



PARLIAMENT
OF THE REPUBLIC OF SOUTH AFRICA

PROCEDURAL
DEVELOPMENTS
IN THE NATIONAL ASSEMBLY

**Sixth and last session
of the Sixth Parliament
from January to May 2024**

ISSUE: 32





PARLIAMENT
OF THE REPUBLIC OF SOUTH AFRICA

PROCEDURAL DEVELOPMENTS IN THE NATIONAL ASSEMBLY

A record of recent events and developments of a procedural nature in the National Assembly of the Parliament of the Republic of South Africa. The 32nd issue covers the sixth and last session of the Sixth Parliament from January to May 2024. Where no year appears next to a particular month in the text, the reference is to 2024.

Compiled by: Staff of the National Assembly Table Division, Parliament of the Republic of South Africa,
P O Box 15, Cape Town 8000.

CONTENTS

PRESIDING OFFICERS, OFFICE-BEARERS AND OTHER OFFICE HOLDERS

1. Speaker: Special Leave of Absence
2. Resignation of Speaker

MEMBERS

3. Membership of the National Assembly
See Annexure 1
4. Condolence Motions
See Annexure 2

PROCEDURAL AND RELATED MATTERS

5. First Report of National Assembly Rules Committee (Rules Committee) on rule amendment and guidelines for petitions, 2024
6. Supplementary Report to First Report of Rules Committee, 2024
7. First Report of Joint Rules Committee on proposed rule amendments to Chapters 3 to 5 of Joint Rules of Parliament (6th Edition), 2024
8. Duration of the National Assembly and dissolution before the expiry of its term
9. Removal from office of Judge President M J Hlophe in terms of Section 177(1) of Constitution (1996)
10. Removal from office of Judge N J Motata in terms of Section 177(1) of Constitution (1996)
11. Independent panel established in accordance with Rule 129U to conduct a preliminary enquiry relating to a motion proposing removal of Mr Mbuyiselo Botha as a Commissioner of the Commission for Gender Equality (CGE)
12. Motion on political party funding withdrawn in terms of Rule 128 and revised motion brought before the House

13. Disruption of SONA
14. Allegations of conduct constituting contempt of Parliament by Mr M J Zwane, MP
15. Allegations of conduct constituting contempt of Parliament by members during oral questions to the President
16. Allegations of conduct constituting contempt of Parliament by members during debate on budget vote 1 – The Presidency
17. Appointment of member to chair mini-plenary sessions for remainder of Sixth Parliament

LEGISLATION AND COMMITTEES

18. Consideration of report of Joint Committee on Ethics and Members' Interests on non-disclosure of members' interests for 2023: contravention of code of ethical conduct and disclosure of members' interests

STATUTORY FUNCTIONS

19. Consideration of report of Home Affairs on establishment of Electoral Reform Consultation Panel
20. Consideration of candidates for filling of eight vacancies in Commission for Gender Equality
21. Request for filling of vacancies on Media Development and Diversity Agency (MDDA) board
22. Appointment of Secretary for Police Service
23. Consideration of Minister's recommendation for appointment of candidate to Icasa
24. Request for initiation of process to appoint members of PanSALB

PRESIDING OFFICERS, OFFICE-BEARERS AND OTHER OFFICE HOLDERS

[1] SPEAKER: SPECIAL LEAVE OF ABSENCE

National Assembly (NA) Rule 24 provides that whenever the Speaker is absent or unable to perform the functions of the office of Speaker, the Deputy Speaker must act as Speaker. On 26 March, the Acting Speaker, Mr Lechesa Tsenoli, announced in the House that he had received a letter from the Speaker, Ms Nosiviwe Mapisa-Nqakula, advising that she was made aware through an official communication that the Investigating Directorate of the National Prosecuting Authority was investigating a case of corruption against her. The Speaker indicated that given the seniority of the office she was occupying and the impact that such an investigation might have on her, her work and the office she occupied, she had concluded that she should take special leave of absence to protect the integrity and functioning of the institution of Parliament (Minutes of the National Assembly, 26 March 2024, pp.47 - 48).

[2] RESIGNATION OF SPEAKER

On 3 April, the Speaker resigned from her positions as both the Speaker of the NA and a Member of Parliament, effective immediately (ATC, 8 April 2024, pp.3 - 4).

In her resignation letter addressed to the Acting Speaker, the Speaker expressed that her decision was driven by a deep respect for the integrity of Parliament, its work, and the laws of the Republic of South Africa. She emphasized her commitment to these principles and stated that stepping down was the most appropriate course of action to maintain the reputation of Parliament.

Assembly Rule 24 provides that whenever the Speaker is absent or unable to perform the functions of the office of Speaker, the Deputy Speaker must act as

Speaker. The Deputy Speaker assumed the role of Acting Speaker until the end of the Sixth Parliament. The NA entered a constituency period from 2 to 21 May and its term expired at midnight on 21 May. However, in terms of section 49(4) of the Constitution (1996) the NA remains competent to function from the time it is dissolved, or its term expires, until the day before the first day of polling for the next Assembly. The national and provincial elections were held on 29 May.

MEMBERS

[3] MEMBERSHIP OF THE NATIONAL ASSEMBLY

See Annexure 1

[4] CONDOLENCE MOTIONS

See Annexure 2

PROCEDURAL AND RELATED MATTERS

[5] FIRST REPORT OF NATIONAL ASSEMBLY RULES COMMITTEE (RULES COMMITTEE) ON RULE AMENDMENT AND GUIDELINES FOR PETITIONS, 2024

Section 17 of the Constitution (1996) grants everyone the right to, amongst other rights, present petitions, while section 56 provides that the NA or any of its committees may receive petitions from any interested persons or institutions. To give effect to the right enshrined in the Constitution (1996), Rules 344 - 350 regulate the form of petitions, language, signing, lodging, approval, tabling and referral of petitions. The rules also require that petitions must be in the form prescribed by the Speaker in accordance with guidelines determined by the Rules Committee.

In its First Report tabled on 25 March, the Rules Committee recommended guidelines for consideration

by the NA, to give effect to a requirement of the rules dealing with petitions. These guidelines address formal and substantive requirements that petitions must comply with (see Annexure 3).

The NA adopted the Report on 26 March.

[6] SUPPLEMENTARY REPORT TO FIRST REPORT OF NATIONAL ASSEMBLY RULES COMMITTEE (RULES COMMITTEE), 2024

Subsequent to the First Report, the Rules Committee issued a supplementary report that dealt with matters that did not require immediate rule changes, but that could be dealt with by the Seventh Parliament (see ATC, 25 March 2024, pp 8 - 10).

1. Government assurances and monitoring of House resolutions

The NA has, in terms of Rule 225, established a range of portfolio committees and assigned a portfolio of government affairs to each committee, and determined a name for each committee. Rule 227 states that the functions of these committees is to maintain oversight of, amongst others, the exercise of national executive authority, including the implementation of legislation.

After assessing the reach and scope of portfolio committees, a gap was identified which necessitated that consideration be given to the establishment of a committee to pursue undertakings made by members of the Executive during proceedings of the House, and the extent to which they have been fulfilled.

In its Supplementary Report tabled on 25 March, the Rules Committee recommended a model for the Assembly to follow up with undertakings made by Ministers from the floor of the House.

2. Rules for amending government budgets

The Rules Committee considered the rules required for the NA to fully participate in, and potentially amend, government budgets. The Committee felt that certain processes in the Money Bills Amendment Procedure and Related Matters Act (No 9 of 2009) required further elucidation.

3. Physical removal of members from Chamber

The Rules Committee considered a report of the Subcommittee on Physical Removal of Member from Chamber, relating to an incident on 21 February, where several members of the NA were physically removed from the Chamber. The Rules Committee confirmed the principle of the ruling by the presiding officer and recommended that the rule regulating the barring of doors when voting occurs should be re-evaluated to provide for instances of grave disorder, the potential need to remove members and to ensure the safety of a member.

4. Study tour to United Kingdom

The Rules Committee also considered a report on a study tour that was undertaken in 2023 to the United Kingdom to investigate the possibility of a committee to scrutinize The Presidency. This study tour provided invaluable insights into international practices. Based on the engagements, the Rules Committee noted that, while the Assembly already has comprehensive procedures to facilitate oversight, it must remain proactive and receptive to reform. The report also suggested that, in the case of The Presidency, the Seventh Parliament consider which committee would be best placed to scrutinize the budget of the Presidency.

The Report was adopted by the Assembly on 26 March.

[7] FIRST REPORT OF JOINT RULES COMMITTEE ON PROPOSED RULE AMENDMENTS TO CHAPTERS 3 TO 5 OF JOINT RULES OF PARLIAMENT (6TH EDITION), 2024

The Joint Rules Committee (JRC) adopted rule amendments to Chapters 1 to 2B of the Joint Rules, as recommended by the Joint Subcommittee on Review of the Joint Rules (Subcommittee) on 1 December 2023. On 20 March, the Subcommittee, having processed the outstanding Joint Rules, further recommended to the JRC the adoption of proposed rule amendments to Chapters 3 to 5. These Chapters deal with the committee system, joint legislative process, and stopping of funds to provinces.

Amongst others, the proposals sought to incorporate some changes to the composition of the House components of the joint committees based on changes to the composition of both Houses. The Subcommittee also proposed the discontinuation of, amongst others, the Joint Subcommittee on Support for Members, the Joint Subcommittee on Internal Arrangements, the Joint Subcommittee on International Relations, the Joint Subcommittee on the Funding of Political Parties, the Joint Subcommittee on Delegated Legislation, the Joint Subcommittee on HIV and AIDS, and the Joint Subcommittee on the Parliamentary Budget. It also proposed the incorporation of the Joint Standing Committee on Financial Management of Parliament into the Joint Rules, procedures for the beginning of a term of a mediation committee, and issues during first meetings of joint committees.

The proposals did not address amendments to the Code of Ethical Conduct and Disclosure of Members' Interests for Assembly and Permanent Council Members, as that was a separate process handled by the Joint Committee on Ethics and Members' Interests. The Joint Committee on Defence and its membership needed a considerable amount of time to process, as some matters were regulated by the interim Constitution (1993).

The JRC tabled its report on 22 March. The NA considered and adopted the Report of the JRC on 26 March and the National Council of Provinces (NCOP) on 25 April.

[8] DURATION OF THE NATIONAL ASSEMBLY AND DISSOLUTION BEFORE THE EXPIRY OF ITS TERM

The NA is elected for a term of five years and dissolves upon the expiry of that term. Section 49 of the Constitution (1996) stipulates the duration of the NA while section 50 details the circumstances for the dissolution of the NA before expiry of its term.

The Constitution (1996) provides that the NA can dissolve before the expiry of its term. It states that if the NA adopts a resolution to dissolve before the expiry of its term with a supporting vote of the majority of its members, and if three years have passed since the NA was elected, the President must dissolve the NA and call for an election to be held within 90 days of its dissolution.

In 2004, the President announced the date of the election in his reply to the debate on the State of the Nation Address (SONA). In this instance, the election was scheduled before the expiry of the term of the NA. Consequently, the House had to dissolve in terms of section 50 so that the President could proclaim the date in the Government Gazette and the election could take place.

In the 2009 and 2014 election years, the election date was after the end of the term of the NA, and the House did not have to dissolve.

In 2019, the President announced in his SONA that he intended to proclaim the election date for 8 May of that year. Consequently, to allow the President to proclaim the election date, and for the elections to occur, the NA had to pass a motion to dissolve as the date of the election was before the expiry of its term.

A legal opinion on the matter was solicited, which argued that the term of the NA commences when it is constituted of its members (i.e. the first sitting following a general election). The first sitting of the NA in the Sixth Parliament was held on 22 May 2019, and its term expired at midnight on 21 May 2024.

The President announced the election date as 29 May. The NA remained competent to function from the time its term expired until the day before the first day of polling on 29 May (see Item 2).

**[9] REMOVAL FROM OFFICE OF JUDGE
PRESIDENT M J HLOPHE IN TERMS OF
SECTION 177(1) OF CONSTITUTION
(1996)**

On 25 August 2021, the Acting Deputy Chief Justice of the Republic of South Africa, Justice S Khampepe, referred a finding of the Judicial Service Commission (JSC) to the NA, that Judge President, M J Hlophe, was guilty of gross misconduct in terms of section 20(4) of the Judicial Service Commission Act (No 9 of 1994), read with section 177(1) of the Constitution (1996). Section 177 provides for the removal of a judge as follows -

- (1) A judge may be removed from office only if —
 - (a) the Judicial Service Commission finds that the judge suffers from an incapacity, is grossly incompetent or is guilty of gross misconduct; and
 - (b) the National Assembly calls for that judge to be removed, by a resolution adopted with a supporting vote of at least two thirds of its members.
- (2) The President must remove a judge from office upon adoption of a resolution calling for that judge to be removed.

In terms of section 177(1)(b) of the Constitution (1996) the NA is tasked with determining whether a judge

who has been found guilty of gross misconduct should be removed from office. In this regard, the Committee, in its report, referred to the judgment by the South Gauteng High Court in the matter of Hlophe v JSC and Others [2022], which clarified the role of the NA. The judgment concluded (paragraph 154) that -

The inescapable consequence of the two institutions having different decisions to make is that there is no scope for the National Assembly to enquire into whether the judge referred to it has committed gross misconduct... the National Assembly receives that finding as a fact and deliberates thereupon, not to reconsider it, but to decide what to do based on it.

Guided by the High Court's interpretation of section 177, the Committee developed steps to allow for sufficient engagement with the affected judge. This included an invitation to the judge to make written representations. Following deliberations, the Committee resolved to recommend that the NA call for his removal from office. The Committee report was tabled on 6 December 2023 (the last sitting day of the year). The House did not, however, consider the report on the day and it was revived the following year after it had lapsed. The House, in a physical sitting, considered and adopted the report on 21 February after a vote by a rollcall.

**[10] REMOVAL FROM OFFICE OF JUDGE N J
MOTATA IN TERMS OF SECTION 177(1) OF
CONSTITUTION (1996)**

In a letter to the Speaker, dated 18 August 2023, Chief Justice R Zondo, as Chairperson of the JSC, referred a finding of the JSC to the NA, that Judge NJ Motata was guilty of gross misconduct in terms of section 20(4) of the Judicial Service Commission Act (No 9 of 1994), read with section 177(1) of the Constitution (1996).

In its report, the Portfolio Committee on Justice and

Correctional Services referred to the judgment of the South Gauteng High Court in the matter of Hlophe v JSC and Others [2022], which clarified the role of the NA regarding the removal of a judge from office. Guided by the High Court's interpretation of section 177 of the Constitution (1996), the Committee agreed on steps to allow for sufficient engagement with affected parties. This included an invitation to the Judge to make written representations. In his submission, Judge Motata raised two arguments concerning the findings against him –

- First, that the JSC had not, in fact, made a decision of gross misconduct which could be referred to the NA. Absent such a finding of the JSC, the NA (and by implication the Committee) lacked jurisdiction to entertain the matter; and
- Second, that, if the NA proceeded with the matter, such a step would amount to double jeopardy, as Judge Motata had already paid a fine to the South African Judicial Education Institute (SAJEI) in compliance with the pre-judgement misconduct finding of the JSC.

The Committee wrote to the Chief Justice to clarify these issues. The Chief Justice replied, in a letter to the Speaker, in which he explained that Judge Motata had been found guilty of gross misconduct. The Committee also noted that the fine was a matter between the Judge and JSC and did not prevent the NA from proceeding with its business.

Based on the information supplied by the JSC, the Committee recommended that the NA call for Judge Motata to be removed from office. The Committee report was tabled on 6 December 2023 (the last sitting day of the year). The House did not, however, consider the report on the day, and it was revived in the new year after it had lapsed at the end of the 2024 annual session. The House considered and adopted the Committee report on 21 February after a vote by a rollcall.

[11] INDEPENDENT PANEL ESTABLISHED IN ACCORDANCE WITH RULE 129U TO CONDUCT A PRELIMINARY ENQUIRY RELATING TO A MOTION PROPOSING REMOVAL OF MR MBUYISELO BOTHA AS A COMMISSIONER OF COMMISSION FOR GENDER EQUALITY (CGE)

On 1 November 2023, Ms F A Masiko MP, submitted a motion to initiate proceedings to remove Commissioner M Botha from office as a commissioner of the Commission for Gender Equality (CGE) in terms of Assembly Rules 129R to 129AF.

Section 194(1) of the Constitution (1996) states that the office-bearers and commissioners in Institutions Supporting Constitutional Democracy may be removed from office on specific grounds. The CGE is one of the state institutions established to strengthen constitutional democracy in the Republic, with a mandate to promote respect for gender equality and the protection, development and attainment of gender equality.

The Constitution (1996) and the rules do set out a broad framework for Parliament to exercise its functions in terms of Section 194. However, a need was identified for specific rules in respect of the removal of these office-bearers and commissioners.

Accordingly, Rules 129R and 129AF were developed to deal with the initiation of a process to remove office-bearers and commissioners in institutions supporting constitutional democracy on specific grounds, and the findings and recommendations including the reasons for such findings and recommendations.

The motion against commissioner Botha set out five charges of misconduct against him. After it was found to be compliant with the rules, the Speaker established an Independent Panel to conduct a preliminary assessment of the evidence in the motion and report thereon to the House, as required by the rules on

removal from office of a holder of a public office in a State Institution Supporting Constitutional Democracy. Assembly Rule 129V provides for the composition and appointment of the panel, which was appointed by the Speaker as follows:

- Adv WR Mokhare SC (Chairperson)
- Adv N Mbangeni
- Mr M Gessler

These appointments were announced on the ATC on 7 March. The functions and powers of the panel were that it must, within 30 days of its appointment, conduct and finalise a preliminary assessment relating to the motion proposing a section 194 enquiry to determine whether there is prima facie evidence to show that commissioner Botha committed misconduct; was incapacitated; or was incompetent.

After concluding its deliberations, the Panel tabled its report on 10 April. The report recommended that, based on evidence provided, the charges of misconduct against commissioner Botha be referred to a committee of inquiry as provided for in the rules.

Rule 129Z provides that once the panel has made its recommendations, the Speaker must schedule the recommendations for consideration by the NA, with due urgency, given the programme of the NA. The NA adopted the report of the panel on 9 May. Rule 129AD provides that when the NA has approved the recommendations of the independent panel, it must establish a Committee for Section 194 Enquiry in terms of Rule 129AA, which must proceed to conduct an enquiry and establish the veracity of the charges and report to the NA thereon.

The Committee was not established by the end of the Sixth Parliament. At the same time, commissioner Botha's term of office ended on 31 May.

[12] MOTION ON POLITICAL PARTY FUNDING WITHDRAWN IN TERMS OF RULE 128 AND REVISED MOTION BROUGHT TO THE HOUSE

When the Electoral Matters Amendment Act (No 14 of 2024) took effect on 8 May, a lacuna in the law regarding political party funding was identified. As certain provisions were repealed and substituted with new provisions, it resulted in there being no upper limits to donations and no disclosure threshold for donations to political parties. To address this, the NA had to pass a resolution empowering the President to set funding parameters as contemplated in section 24 of the Political Party Funding Act (No 6 of 2018).

On 3 May, the Programme Committee had extensive deliberations on a draft resolution to set the maximum donation amount and disclosure threshold for donations and enable the President to make regulations related to these amounts under the Act.

A draft resolution, which set out the specific amounts to be prescribed, was placed on the Order Paper for consideration on 9 May. On the day, Ms P N Abraham, on behalf of the Chief Whip of the Majority Party, moved in the House that the draft resolution as it appeared on the Order Paper be withdrawn in terms of Assembly Rule 128. This rule provides, amongst others, that once moved in the House, a motion may only be withdrawn with the unanimous concurrence of all the members present. The withdrawal was done to facilitate further consultation amongst political parties on the matter.

A revised draft resolution, which did not set out the specific amounts to be prescribed, was put before the House on 16 May. At the time of its consideration, the decision of question on the motion was postponed by agreement amongst parties. Later, the same day, the resolution was agreed to by the House with the Democratic Alliance (DA), Inkatha Freedom Party (IFP), African Christian Democratic Party (ACDP) and Pan Africanist Congress (PAC) dissenting.

The matters relating to political party funding were subsequently taken to court by My Vote Counts (a non-profit organisation comprising of organs of civil society). The Speaker later referred this matter to the Portfolio Committee on Home Affairs to make proposals to the NA which would inform the required resolution.

[13] DISRUPTION OF SONA

On 9 February 2023, during the President's SONA to a joint sitting of Parliament, certain members, after having disregarded the authority of the Chair and causing disruption, were directed by the Speaker to leave the Chamber. At this stage, the situation had escalated as the members resisted removal and some had proceeded to ascend the stage where the presiding officers and the President were seated. This necessitated the Speaker to suspend proceedings to enable the removal of the disorderly members from the House. The ascension of members to the stage, in the view of the presiding officers, constituted immediate danger to the life or safety of the presiding officers and the President, and as such members of the security services entered the Chamber to assist with the removal of members from the Chamber in terms of the Powers, Privileges and Immunities of Parliament and Provincial Legislatures Act (No 4 of 2004) (the Act). Although the security services had already entered the Chamber to assist in removing members, the Speaker called for their intervention during the suspension of proceedings. Furthermore, section 4(2) of the Act provides for security services to enter the Chamber under special circumstances without the presiding officer's permission when there is "immediate danger to the life or safety of any person or damage to any property" and "is necessary to avert that danger". The members who participated in the disturbance of the joint sitting were Messrs J S Malema, N F Shivambu, M Dlamini, N Q Ndlozi, S Tambo and V Pambo, all members of the NA.

The Speaker and the Chairperson of the NCOP referred the incident to the JRC on 10 February 2023 in terms of

Joint Rule 14GA, which requires that the circumstances surrounding the physical removal of a member from the Chamber be considered by a multi-party committee.

On 25 April 2023, a special Joint Rules Committee was convened to consider the circumstances of the physical removal of the affected members. The Speaker, as the presiding officer who had dealt with the disruption during the sitting, submitted a written report on the matter, dated 10 February 2023 for consideration by the JRC. The JRC resolved to adopt the Speaker's report and resolved further that the Joint Subcommittee on Review of the Joint Rules should consider tightening the rules to mitigate disruptions in future joint sittings. The JRC further resolved that the Speaker and the Chairperson of the NCOP should decide on where to refer the matter for further consideration of the members' conduct.

As all the members involved in the disturbance were from the NA, the Speaker, on 7 September 2023, referred allegations of conduct constituting contempt of Parliament against the six (6) members to the Powers and Privileges Committee (the Committee) for consideration and report.

Assembly Rule 214 prescribes that the Committee must deal with a contempt matter in accordance with the procedure contained in the Schedule to the Rules of the Assembly (the Schedule) and must table a report in the NA on its findings and recommendations. The rule further prescribes that if the Committee finds a member guilty of contempt, it must recommend an appropriate penalty(ies) from those contained in Section 12(5) of the Act.

On 26 September 2023, the Committee met to consider the matter and resolved that, as per Item 5 of the Schedule, a duly qualified person be appointed to function as the initiator for the hearings on the matter. In terms of the Schedule, at the conclusion of the hearing, the initiator may address the Committee on the evidence presented to it and may propose an

appropriate penalty(ies) to be recommended by the Committee in its report.

Having engaged with the evidence presented by the initiator, the Committee found the arguments and evidence put forward persuasive, and agreed that Messrs Malema, Shivambu, Dlamini, Ndlozi, Pambo and Tambo be found guilty of the charges preferred against them.

Section 12(5) of the Act states:

“When a House finds a member guilty of contempt, the House may in addition to any other penalty to which the member is liable under this Act or any other law, impose anyone or more of the following penalties:

- a) a formal warning;
- b) a reprimand;
- c) an order to apologise to Parliament or House or any person, in a manner determined by the House;
- d) the withholding, for a specific period, of the member’s right to the use or enjoyment of any specified facility provided to members by Parliament;
- e) the removal, or the suspension for a specified period, of the member from any Parliamentary position occupied by the member;
- f) a fine not exceeding the equivalent of one month’s salary and allowances payable to the member concerned by virtue of the Remuneration of Public Office Bearers Act (No 20 of 1998); or
- g) the suspension of the member, with or without remuneration, for a period not exceeding 30 days, whether or not the House, or any of its committees is scheduled to meet during that period.”

Considering its findings of guilt against the six affected members, the Committee recommended that the House impose the following penalties with respect to the affected members (ATC, 1 December 2023, p.6):

- a) An order to apologise in person in the House to the President, the Speaker and the people of South Africa as determined by the House as set out in section 12(5)(c) of the Act; and
- b) Suspension of the members without remuneration for a period of 30 days, whether or not the House or any of its committees is scheduled to meet during that period starting from 1 to 29 February 2024 as set out in section 12(5)(g) read with section 12(9) of the Act.

On 5 December 2023, the House adopted the report of the Committee and the sanctions were duly implemented in February 2024, save for an order to apologise with which the members did not comply before the end of the Sixth Parliament (Minutes of the National Assembly, 5 December 2023, p.212).

[14] ALLEGATIONS OF CONDUCT CONSTITUTING CONTEMPT OF PARLIAMENT BY MR M J ZWANE, MP

The NA had found Mr Mosebenzi Joseph J Zwane, MP guilty of contravening the Code of Ethical Conduct and Disclosure of Members’ Interests for Assembly and Permanent Council Members (the Code) on 2 May 2023. As a sanction, he was fined an amount equivalent to a five days’ salary, suspended from participating in parliamentary debates for a parliamentary term, and ordered to enter an apology in the House as specified in the report. The sanctions with respect to the fine and suspension from participating in debates were implemented. However, Mr Zwane failed to comply with the order to apologize in person in the House.

The Chief Whip of the Majority Party arranged with Mr Zwane to present himself to the House on 2 May 2023 to enter an apology, but he was absent on that day. Subsequently, the Speaker communicated to him her displeasure at his conduct and urged him to comply with the resolution of the House. A further unsuccessful attempt was made by the offices of the Speaker and the Chief Whip of the Majority Party to cause him to present himself to the House on 6 September 2023.

On 6 September 2023, the Speaker referred an allegation of conduct constituting contempt of Parliament against Mr Zwane to the Powers and Privileges Committee (the Committee) for investigation and report. In terms of Assembly Rule 214, the Committee must deal with a contempt matter in terms of the procedure laid out in the Schedule to the Assembly Rules and table a report on its findings and recommendations in the NA.

Mr Zwane was found guilty on two charges of contempt. In the first charge, he was found guilty of having willfully and intentionally failed and/or refused to obey the resolution of the House at its sitting of 2 May 2023 to enter an apology. Regarding the second charge, he was found guilty of having willfully and intentionally failed and/or refused to present himself to the NA at its sitting on 6 September 2023, to enter an apology as ordered.

On 29 February 2023, the House considered and adopted the report of the Committee, which recommended that Mr Zwane had to enter an apology in the House as previously instructed by the House, and that his remuneration be reduced by half (fifty percent) with effect from 1 March 2024 as provided for in section 12(5)(f) of the Act.

[15] ALLEGATIONS OF CONDUCT CONSTITUTING CONTEMPT OF PARLIAMENT BY MEMBERS DURING ORAL QUESTIONS TO THE PRESIDENT

During Oral Questions to the President on 30 August,

four members of the NA disregarded the authority of the Speaker and caused serious disruption. As a result, the Speaker instructed them to leave the Chamber, which they refused to do. They were then physically removed from the Chamber by the Parliamentary Protection Services. The affected members were Messrs K Ceza, DF Mthenjane, MN Paulsen and Ms NV Mente-Nkuna.

On 31 August 2022, the Speaker submitted a report on the incident to the Subcommittee on Physical Removal of Member from Chamber (the Subcommittee) in terms of Rule 73(12). This rule prescribes that whenever a member is physically removed from the Chamber in terms of the rule, the circumstances of such removal must be referred by the Speaker, within 24 hours, for consideration to a Subcommittee of the Rules Committee appointed for that purpose.

The Subcommittee performed its functions and exercised its powers in terms of Rule 203 and considered the circumstance of the physical removal of the members, and found that the members had violated the rules by their conduct, and reported its findings to the Rules Committee. The Rules Committee agreed with the findings of the Subcommittee and resolved that the matter be referred to the Powers and Privileges Committee (the Committee) for consideration and report. As Mr Mthenjane had resigned as a member of Parliament, the case against him was not proceeded with.

Assembly Rule 214 prescribes that the Committee must deal with a contempt matter in terms of the procedure laid out in the Schedule to the Assembly Rules and table a report on its findings and recommendations in the NA. The rule prescribes that if the Committee finds a member guilty of contempt, it must recommend an appropriate penalty from those contained in the Powers, Privileges and Immunities of Parliament and Provincial Legislatures Act (the Act).

On 29 December, the House considered and adopted the report of the Committee, which found Messrs Ceza

and Paulsen guilty of conduct constituting contempt of Parliament, but acquitted Ms Mente-Nkuna on the charge of contempt.

Messrs Ceza and Paulsen were ordered to apologize in person in the House to the President, the Speaker and the people of South Africa, as determined by the House as set out in section 12(5)(c) of the Act. They were also suspended without remuneration for a period of 30 days from 1 to 31 March as set out in section 13(5)(g) read with section 12(9) of the Act.

[16] ALLEGATIONS OF CONDUCT CONSTITUTING CONTEMPT OF PARLIAMENT BY MEMBERS DURING DEBATE ON BUDGET VOTE 1 – THE PRESIDENCY

On 2 September 2022, the Rules Committee adopted the Report of the Subcommittee on Physical Removal of Member. The report recommended that the conduct of the members during the debate on Budget Vote 1 – The Presidency, on 9 and 10 June 2022, be referred to the Powers and Privileges Committee (the Committee) for investigation and report. The report stated that the conduct of the members amounted to contempt of Parliament in terms of the Powers, Privileges and Immunities of Parliament and Provincial Legislatures Act (the Act).

The affected members in respect of the incident of 9 June 2022 were Hon EN Ntlangwini, Hon A Matumba, Hon WI Mafanya, Hon N Tafeni and Hon B Mathulelwa; and for the incident of 10 June 2022, they were Hon P Marais, Hon NN Chirwa, Hon S Tambo, Hon Mathulelwa, Hon N Tafeni, Hon MK Montwedi, Hon EN Ntlangwini, Hon YN Yako and Hon P Madokwe.

Assembly Rule 214 prescribes that the Committee must deal with a contempt matter in terms of the procedure laid out in the Schedule to the Assembly Rules and table a report on its findings and recommendations. The rule further prescribes that if the Committee finds a member guilty of contempt, it must recommend an

appropriate penalty from those contained in section 12(5) of the Act.

The Committee found that the members had disrupted and delayed the proceedings beyond what was reasonable, disregarded the authority of the Speaker by refusing to withdraw unparliamentary remarks and to leave the Chamber when ordered to do so by the Speaker, and had to be physically removed from the Chamber. It also found that some members physically and violently resisted being removed, or interfered with the removal of their colleagues, and found such conduct egregious. It found all the members guilty as charged.

On 26 March, the House considered and adopted the report of the Committee. Regarding Ms Yako and Mr Mafanyana, they were fined an equivalent of 50% of their salary and allowances in terms of section 12(5)(f) of the Act, with effect from 1 April. Ms Marais, Ms Mathulelwa, Mr Matumba and Ms Chirwa, were fined an equivalent of 30 days of their salary and allowances, in terms of section 12(5)(f) of the Act, with effect from 1 April. Ms Ntlangwini, Mr Tambo and Mr Montwedi, were suspended without remuneration for a period of 30 days, with effect from 1 April to 30 April as set out in section 12(5)(g) read with section 12(9) of the Act.

[17] APPOINTMENT OF MEMBER TO CHAIR MINI-PLenary SESSIONS FOR REMAINDER OF SIXTH PARLIAMENT

National Assembly Rule 54(b) prescribes that the Chair of a mini plenary session must be taken by an elected presiding officer or any other member appointed by the Speaker for that purpose. The names of the members appointed by the Speaker are published in the Announcements Tablings and Committee Reports (ATC) document. The appointment of Ms L S Makhubela-Mashele to chair mini-plenaries for the remainder of the Sixth Parliament was announced in the ATC on 29 February. This was in addition to the appointment of Ms R M M Lesoma, Mr F D Xasa, Mr M

G Mahlaule, and Mr Q R Dyantyi who were appointed on 2 March 2022 and Mr S O R Mahumapelo who was appointed on 7 September 2023 to chair mini-plenaries for the remainder of the Sixth Parliament.

LEGISLATION AND COMMITTEES

[18] CONSIDERATION OF REPORT OF JOINT COMMITTEE ON ETHICS AND MEMBERS' INTERESTS ON NON-DISCLOSURE OF MEMBERS' INTERESTS FOR 2023: CONTRAVENTION OF CODE OF ETHICAL CONDUCT AND DISCLOSURE OF MEMBERS' INTERESTS

The Code of Ethical Conduct and Disclosure of Members' Interests for Assembly and Permanent Council Members (the Code) is intended to, amongst others, outline the minimum ethical standards of behaviour that South Africans expect of public representatives, including upholding propriety, integrity and ethical values in their conduct. The Code is also intended to create public trust and confidence in public representatives and to protect the integrity of Parliament.

Item 9.2.3 of the Code prescribes that Members of Parliament (Members) must disclose their registrable interests annually at a time determined by the Joint Committee on Ethics and Members' Interests (the Joint Committee). Item 10.1.1.1 of the Code provides that a member breaches the Code if the Member contravenes or fails to comply with the requirements of the provisions for disclosing interests. The due date for the 2023 disclosure of Members' Interests was 30 September 2023.

On 20 October 2023, the Committee found that 11 Members breached item 10.1.1.1 of the Code read with item 9.2.3, in that they failed to submit a declaration of interests by the due date and further that the reasons for the non-disclosure did not mitigate the failure to

comply. The Joint Committee recommended that the following Members be fined a value equal to 20 days' salary and that they also be reprimanded in the House: Hon J J Maake, Hon T Malatji, Hon Z M Mandela, Hon P T Mpushe, Hon Z N Msimango, Hon X Nqola, Hon M A Tseki, Hon J Tshabalala and Hon A S Zuma.

The Joint Committee recommended that Hon I V Ntsube be fined a value equal to 30 days' salary and that the Member be reprimanded in the House, while Hon N G Tolashe was fined a value equal to 25 days' salary, and that she be reprimanded in the House. The members were reprimanded in the House by the Speaker on 26 March. When reprimanding the Members, the Speaker highlighted that the report of the Committee showed that the Members were given a fair opportunity to present their records and, not having done so, to adequately explain their failure. She emphasised that the Members' actions were unacceptable, objectionable and deserving of serious consequences. In conclusion, the Speaker stated that she had taken note of the precedent set by the Joint Committee regarding the severity of the penalties. The penalties included the imposition of financial penalties and had to be implemented without delay.

STATUTORY FUNCTIONS

[19] CONSIDERATION OF REPORT OF HOME AFFAIRS ON ESTABLISHMENT OF ELECTORAL REFORM CONSULTATION PANEL

Section 23 of the Electoral Amendment Act (No 1 of 2023) (the Act) states that the Minister of Home Affairs must establish the Electoral Reform Consultation Panel (the panel) within four months of the commencement of the Act. The functions of the panel are to independently investigate, consult on, report on and make recommendations in respect of potential reforms of the electoral system for the election of the NA and

the election of the provincial legislatures, in respect of the elections to be held after the 2024 elections. The panel must perform its functions in a manner that enables Parliament to exercise its constitutional powers to determine the electoral system for the elections of the NA and provincial elections, in respect of the elections to be held after 2024.

Section 23(9)(a) of the Act outlines the criteria specified for nominated persons to serve as members of the panel. Section 23(9)(b) and (c) of the Act state that the Minister must, in consultation with the Electoral Commission of South Africa (IEC) and after approval by the NA, appoint nine members to the panel from such nominated persons who satisfy the criteria specified; and appoint one of the members of the panel as the Chairperson.

On 1 December 2023, the Minister of Home Affairs briefed the Portfolio Committee on Home Affairs (the Committee) on the establishment of the Electoral Reform Consultation Panel and the processes followed for its membership. He recommended that the Committee recommend 12 names to the NA, out of which the Assembly would approve nine (9) names to serve on the panel.

In its report dated 6 December 2023, the Committee raised its concerns on the processes followed in establishing the panel, the criteria and skills of the nominees. It recommended that the Minister and the IEC should reopen the process of public nomination of candidates, and to consider releasing those IEC members permitted to participate in the panel from the membership of the panel.

On 20 February, the NA considered the recommendations of the Committee and adopted the report.

The Minister, in a letter dated 2 May, submitted a list of names of the nine (9) recommended nominees to the Acting Speaker for appointment to the panel in terms of the Electoral Amendment Act, which he referred to the Committee for consideration and report.

In its report, the Committee recommended the following names for approval by the NA: (i) Ms Faith Pansy Dikeledi Tlakula; (ii) Ms Mmatsie Mooki; (iii) Ms Tomsie Pricilla Dlamini; (iv) Adv Richard Khaliphile Sizani; (v) Dr Michael Oliver Sutcliffe; (vi) Mr Phatudi Simon Mamabolo; (vii) Mr Michael Andre Hendrikse; (viii) Mr Norman du Plessis; and (ix) Dr Albertus Schoeman.

The NA approved the recommendation of the Committee on 16 May.

[20] CONSIDERATION OF CANDIDATES FOR FILLING OF EIGHT VACANCIES IN COMMISSION FOR GENDER EQUALITY

Section 3(1) of the Commission on Gender Equality Act (No 39 of 1996) provides that the Commission shall consist of no fewer than seven and no more than 11 members. In terms of section 3(2) of the Act, the President appoints commissioners.

In a letter dated 11 November 2023, the Deputy Speaker requested the Portfolio Committee on Women, Youth and Persons with Disabilities (the Committee) to initiate a process to fill six upcoming vacancies in the Commission for Gender Equality (CGE).

In its report dated 20 March, the Committee recommended the following candidates:

- Ms Seeham Samaai (Full time);
- Ms Mulalo Grace Nemathaheni (Full time);
- Mr Mfundo Nomvungu (Full time);
- Ms Yanga Malotana (Full time);
- HRH Princess Royale Eurika Mogane (Part-time);
- Mr Kamohelo Rodney Teele (Full time);
- Dr Marion Lynn Stevens (Full time); and
- Dr Charnell Ruby Naidu (Part-time).

The Committee further recommended that if a vacancy arose due to a resignation or death, the President

would be able to choose a replacement from the list. On 26 March, the NA approved the recommendation in accordance with the provisions of the Constitution (1996).

[21] REQUEST FOR FILLING OF VACANCIES ON MEDIA DEVELOPMENT AND DIVERSITY AGENCY (MDDA) BOARD

A letter dated 28 February was received from the Minister in The Presidency, informing the NA of the resignation of Ms Martina Della-Togna from the MDDA Board. The Minister further requested the NA to initiate a process to fill this and other vacancies in terms of section 4(1)(b) of the Media Development and Diversity Agency Act (No 14 of 2002). The matter was referred to the Portfolio Committee on Communications and Digital Technologies for consideration and report.

The matter was not finalised at the end of the Sixth Parliament and lapsed in terms of Rule 351(2). The rule provides that all business before the NA or any Assembly committee on the last sitting day of a term of the Assembly or when the Assembly is dissolved, lapse at the end of that day.

[22] APPOINTMENT OF SECRETARY FOR POLICE SERVICE (DIRECTOR-GENERAL OF NATIONAL DEPARTMENT OF CIVILIAN SECRETARIAT FOR POLICE SERVICE)

A letter dated 3 March was received from the Minister of Police, informing the NA of the appointment of Mr S Thulani as the Secretary for Police Service (Director-General of the National Department of Civilian Secretariat for Police Service). The Minister further informed the NA that the appointment was in terms of section 12(2) of the Public Service Act (No 30 of 2007) which, inter alia, provides that a person shall be appointed to the post of head of department for such term, not exceeding five years, as the relevant executive authority may approve.

The correspondence from the Minister was referred to the Portfolio Committee on Police for information. In terms of the Act, Parliament has no role to play in the appointment of the Secretary for Police Service.

[23] CONSIDERATION OF MINISTER'S RECOMMENDATION FOR APPOINTMENT OF CANDIDATE TO ICASA

In an undated letter, the Minister of Communications and Digital Technologies wrote to the Speaker informing her that he had received her letter of 7 November 2023, recommending candidates for appointment to the Council of the Independent Communications Authority of South Africa (Icasa). The Minister stated that based on his analysis of the available skills set of the Council, together with the qualifications and experience of the recommended candidates, he recommended Mr Mothobi Ramusi for appointment in terms of section 5(1B)(a) of the Independent Communications Authority of South Africa Act (No 13 of 2000), (the Act), as amended. He requested the NA to approve his recommendation so that he could finalise his appointment to the Council in terms of the Act.

Section 5(1B)(a) requires the Minister to recommend to the NA, from the list contemplated in the Act, persons whom he proposes to appoint to serve on the Council. The Act requires the NA to submit to the Minister a list of suitable candidates at one and half times the number of councilors to be appointed. As alluded to above, the Speaker had submitted the list to the Minister on 7 November 2023.

On 6 February, the Committee considered and approved the Minister's recommendation. The recommendation of the Committee was approved by the NA on 29 February.

[24] REQUEST FOR INITIATION OF PROCESS TO APPOINT MEMBERS OF PANSALB

In a letter dated 4 March, the Minister of Sport, Arts and Culture requested the NA to initiate a process to appoint members of the Pan South African Language Board (PanSALB) in terms of the Pan South African Language Board Act (No 59 of 1995) (the Act). The Speaker referred the request to the Portfolio Committee on Sport, Arts and Culture (the Committee) for consideration and report.

The process to appoint members to the PanSALB began when the Minister consulted the Committee regarding the appointment of an "ad hoc committee" to facilitate the process of inviting the public to nominate persons for appointment to serve on PanSALB. Nomination documents, including curriculum vitae of nominees, were submitted to the Committee for processing on 9 January in terms of section 5(a)(i) of the Act.

The Committee shortlisted 19 candidates, whom it recommended for appointment on 20 March. The report, however, lapsed in terms of Rule 351 which provides that all business before the Assembly or any Assembly committee lapse on the last sitting day of a term of the Assembly.

ABBREVIATIONS

ATC	Announcements, Tablings and Committee reports
CGE	Commission for Gender Equality
ICASA	Independent Communications Authority of South Africa
IEC	Electoral Commission
JSC	Judicial Service Commission
LOGB	Leader of Government Business
MDDA	Media Development and Diversity Agency
NA	National Assembly
NAPC	National Assembly Programme Committee
NARC	National Assembly Rules Committee
NCOP	National Council of Provinces
PanSALB	Pan South African Language Board
PSC	Public Service Commission
SONA	State of the Nation Address

POLITICAL PARTIES

ANC	African National Congress
DA	Democratic Alliance
EFF	Economic Freedom Fighters
IFP	Inkatha Freedom Party
FF Plus	Freedom Front Plus
ACDP	African Christian Democratic Party
UDM	United Democratic Movement
ATM	African Transformation Movement
GOOD	GOOD
NFP	National Freedom Party
COPE	Congress of the People
PAC	Pan-Africanist Congress
AL JAMA-AH	Al Jama-ah

ANNEXURE 1

MEMBERSHIP OF THE ASSEMBLY

In the sixth session of the Sixth Parliament, several vacancies occurred in the NA. Some were due to resignations and others as a result of members passing away or losing their membership in terms of section 47(3)(c) of the Constitution (1996).

In terms of Item 23 of Schedule 1A to the Electoral Act (No 73 of 1998), casual vacancies have to be filled by parties nominating the next qualified and available member from the same candidates' list from which the member vacating the seat had originally been nominated.

The following vacancies occurred and were filled during 2024:

1. Mr C H M Sibisi (NFP – KZN) passed away on 18 October 2023. Replaced by Mr P M Sikosana wef 24 April 2024.
2. Mrs A H Mthembu (ANC – KZN) passed away on 26 December 2023. Replaced by Mr K E R Hadebe wef 16 February 2024.
3. Ms V S Siwela (ANC – National) passed away on 18 January 2024. Replaced by Ms N Muller wef 16 February 2024.
4. Mr G K Y Cachalia (DA – GP) resigned wef 19 January 2024.
5. Dr M J Cardo (DA – National) resigned wef 1 February 2024.
6. Mr M H Hoosen (DA- KZN) resigned wef 19 February 2024. Replaced by Mr S G Vilakazi wef 8 March 2024.
7. Mr T R Majola (DA – WC) resigned wef 8 March 2024.
8. Ms S Patrein (ANC – WC) lost her membership in terms of section 47(3)(c) of the Constitution wef 13 March 2024. Replaced by Ms S W Davids wef 13 March 2024.
9. Mr W F Faber (DA – National) resigned wef 1 April 2024.
10. Ms N N Mapisa-Nqakula (ANC – National) resigned wef 3 April 2024.

ANNEXURE 2

CONDOLENCE MOTIONS

On 5 March, condolence motions on the passing of two serving members of the Assembly were considered by the House. The late Ms Alice Hlebani Mthembu, passed away on 26 December 2023 and the late Ms Violet Sizani Siwela passed away on 18 January 2024. Members agreed to the respective motions and stood to observe a moment of silence in their memory.

- Ms Alice Mthembu dedicated her life to the African National Congress where she served as an administrator at the Ntambanana ANC Constituency office. She was also appointed to serve in the ANC's Musa Dladla Region and the Regional Executive Committee of the ANC Women's League as Chairperson and also in the province as ANC Women's League Treasurer. She was appointed Deputy Mayor of King Cetshwayo District Municipality; a dedicated and tireless public servant who served her constituency in KwaZulu-Natal and the people of South Africa with unwavering commitment and dedication. At the time of her passing, she was a Member of the National Assembly since 2019, served diligently in various parliamentary committees, including the Committees on Communications and Digital Technologies, Defence and Military Veterans, as well as the Joint Standing Committee on Defence. The Assembly extends its heartfelt condolences to her family, colleagues, and the African National Congress. Her condolence motion was debated on 5 March 2024 and agreed to, with members standing.

- Ms Violet Sizani Siwela, (ANC) Member of Parliament (MP), was elected to the National Assembly in 2019 after the general elections and was appointed the Chairperson of the Portfolio Committee on Small Business Development. She began her journey as an educator at Hluvukani Primary School in 1977 including Malwana, Relani, and Lulekani Primary Schools, where she was the Head of the Department and later the principal at Ludlow Primary School from 1993 to 2005. She was the Branch Deputy President of the Commonwealth Parliamentary Association, Mpumalanga Provincial Legislature, from 2009 to 2011 and also as the Convenor of the Commonwealth Women's Parliament Africa Region from 2009 to 2011. She served as a Member of the Executive Council in Mpumalanga for Agriculture, Rural Development, and Land Administration from February 2013 to May 2014, and for Human Settlements from June 2014 to August 2016. She played a vital role in Mpumalanga Provincial Legislature as Deputy Speaker from 2009 to February 2013, and again as the Speaker of the Mpumalanga Provincial Legislature in 2018. She served her political party with dedication and commitment through her various positions as Deputy Chairperson of Mpumalanga ANC from December 2015 until December 2017, her two terms elected to the party's National Executive Committee in 2017 and again in 2022 and served on the National Executive of the ANC Women's League. Her condolence motion was debated on 5 March 2024 and agreed to, with members standing.

ANNEXURE 3

FIRST REPORT OF NATIONAL ASSEMBLY RULES COMMITTEE (RULES COMMITTEE) ON RULE AMENDMENT AND GUIDELINES FOR PETITIONS, 2024

Following its meeting of 20 March 2024, the Speaker of the National Assembly, as Chairperson of the National Assembly Rules Committee, presents the First Report of the Rules Committee for 2024 as follows:

1. Amended rule on lodging of petitions

The Rules Committee recommends an amendment to Rule 347 (Lodging of petitions) for consideration by the Assembly as follows:

347. Lodging

- (1) A petition must be lodged by a member of Parliament or member of the public with the Secretary for tabling by the Speaker and must be signed at the beginning thereof by the member or member of the public.
- (2) A member of Parliament may not lodge a petition on his or her own behalf, but such a petition may be lodged by another member.

In terms of the rule amendment, a member of the public would also be able to lodge a petition with the Assembly, which is currently not the case.

2. Guidelines for Petitions

The Constitution (1996) provides that the National Assembly or any of its committees may receive petitions from any interested persons or institutions. Over the years, the institution has seen a significant rise in the number of petitions. There have also been complaints that Parliament takes a considerable amount of time to process petitions. In this context, Parliament has

been looking at ways to enhance the processing of petitions, including the relevant procedures. The guidelines will ensure compliance with the rules on petitions and seek to guide petitioners.

In terms of Assembly Rule 344, petitions must be in the form prescribed by the Speaker in accordance with guidelines determined by the Rules Committee.

The Rules Committee recommends the following guidelines for consideration by the Assembly:

Formal Requirements

A petition must -

- a) Comply with Assembly Rules 345 – 347;
- b) Include the name/s and contact detail/s of the petitioner/s;
- c) Be legible;
- d) Not contain improper or disrespectful language;
- e) Contain any supporting documents on the issue raised by the petitioner(s); and
- f) Indicate the nature of the relief (assistance) asked from the Assembly.

Substantive Requirements

A petition must -

- a) Request action where the House, national government or Minister has the authority to intervene;
- b) Not have been considered by the Committee previously, except if that petition, in the opinion of the Committee, contains new information that may materially impact on the outcome of re-consideration of the matter;
- c) Not be in respect to a matter that a petitioner has not yet brought to the attention of a relevant body or if the petitioner has brought it to the attention of the relevant body, the relevant body has not been afforded

- d) reasonable time to consider the matter;
- e) Not concern a matter pending in a court of law, tribunal, forum, investigative institution or body contemplated within the Constitution or any other law;
- f) Not be in connection with the conviction and sentencing of a person by a criminal court or judgment made by a civil court of law;
- f) Not seek to review or overturn the proceedings of judgment of a competent court; and
- g) Should not deal with a matter that is already before the Assembly.

Report to be considered.



PARLIAMENT
OF THE REPUBLIC OF SOUTH AFRICA

Parliament of the Republic of South Africa,
P O Box 15, Cape Town 8000.

