



A Corruption Free Kenya

TI-Kenya Statement on the Proposed Amendments to the Parliamentary Service Bill 2018

27th November 2018

The proposed Amendments to the Parliamentary Service Bill, 2018 that will see Members of Parliament enjoy a rent-free house, a government vehicle, and an expanded medical cover among other benefits is of great concern to the nation. The move goes against public interest and exposes lack of leadership in the National Assembly.

Article 232 of the Constitution provides for the principles that inform public service which include; high standards of professional ethics; efficient, effective and economic use of resources among others. These principles are binding on all state organs, state officers, public officers and all persons whenever any of them applies, or interprets, the Constitution; enacts, applies or interprets any law; or makes or implements public policy decisions. Article 201 further guides on aspects of Public Finance - It calls for public money to be used in a prudent and responsible manner.

It is unacceptable for Members of Parliament to initiate discussions on improving their perks at a time when the taxpayer is burdened by high taxes and public debt caused majorly by lack of oversight by parliament, wastage and corruption. As it stands, Kenya struggles with its wage bill. Consequently, we cannot afford to continue with this trend any further. It is actually hypocritical for a section of MPs to push back attempts for affirmative action through the Gender Bill with a narrative that the country cannot afford to implement the two thirds principle yet at the same time move to raise their perks.

TI-Kenya notes that the proposed amendments to the bill are not in the public interest. We further note that as far as MPs salaries are concerned, there are clear structures established under the law to deal with the matter. The Salaries and Remuneration Commission is mandated to set and review the remuneration and benefits of all state officers; and advise the National and County Governments on the remuneration and benefits of all public officers including Members of Parliament. The Commission should be allowed to fully carry out this duty as required by law, and envisioned by the Constitution. Anything contrary to this will be going against the constitution which the legislators swore to uphold.

The legislature is an institution which represents the common and collective interests of the citizens through the enactment of laws and the exercise of oversight functions on the activities of the executive arm of government. As such, the legislators are expected to be on the forefront in advocating for public good and should thus shelve attempts to increase their perks and strip the SRC of its role in determining parliamentarians' pay. Members of Parliament should come out strongly in support of initiatives that improve service delivery to citizens - this is what matters most. It is unfortunate that the proposed amendments come at a time when majority of Kenyans are struggling to meet basic needs such as food, healthcare and decent housing.

We therefore call upon MPs to show leadership and drop the proposed amendments. Our focus now should be to ensure that citizens access the basic services. Members of Parliament should be alive to the realities that Kenyans are facing every day. They should, in the spirit of the constitution, allow independent institutions to perform their functions. By seeking to confer powers of determining their benefits to a body they control, members of parliament are engaging in unacceptable conflict of interest.

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