its own performance against these goals. Specific evaluation systems are evaluations conducted to check whether individual central government agencies are effectively executing key national policies. Performance evaluation of quasi-governmental organizations and public enterprises is done on the basis of leadership, management efficiency, and key business programs. Local government evaluation focuses on key programs delegated to the local governments by the central government. The Government Performance Evaluation Committee (GPEC), a multi-sectoral external evaluation agency, is the primary government agency that oversees all of these evaluation systems.

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