



06
NCOP meeting
strategic objectives
of a participatory
democracy



10
Legislative
sector promotes
democracy in SA

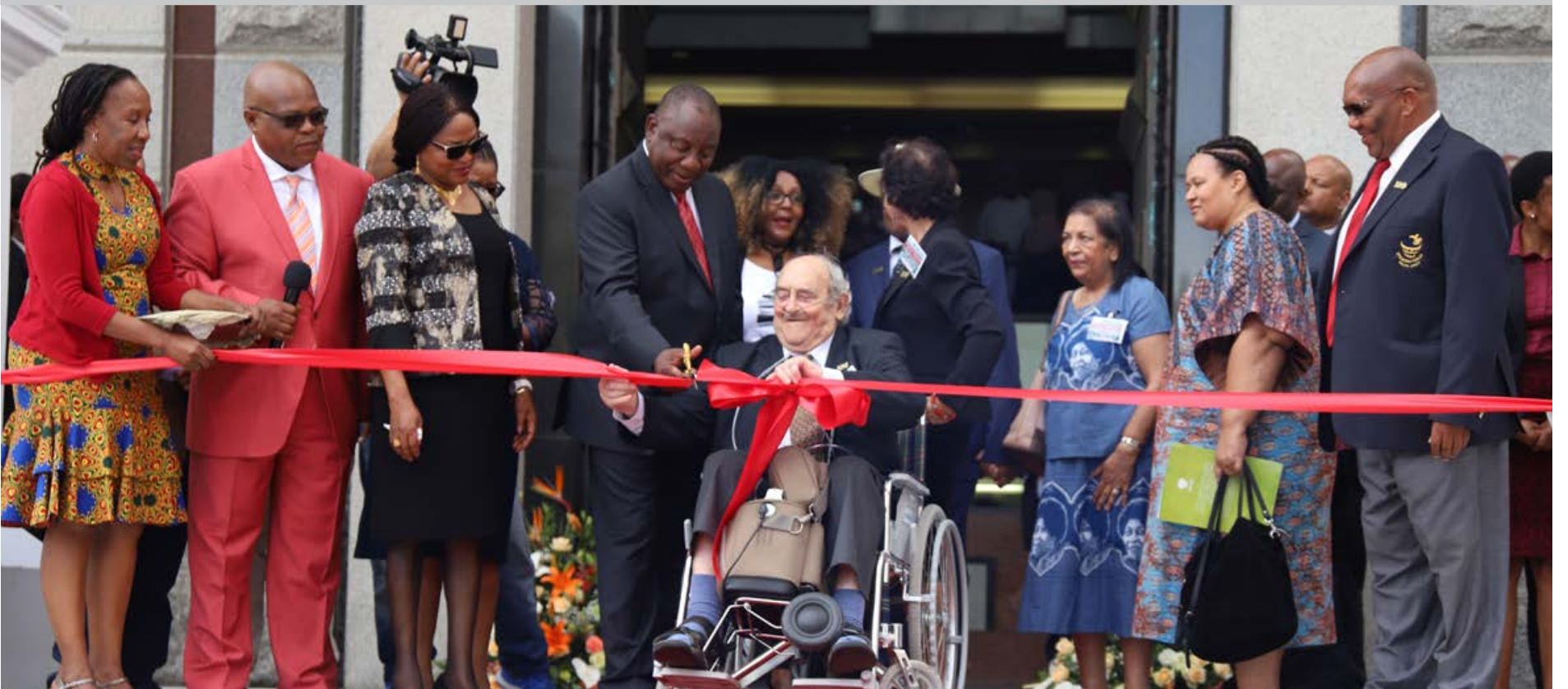


14
Building a
corruption-free
police force

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Building a value-based People's Parliament



*The President of the Republic of South Africa, Mr Cyril Ramaphosa, unveiled the inscriptions of the key pillars of the Constitution at Parliament before the Fifth Parliament rose, reports **Maya Lukani**.*

Unveiling the inscriptions, President Ramaphosa said he was deeply honoured to be part of this historic moment on the steps to the People's Parliament, both in front of the National Council of Provinces and the National Assembly.

He said the citizens of South Africa and their representatives who would use the steps to enter both Houses of parliament will be reminded of the fundamental principles upon which South Africa is founded.

"Each one of us will need to reflect on whether our daily actions advance or betray the cause of Freedom and Democracy," said President Ramaphosa, asking if each of us were contributing to forging a society characterised by equality and diversity, unity and reconciliation.

President Ramaphosa asked: "Are we building institutions that promote Openness and Participation, Oversight and Accountability? Are we pursuing a national programme

that advances Reconstruction and Development?"

He said the inscriptions unveiled at Parliament are the principles that so many in South Africa fought for and which many lost their lives for.

He said the values that underwrite these inscriptions are reflected in the Freedom Charter, adopted in Kliptown in 1955.

"They are the fundamental values of our democratic



President Ramaphosa:
"Are we building institutions that promote Openness and Participation, Oversight and Accountability?"

society, articulated in our Constitution and celebrated every day in millions of different ways."

The inscriptions, according to President Ramaphosa, are principles that not only

bind the South African nation together, but they bind South Africans to the peoples of the world. "It is significant that these principles are being inscribed on the steps of Parliament as we celebrate 25 years of a free





and democratic South Africa,” stressed President Ramaphosa.

He added that it was fitting to unveil the inscriptions in the week that marks Human Rights Day. “The human rights we celebrate on the 21st of March cannot have meaning without the values and principles inscribed on these steps,” said President Ramaphosa.

Explaining the inscriptions, President Ramaphosa said, “When we talk about Freedom and Democracy, Equality and Diversity, Unity and Reconciliation, and Openness and Participation, we are making reference in the main to civil and political rights. These include the right to life, equality before the law, freedom of speech and the right to vote, among other civil and political rights.

“When we talk about Oversight and Accountability, Reconstruction and Development, and Cooperative Governance, we are reflecting on the social and economic development of our society and the well-being of its people.”

President Ramaphosa said Parliament needs to be applauded for including the inscription of these principles as part of the celebration of the centenaries of former President Nelson Mandela and Mama Albertina Sisulu.

“There are few South Africans who have embodied the values reflected here with such consistency and integrity as they did,” said President Ramaphosa.

They understood the ways in which inequality was manifested.

The inscriptions, according to President Ramaphosa, are not mere adornments but are a constant reminder of the ideals of the democratic and more humane society we are still constructing.

“As representatives of the people, we are all duty-bound to live up to these values and principles without deviation.”

President Ramaphosa said when former President Nelson Mandela opened the democratic Parliament on the 24th of May 1994, he laid the foundations of a new society that would be based on the values and principles now inscribed here.

Thus to immortalise Tata u-Nelson Mandela, Mama Albertina Sisulu, and many of their generation, “we have to etch these values on our collective conscience to push the frontiers of human fulfilment and of human freedoms”.

As the Fifth Parliament ends, he thanked all political parties represented in Parliament for having done everything within their ability to advance and promote these values.

“Despite our different political persuasions, these values bind us together and give us our common identity as South Africans,” said President Ramaphosa. 🇿🇦

The inscriptions of the key pillars of the Constitution unveiled by President Ramaphosa are:



Freedom and Democracy



Equality and Diversity



Unity and Reconciliation



Openness and Participation



Oversight and Accountability



Reconstruction and Development



Cooperative Governance

A proud moment for Goldberg and representatives of Mandela, Sisulu families



InSession writer, Mava Lukani, spoke to some of the dignitaries attending the unveiling ceremony of inscriptions of the key pillars of the Constitution of the Republic of South Africa.

The dignitaries included the struggle veteran and the Rivonia treason trialist, Mr Denis Goldberg, who was with Nelson Mandela, Walter Sisulu, Ahmed Kathrada, Govan Mbeki, Raymond Mhlaba, Andrew Mlangeni and Elias Motsoaledi in the trial and who were sentenced to life imprisonment in June 1964; Mr Max Sisulu, who represented the Sisulu family and who was the Speaker of the National Assembly during the Fourth Parliament, and Ms Ndileka Mandela, who represented the Mandela family.

Asked about his view on the centenary birthday celebrations of the former legends of the struggle for liberation, Mr Nelson Mandela and Mrs Albertina Sisulu launched in 2018, Mr Goldberg said: "I am deeply humbled and very

excited by being invited by the Parliament of the Republic of South Africa – our people's Parliament – to attend this historic unveiling of the inscriptions of the key pillars of the Constitution, above all, to assist President Cyril Ramaphosa to cut the ribbon unveiling the inscriptions of the key pillars of the Constitution. I am very proud about that.



The inscriptions of the key pillars of the Constitution are not a mere symbolism of our freedom, but are stretching the values of our freedom."

Mr Goldberg said the inscriptions are part of the climax of the Freedom Charter of 1955 which followed the 1943 African Claims document which was part of the African National Congress Youth League's Programme of Action. "The demands for freedom now in our lifetime, equality before the law, and other freedoms were demanded in 1943."



Mr Max Sisulu – "We feel very happy and excited by being invited to be part of this history-making occasion of the unveiling of the inscriptions of the key pillars of the Constitution of the Republic of South Africa. This takes the Sisulu family back down a long memory lane. Our parents, both our father and mother, were committed to the liberation of South Africa and sacrificed everything for that purpose."

Mr Sisulu said it was encouraging to see what his parents, Mandela and countless other freedom fighters fought for being realised. "These inscriptions of the key pillars of the Constitution will remain the foundational stones upon which our Constitution will stand forever."

Ms Ndileka Mandela – Ms Ndileka Mandela, the granddaughter of the late Mr Nelson Mandela, represented the Mandela family at the unveiling ceremony.

She said: "We also feel honoured to be invited as the Mandela family to be part of this historic occasion of the unveiling of the inscriptions of the key pillars of the Constitution.

The inscriptions are what Mandela and others sacrificed everything for. We continue to feel grateful to see the realisation of their dreams. Freedom, diversity, openness, reconciliation and unity are what they wanted achieved for all the people of South Africa." 🌹



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An activist and responsive
people's Parliament
that improves the quality of life
of South Africans and ensures
enduring equality in our
society.

Strategic Objectives
Strengthening oversight and
accountability;
enhancing public involvement;
deepening
engagement in international fora;
strengthening
cooperative government;
strengthening
legislative capacity.

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Parliament continues to affirm democratic values – Speaker Mbete



The unveiling of inscriptions of the key pillars of the Constitution at Parliament marked the closure of the year-long celebration of the births of Tata Nelson Mandela and Mama Albertina Sisulu – and the celebration of the birth of the democratic Parliament, writes Mava Lukani.

"I am sure I speak for many when I say, we have a great cause for celebrating the Silver Jubilee Anniversary as Parliament.

We witnessed its birth on 9 May 1994, when Ma Sisulu gracefully stood up to nominate Madiba for election as the first President of a free and democratic South Africa.

That marked a massive nation-building project in which Parliament played a leading role to bring South Africans together – through their public representatives – to build a new country," said the Speaker of the National Assembly, Ms Baleka Mbete.

Ms Mbete gave a brief overview of the Fifth Parliament to dignitaries who included the representatives of the Mandela and Sisulu families.

Also attending the ceremony was the legend of democracy, the former Rivonia trialist Mr Denis Goldberg.

Ms Mbete said the journey traversed so far by Parliament with its ground-breaking milestones, disappointing lows and vigorous revivals, helped build this institution. Parliament continues to affirm the democratic values espoused by Madiba and Ma Sisulu and other leaders.

Listing some of the defining decisions which Parliament presided over, Ms Mbete said they include passing about 2 000 Bills as part of building a new nation from the ashes of apartheid and colonialism that had ravaged our society and built divisions with which we are still grappling in our nation-building project, and approving budgets involving trillions of rands which changed the lives of millions of South Africans and shifted human development outcomes.

She said the budgets that the democratic Parliament approved included increased life expectancy, vastly improved access to education with 8 in 10 children enrolled and registering high matric pass rates, tripling enrolments at tertiary institutions with billions of rands paid out in bursaries, and a six-fold increase in the uptake of social security benefits. Millions have benefited from housing, access to electricity, literacy programmes, water and many other amenities. 🌹



Parliament is the voice of the people – Chairperson Modise



According to the Chairperson of the National Council of Provinces (NCOP), Ms Thandi Modise, the unveiling of inscriptions of the key pillars of the Constitution pays tribute to two significant events, writes Mava Lukani.

One is the births, in 1918, of the two exemplary South Africans, Mr Nelson Mandela and Ms Albertina Sisulu.

The second tribute is that the unveiling of the inscriptions coincides with the 25th anniversary of the first democratic election, on 27 April 1994. "This year, we will be looking back on a quarter century of our democracy," said Ms Modise.

Ms Modise appealed for the Sixth Democratic Parliament and the subsequent democratic Parliaments to continue strengthening meaningful links between the people and their public representatives.

Ms Modise said the inscriptions and their explanatory plaques will help to spark interest about how South Africans overcame the challenges of their past.

"As Madiba reminded us, in his farewell address to the first democratic Parliament: "Those were to avoid the nightmare of debilitating racial war and bloodshed, and to reconcile our people on the basis that our overriding objective must be to work together to overcome the legacy of poverty, division and inequity."

Besides these inscriptions, Ms Modise said there are other reminders of the South African democracy within the parliamentary precinct. The reminders include the Mandela Bust, parliamentary emblem and other symbols. Explaining the parliamentary emblem, Ms Modise said the parliamentary emblem is a reminder about who South Africans are, and where we come from.

"The parliamentary emblem is a drum topped by a rising sun, encased by Protea leaves, all resting on an open book. The sun represents the healing of our past and the improved quality of life for South Africa's people. The leaves represent the freely elected representatives of the people. The drum calls the people's representatives together, and the book represents the country's new Constitution," said Ms Modise. She said the new parliamentary emblem is meant to make people think differently about Parliament – "that ours is a Parliament that the masses of our people can truly experience as their voice". 🌹



Expropriation of land without compensation will be concluded by 6th Parliament

The question of expropriation of land without compensation that dominated the latter part of the fifth parliamentary term will be concluded during the term of the 6th Parliament, writes Rajaa Azzakani.

This follows after the National Assembly resolved that the sixth Parliament will have to amend section 25 of the Constitution to allow expropriation without compensation. During its penultimate sitting, the National Assembly adopted the report of the Ad Hoc Committee to Amend Section 25 of the Constitution, which recommends that the committee was not able to complete its work by the end of the fifth Parliament's term, and that the sixth Parliament be tasked with amending the Constitution to allow for expropriation of land without compensation.

Introducing the report, the Chairperson of the committee, Ms Thoko Didiza, said addressing the "mischief of

land dispossession" is what the drafters of the Constitution intended with section 25. She said "as we all know, we have not been able to ensure all have access to land and security of tenure".

The Ad Hoc Committee adopted a report on its work on 13 March 2019. During that meeting, Ms Didiza said that, the committee recommended to the National Assembly that the House should take note of the Ad Hoc Committee's programme and resolved that it could not conclude its work in this term of Parliament.

It further recommended that the sixth Parliament be tasked with finalising the amendment of section 25 of the Constitution. This is due to the time constraints that the Ad Hoc Committee to Amend Section 25 of the Constitution experienced with Parliament rising in the middle of March 2019 in preparation for the national and provincial elections in May 2019.

On 6 December 2018, the National Assembly resolved to establish an ad hoc committee in terms of Rule 253, and mandated the committee to initiate and introduce legislation to amend section

25 of the Constitution. The ad hoc committee was instructed to have regard for the recommendations contained in the Joint Constitutional Review Committee report.

Since its first meeting on 12 February 2019, the committee has held extensive engagements with experts on land reform and the Constitution. Among other things, it received briefings from the Parliamentary Legal Services on the legislative process and the application by AfriForum; a briefing on the summary of the report of the Joint Constitutional Review Committee on the Review of

section 25 of the Constitution; presentations by identified experts; and it also discussed the policy framework that will inform the drafting of a Committee Bill.

Some legal experts who were invited by the committee were either not available or expressed concerns regarding a possible conflict of interest because they are sitting judges. The committee's report acknowledged the valuable inputs from all presentations received to date.

The report of the Ad Hoc Committee was adopted, with the Democratic Alliance

and the African Christian Democratic Party both reserving their rights regarding the recommendation of referral to the next Parliament.

During the initial work on whether or not the Constitution should be amended, the Joint Constitutional Review Committee held 34 public hearings in all the country's nine provinces. During these public hearings, members of the public could walk into venues and air their opinion on a constitutional amendment that would make it possible for the government to expropriate land without compensation, in the public interest.

The Joint Constitutional Review Committee also received more than 630 000 written submissions. It continued its work by holding oral presentations over six days at Parliament.

In its final report to the National Assembly, the Joint Constitutional Review Committee recommended that the Constitution should be amended to explicitly provide for the expropriation of land without compensation. 🇿🇦

**"As we all know, we have not been able to ensure all have access to land and security of tenure".
Thoko Didiza**





NCOP meeting strategic objectives of a participatory democracy

As the National Council of Provinces' (NCOP's) fifth term tenure comes to an end, it's an opportune time to reflect on the challenges and successes it has recorded during this period. Such a reflection forms the basis for its legacy report, which will be handed over to incoming Members of Parliament that will constitute the sixth Parliament after the forthcoming general elections in May this year, writes Abel Mputing.

The format of its Review Report has been conceptualised and written to draw on its experiences, best practices and baseline, which informed its objectives of law-making, oversight model, public participation, international engagement and the strengthening of cooperative governance.

The NCOP's mandate straddles the executive, provincial legislatures and local government under one roof.

One of the milestones of this fifth term is the review of its oversight mechanisms which led to the inception of a new Oversight and Accountability Model. The flagship programmes of this model are the Oversight Week; Taking Parliament to the People (TPPTP) programme; Provincial Week and Local Government Week. These programmes have become the hallmarks of the NCOP's Oversight and Accountability Model, which it uses to hold the national, provincial and local government accountable in how they manage the public

purse and in the execution of service delivery imperatives to realise the strategic priorities of the National Development Plan (NDP), Sustainable Development Goals (SDGs) and African Union's (AU's) Agenda 2063.

One of the milestones of this fifth term is the review of its oversight mechanisms which led to the inception of a new Oversight and Accountability Model.

All these programmes have a unique role in the execution of the NCOP's constitutional mandate – and in ensuring that the views of the people inform the strategic direction of the NCOP at all given time. The Taking Parliament to the People programme, which

consists of input and output sessions, is an example of such an undertaking. "Its input process consists of pre-visits to identified sites for oversight. And its output programme comprises the consolidation of a report to be forwarded to relevant government departments and follow-up visits by relevant committees, and thereafter a feedback is provided to various stakeholders."

According to this Review Report, "responses to the NCOP's findings emanating from its Taking Parliament to the People programme are coming in at a slow rate from affected government institutions". As a result, a resolution has been made that "correspondence should



be written to the Minister in the Presidency: Planning, Monitoring and Evaluation, raising the concern pertaining to the provision of responses to executive undertakings".

The Provincial Week programme enables the NCOP to engage directly with national and provincial departments, and local

government entities to understand their challenges pertaining to service delivery. This week is set aside for "oversight work in the provinces". Given that the NCOP is made up of delegates from provincial legislatures, this week affords them an opportunity "to go back to their respective provinces to conduct oversight together with their provincial legislatures". The NCOP, in consultation with the provincial legislatures, "decide on the issue and theme of oversight".

In order to follow up on matters arising from the Talking Parliament to the People programme, as well as the Provincial Week





programmes, the NCOP has established Oversight Week. This was established during the fourth Parliament and provides a dedicated time for NCOP Members to verify information received in briefings and reports with interaction with local communities and their experiences.

In-house plenaries, resolutions and question times have also proved to be effective mechanisms of conducting its oversight and holding the executive to account. Most of all, they are done in public and people see accountability in action.

In a bid to strengthen its cooperative governance mandate, the NCOP has intervened in various municipalities that have failed to undertake their service delivery targets, stipulated as their key performance areas. In this term, the NCOP has received 28 intervention

notices, eight were repeat and five were new. The Constitution affords the NCOP powers to intervene in municipalities that have difficulty in executing their mandates that are strategically critical to their service delivery imperatives as stipulated either in the NDP and/or SDGs.

Some of these flagship programmes have formed the basis of the NCOP's Public Participation Model, which emanated from the Legislative Sector Public Participation Framework, which was adopted by the Speakers' Forum. This model strives to achieve the strategic objectives of a participatory democracy and a constitutional democracy.

"One of the strategic objectives of this model is to increase access and improve the quality of participation in the legislative affairs of our country by the people through enhanced programmes that

seek to foster participatory democracy."

The Provincial Week programme enables the NCOP to engage directly with national and provincial departments, and local government entities to understand their challenges pertaining to service delivery.

"Subsequent to the Legislative Sector Public Participation Framework, which was adopted by the Speakers' Forum, after consultation with the Political Steering Committee, the Technical Steering Committee developed the Draft Public Participation Model for Parliament."



In keeping with the mission of South African Legislative Sector, which seeks to put the people at the centre of its affairs, this model is a result of a multi-pronged public participation process. "The development of the model was initiated through a multi-platform media campaign soliciting input from the general public and various stakeholders. The input was analysed, synthesised, incorporated and consolidated into this model."

Of the two Houses of Parliament, it's the NCOP that has provision for public petitions. Petitions contain matters that the public would like the NCOP to consider or resolve. As such, any member of the public can petition the NCOP's Select Committee on Petitions to do so.

During the fifth parliamentary term, a total of 22 petitions have been referred to its Select Committee on Petitions and Undertakings since 2015. Of these, 15 reports have been tabled to the House, three petitions are still under consideration by the Select Committee and in the remaining four petitions, the Select Committee awaits dates from the House on which the related reports can be tabled.

The Select Committee on Petitions and Executive

Undertakings also raised public awareness about the nature and form of its work. "The Select Committee initiated these public awareness exercises upon realising that the majority of petitions referred to it have not been referred to other competent bodies, such as provincial petitions committees and relevant Chapter 9 Institutions, prior to being submitted to the NCOP."

Although much has been achieved to consolidate the mandate of the NCOP in the previous term, a lot still remains to be done. To that effect, it has been observed that most of the resolutions of the NCOP are not aligned to the NDP and SDGs, as it should be the case. According to its Review Report, much of its deliberations and undertakings "speak more to actual observations rather than the future and the attainment of goals as set out in the NDP".

This is a fitting concluding remark because the objectives of the NDP, SDGs and the African Union's Agenda 2063 are strategic frameworks that inform the NCOP's undertakings to create a better life for all South Africans – and our Legislative Sector's shared responsibility to instil a human rights culture for a more humane world. 🌍



Through Parliament citizens must own the country's budget

Research shows that meaningful public participation and parliamentary oversight over budget processes lifts social ownership of the budget and effective allocation of funds, and cuts waste, writes Mohammed Jahed



The need for close public scrutiny of government revenue collection, budget allocation and spending is key to parliament fulfilling its constitutional mandate of exercising oversight over the executive's management of public finances.

The Parliamentary Budget Office (PBO) set up in 2013, supports Parliament's oversight role. The Money Bills Amendment Procedure and Related Matters Act of 2009 provided for the establishment of the PBO and the standing and select committees on finance and appropriations in Parliament.

The Act has its origins in the Constitution's provision that: "An Act of Parliament must provide for a procedure to amend money bills before

Parliament". It has empowered Parliament to make adjustments to the budget as a whole, as well as to the budgets of specific national government departments and entities.

The Act sets out a procedure to amend the fiscal framework, money bills, including taxation and revenue laws, and the Division of Revenue Bill. Before the Act, Parliament could approve or reject the budget, but not make amendments to it.

The Act places greater responsibility on Parliament. It is a responsibility that has begun to reframe the nature of the relationship between Parliament, as the legislative authority, and the national executive, as the custodians of service delivery. Parliamentary oversight over the budget has become a continuous exercise and has been enhanced — and so has public participation in the budget process.

This is in keeping with recognition in the Constitution that it is necessary for Parliament to engage actively in the budget process, in the interests of good governance, financial stability and transparency. However, several technical challenges hindering the full realisation of the Act's intention became apparent, and in 2016, the

National Assembly instructed the Standing Committee on Finance to review the Act.

After a lengthy and thorough public consultation process, the National Assembly was considering the Bill at a plenary sitting of the assembly on August 28.

One of the practical challenges the Standing Committee on Finance identified is the short timeframes within which Parliament must consider and approve different financial instruments and bills related to the budget and adjustments to the budget.

As stated in its report of 7 June 2018 on the proposed amendments to the Act, the timeframes are very difficult to implement and reduce the prospects of meaningful public engagement on very important bills.

The Money Bills Amendment Procedure and Related Matters Act of 2009 provided for the establishment of the PBO and the standing and select committees on finance and appropriations.

Another challenge the committee identified is that the PBO's planning, budgeting, financial management and reporting proceeds through the administration of Parliament.

The committee's amendment on this, therefore, seeks to follow international best practice by proposing the PBO be established as a juristic person.

Despite these challenges, the PBO has provided independent, objective and professional research, advice and analysis to Parliament's standing and select committees on finance and appropriations and to other committees of Parliament on specific issues.

The finance issues that MPs must interrogate are complex and the PBO has, to an extent, levelled the playing field between MPs and the executive with its significantly more staff and resources.

The PBO has, for instance, provided analysis and advice to Parliament during the Budget and Medium Term Budget Policy Statement ever since it existed through briefings on these to joint meetings of the finance and appropriations committees, reports on key macroeconomic factors affecting the economy, assessments of revenue and expenditure patterns and contingent liabilities and potential fiscal risks.

The PBO also analyses the government's proposals on spending, revenue collection (such as, changes to taxes), the fiscal policy framework, the size of the deficit and the borrowing requirements.

The division of revenue across spheres of government and government departments is assessed as well — as is the



expenditure performance of departments.

The PBO has also provided analysis about implementation of the National Development Plan — whether the government's performance plans, budgets and outcomes are in keeping with the plan.

Specific issues have also come under scrutiny. In 2016, for instance, the PBO provided a report and analysis on the sustainability of the current social grant system outlining several scenarios and identifying key areas for monitoring risk. The PBO has produced analyses of choices for new electricity generation, the costs and outcomes of industrial policy, the state of Eskom's finances, and on university funding and fees.

Feedback from MPs has been positive: the reports have helped them to make policy and legislative recommendations, and to enrich their oversight of executive action. Policy imperatives, after all, should be reflected in the budget as a whole and the budgets of national of government departments and entities.

Research has shown that meaningful public participation and parliamentary oversight over budget processes increases social ownership of the budget and effective allocation of funds, while reducing waste. There is also wide agreement that the specialist, independent, objective and technical research and analysis available from PBOs is useful and helps to enhance transparency in how public funds are managed.

The environments in which PBOs operate are not, however, simple or always easy. The US congressional budget office, established more than 40 years ago to provide independent technical advice to reduce Congress's reliance on analyses from the president's office of budget management, came under fire in 2017.

This related to the repeal of the Patient Protection and Affordable Care Act by the Republican Party and US President Donald Trump. The congressional budget office reports estimated that changing the law to repeal the Act could cause millions of Americans to lose health cover or significantly increase costs to those who had cover.

In August 2018 Parliament hosted the third annual conference of the African Network of Parliamentary Budget Offices. The network is a platform for African PBOs and similar institutions to share ideas and experiences about strengthening support for parliamentary fiscal oversight. The inaugural conference held in 2016 established the network and laid the foundation to build this platform for information sharing among African countries that have PBOs and those considering establishing them.

Delegates attending the third conference on August 22-23 2018 came from countries in Africa and across the world — from PBOs and international organisations supporting legislatures' oversight of public funds. MPs, members of provincial legislatures and institutions supporting democracy also participated.

A key message from the conference was that PBOs should play a supportive role in enhancing public participation in budget processes. This is because these offices, by enhancing the capacity of MPs to engage more fully with budget processes, are also serving the people who those MPs represent.

Another was that clearly defined governance structures, preferably grounded in legislation, ensured that PBOs are protected from undue political and administrative influence. The independence of PBOs was seen as a key factor to their success, delegates agreed. 🌟



SCOPA worked to fight corruption in the public sector

The fifth Parliament's Standing Committee on Public Accounts (Scopa) left with a spirit of satisfaction with the record of what it achieved on its mandate since it was established from May 2014 till the end of the fifth Parliament. Before its departure, the committee adopted its legacy report, which details its work over the past five years and which will assist the new Scopa committee of the sixth Parliament, reports Faith Ndenze.

Scopa's legacy report indicates that in the past five years the committee has identified critical issues, such as financial mismanagement; non-adherence to supply chain management; inadequate internal control management; "evergreen" contracts, particularly in state-owned entities; leadership instability; non-compliance with laws and regulations, particularly the Constitution, the Public Finance

Management Act (PFMA), National Treasury regulations, the Public Service Act and public service regulations in government departments and state-owned entities.

During the fifth parliamentary term, the committee held 150 committee meetings, undertook 12 oversight visits and conducted one joint oversight visit with another committee. Challenges identified during the oversight visits included officials and senior management disregarding legislation such as the Constitution, the PFMA, National Treasury regulations and the Preferential Procurement Policy Framework Act, among others.

Scopa's key achievements include its role in ensuring the termination of the Cash Paymaster Services (CPS) contract, which was declared irregular and was renewed irregularly. The CPS was a company that was contracted by the South African Social Security Agency (Sassa) for the payment of old age grants to deserving beneficiaries.

Another key achievement of the committee was its role in requesting Sassa to negotiate with the South African Post Office (Sapo), to establish

whether the role performed by CPS could be done by Sapo. An agreement was reached to award the contract to Sapo, thereby saving the state a substantial sum of money.

The committee also referred cases of possible corruption to the Anti-Corruption Task Team (ACTT) for further investigation. It scrutinised contract management and awarding of tenders at the State Information Technology Agency and the Forensic Data Analysts contract at the South African Police Service. The committee also intervened in municipalities and other government offices defaulting on debt payments to Eskom. Scopa also intervened in the Public Investment Corporation, the Department of Water and Sanitation, and in the Department of Public Works (prestige contract).

The committee is grateful for the relationship it had with the Office of the Auditor-General, the National Treasury, ACTT, the Public Service Commission, the Special Investigating Unit, the Association of Public Accounts Committees and the Southern African Development Community Organisation of Public Accounts Committees, which assisted the committee in its work. 🌟



Legislative sector promotes democracy in SA

The South African Legislative Sector (Sals), a coordinating structure of Parliament and the nine provincial legislatures that is championed by the Speakers' Forum, continues to play an essential role in complementing the work of the legislative arm of the state, reports

Sakhile Mokoena.

The Speakers' Forum is an organisation of Speakers and Deputy Speakers of the National Assembly and the provincial legislatures, as well as the Chairperson and Deputy Chairperson of the National Council of Provinces (NCOP). Through Sals, the Speakers'



Forum has been running programmes to empower legislators as well as projects that supplement the work of Parliament and the provincial legislatures.

The Speaker of the National Assembly, Ms Baleka Mbete, who is also the Chairperson of the Speakers' Forum, believes that Parliament and

the provincial legislatures will play a central role in the implementation of South Africa's plan to alleviate poverty and inequality by the year 2030 – and the legislative sector plays a central role in the advancement of the culture of democracy in South Africa. In one of the Speakers' Forum meetings she said: "These institutions have played

a pivotal role in improving transparency, accountability and responsiveness of government to the needs of our people."

At Salso meetings, Ms Mbete would reiterate what is envisaged in the National Development Plan (NDP) for the legislative sector. In one of the meetings she said: "The

NDP highlights the extent to which the oversight role of Sals can effectively be fulfilled and contribute to the realisation of an accountable and responsive state. At a national level, the NDP highlights the need to improve the use of Parliament as a platform for a public consideration of citizens' issues and enhanced law-making, including capacitating the skills



of officials with specialist skills in policy research and other priority areas.”

The sector has devised a programme that will give particular attention to the alignment of oversight instruments like the sector oversight model and its ability to systematically track the implementation of the NDP. This will enable the legislatures to be robust in their oversight and accountability function to ensure government delivers basic services equitably and effectively.

The oversight model was launched in 2011 and provides guidelines for legislature oversight in terms of approach, operational tools and mechanisms. The purpose of this model is to set a standard for the practice and conduct oversight in the South African legislative sector.

The sector has already adopted an oversight approach, which integrates the sector oversight model and NDP alignment with global strategies. It is recommended that the sixth Parliament give particular attention to the alignment of

oversight instruments like the sector oversight model and its ability to systematically track the implementation of the NDP. Legislative sector support programmes also support the business of Parliament, through capacitating Members of Parliament and running special projects to enhance the work of the legislative arm of the state.

In December 2015, the Speakers’ Forum established an independent panel of eminent South Africans to assess the effectiveness of legislation passed since 1994. The High Level Panel (HLP) on the Assessment of Key Legislation and Acceleration of Fundamental Change, chaired by former President Mr Kgalema Motlanthe, was mandated to review legislation, assess implementation, identify gaps and propose action steps to be taken – and to identify legislation that requires strengthening, amendment or change.

A report of the HLP was finalised and submitted to Parliament, and the Joint Rules Committee established



a subcommittee to consider how Parliament should process the report and its recommendations. Some of the recommendations were referred to the relevant parliamentary committee, while the comprehensive report will be deferred to the sixth Parliament.

After 21 months of traversing the country soliciting views from the public, experts, academics and business people, Mr Motlanthe said the work of the HLP was “immense but necessary” and congratulated the Speakers’ Forum for engaging in the exercise. He said: “Since 1994,

our Parliament has been passing legislation but we have never paused to assess the impact of the laws. This is the correct moment to pause and take stock, look at challenges and successes, and consider what needs to be corrected.”

Parliament and the legislatures have identified the need for capacity building of parliamentarians as a strategic intervention in making the legislatures more effective. Various capacity building and skilling programmes were implemented in partnership with the National School of Government, the University of South Africa (Unisa), the

University of the Witwatersrand (Wits) and Johannesburg (UJ).

In the fifth term of Parliament, the legislative sector also consolidated the implementation of the Financial Management of Parliament and Provincial Legislatures Act and transformed the governance structures to ensure compliance with the Act.

The sector also developed the Legislative Sector Bill, which has been adopted by the Speakers’ Forum and is currently going through the parliamentary processes for adoption and enactment. 🇿🇦



Fifth Parliament increased international engagement promoting SA and Africa

As we count down to the inauguration of the sixth Parliament, it is important to reflect on the fifth Parliament's international relations activities, achievements, and outstanding business that will carry over to the next parliamentary term, researchers Mpho Monnakgotla and Natalie Leibrandt-Loxton, in the International Relations and Protocol Division, provided this analysis of achievements in the fifth term.

Parliament's international relations were characterised by broadened, visible and tangible participation in bilateral and multilateral relations with fellow parliaments and parliamentary organisations with the aim of advancing the objectives and values enshrined in the South African Constitution (1996), the White Paper on South Africa's Foreign Policy (2011), the Southern African Development Community (SADC) Revised Regional Indicative Strategic Development (2017), and the National Development Plan (NDP). As the development blueprint for South Africa until 2030, the NDP states:

"... In order for South Africa to grow the economy, reduce poverty, eliminate inequality and protect the planet for future generations, foreign relations must be driven by the country's national interests as well as regional, continental and global commitments ..."

Drawing from this, Parliament translated its strategic objective of "deepening engagement in international forums" into: prioritising Africa; advancing multilateralism; establishing bilateral relations for strategic reasons, particularly in Africa; promoting and protecting human rights; advancing women and youth empowerment, sustainable development, and climate change; reinforcing democratic values and ideals; upholding international law and justice; and strengthening South-South and North-South cooperation.

These objectives are implemented by the Presiding Officers and MPs participating in international relations, under the strategic guidance of the Parliamentary Group on International Relations (PGIR). Administrative support is provided by the Secretary to

Parliament, primarily through the International Relations and Protocol Division (IRPD). The IRPD coordinates the work of the PGIR and Parliament's bilateral and multilateral relations through the provision of content support to the PGIR and parliamentary delegations (including policy and advisory briefs, concept papers, drafting motions for resolution, and speaking notes), as well as logistics operations and protocol and ceremonial services. Through these functions, the IRPD provides strategic advice and support in the formulation and implementation of Parliament's international relations policy.

The PGIR is a strategic body that was established in 2009 by the Joint Rules Committee (Joint Rule 76 to 79). Among other things, it manages, coordinates and provides strategic direction on Parliament's international engagements, including its relations with other parliaments and international parliamentary organisations. It also receives and approves reports from parliamentary delegations, and submits them for publication in the *Announcements, Tabling and Committee Reports* publication. The PGIR comprises 14 members and is co-chaired by the House Chairperson on International Relations in the National Assembly (NA) designated by the Speaker of the NA and the House Chairperson on International Relations and Member's Support in the National Council of Provinces (NCOP), designated by the Chairperson of the NCOP.

Bilateral relations

Parliament championed strong bilateral relations with other

parliaments to enhance South Africa's global stature, in line with the vision of the NDP. This involved hosting a number of bilateral engagements, including courtesy calls by foreign ambassadors/high commissioners, study visits by parliamentary committees of other parliaments, and staff attachments of foreign parliamentary officials.

Parliament's Presiding Officers had incoming and outgoing official engagements with their counterparts from Malawi, Mozambique, Argentina, Chile, Morocco, Egypt, Italy, Serbia, Iran, Hungary, South Korea, Poland, Russia, Vietnam, Germany and Cuba. Parliament also experienced a high number of courtesy calls from Angola, Madagascar, India,

relations between South Africa and the EU date far back as 1994 when the EU Parliament created its delegation for South Africa.

Multilateral relations

At the multilateral level, Parliament participated in forums such as the PAP; the SADC-Parliamentary Forum (SADC-PF); the IPU; the Commonwealth Parliamentary Association (CPA) Africa Region and CPA International; Brics parliamentary engagements; the Global Legislators Organisation (Globe); the African, Caribbean, and Pacific-European Union Joint Parliamentary Assembly (ACP-EU JPA); Parliamentary Conference on the World Trade Organisation (WTO) and IPU Assemblies.



Syria, Turkey, Cuba, Iraq, Poland, Iran, Russia, Burundi, Indonesia, Germany, France, Austria, European Union (EU) ambassadors, Kazakhstan and South Korea.

Strategic relations with the EU was further cemented when Parliament successfully hosted the 24th South Africa – European Union Inter-Parliamentary Meeting (IPM) from 19 to 20 April 2017. This meeting resulted in a joint statement which, among other things, resolved to strengthen the relationship between EU and SA despite the proposed exit of the United Kingdom. The inter-parliamentary

South African parliamentarians' dedication to these forums is evident in the leadership roles they occupied during the Fifth Parliament, including: the CPA Chairperson of the Executive Committee; the Commonwealth Women Parliamentarians (CWP) Africa Region Chairperson; Chairperson of the SADC-PF Standing Committee on Human and Social Development and Special Programmes; member of the Bureau of the ACP-EU JPA, as well as Co-chairperson of the ACP-EU JPA Standing Committee on Economic Development, Finance and Trade.





As the representative of the people, Parliament used its voice in these forums to find amicable solutions to the challenges that Africa and the world are currently grappling with. To this end, the Fifth Parliament advanced the following motions and resolutions related to the consolidation of the African Agenda, human rights, the promotion of democracy, women's empowerment and gender equality, as well as health care.

At the 139th IPU Assembly, Parliament co-sponsored a "Resolution on Strengthening inter-parliamentary cooperation on migration and migration governance in view of the adoption of the Global Compact for Safe, Orderly and Regular Migration", adopted by the Assembly in Geneva (Switzerland) in October 2018. This resolution affirms that people on the move, irrespective of their legal status, as human beings, entitled to the full enjoyment of the human rights set out in the relevant international treaties and covenants.

At the 137th IPU Assembly, Parliament co-sponsored a "Resolution on Sharing our diversity: The 20th anniversary of the Universal Declaration on Democracy", which was adopted by the Assembly in St Petersburg (Russia) in October 2017. This resolution affirms genuine partnership between men and women in the conduct of the affairs of society, an independent judiciary, free and fair elections, open and free media, parliamentary oversight, and the protection of the rights of minorities and vulnerable or marginalised groups.

At the 41st SADC-PF Plenary Assembly in July 2017, Parliament tabled a "Motion on the African Union Decision on the Institutional Reform of the African Union". The motion requested the Plenary Assembly to facilitate an update from the SADC Secretariat regarding the implementation of the revised SADC RISDP 2015–2020 in relation to the Continental Free Trade Area.

At the 42nd SADC-PF Plenary Assembly in Namibia in November/December 2017, Parliament tabled the motion "Condemning the Reported Slave Trade in Libya". This motion demanded decisive action from the AU as well as its respective Regional Economic Communities (RECs) such as the SADC, to fight against the perpetrators of such heinous crimes, inside and outside Libya, and to bring them to justice, and most importantly, called for the slavery auction to be investigated as possible crimes against humanity.

Resolution on the Situation on Mauritania: At the 34th Session of the JPA in Haiti in December 2017, Parliament made significant contributions to the JPA's resolution that called for the deployment of a joint ad hoc fact-finding delegation to Mauritania to obtain first-hand information on the country's continued commitment to uphold the ACP-EU's shared principles of the rule of law, human rights, fundamental freedoms, non-discrimination based on race, democracy, and good governance, as well as the full implementation of the roadmap on the eradication of slavery; amongst others.

Other noteworthy achievements of Parliament included the following:

Successfully hosting the Fourth Brics parliamentary meeting on the margins of the 139th IPU Assembly held in Geneva, Switzerland on 26 October 2018:

One of the successes that emerged from this meeting included the Brics Presiding Officers of all the chambers represented agreeing to consider the Draft Protocol on Brics Parliamentary Forum that the South African Parliament prepared and circulated. The Draft Protocol is aimed at developing and strengthening the inter-parliamentary relations of Brics without creating new international legal obligations for the parties. At the time of writing, Parliament had already received inputs on the Draft Protocol from China, Russia, India in preparation for the March 2019 meeting.



It is envisaged that the Brics meeting will be held in the near future with the overall aim of signing and concluding the Draft Protocol after it has been robustly considered and debated in each Brics parliament.

Celebration of the Centenary of Nelson Mandela during the 139th IPU Assembly: In March 2018, after a request from Parliament, the IPU resolved to celebrate the Centenary of Nelson Mandela during the 139th IPU Assembly

in October 2018. Accordingly, a Special Session marking the United Nations Declaration on Human Rights 70th anniversary was held on 16 October 2018. This session commenced with a video-recorded message of Hon Speaker Baleka Mbete, followed by an interactive debate on human rights, and concluded with a video on Nelson Mandela's life. This session adopted the 70th Anniversary of the Universal Declaration on Human Rights, whereby parliaments recommitted to the UN Declaration principles and the values embodied by Nelson Mandela.

As the fifth democratic Parliament nears the end of its business, critical issues remain for the sixth Parliament. These include strengthening and transforming key structures such as the CPA, SADC-PF and the PAP that are fundamental for deepening continental integration.

The SADC-PF has aspired to transform into a SADC regional parliament since 2003, but has faced numerous obstacles in this regard. However, in August 2018 there was some positive development when the SADC Summit agreed to consider a proposal for the

forum's transformation after member states commented on the current draft by 30 January 2019. Parliament has welcomed this positive development, and submitted its view in support of the forum's transformation to the Department of International Relations and Cooperation (Dirco) to form part of South Africa's consolidated submission to the SADC Secretariat by the set deadline.

The revised PAP protocol was adopted by the AU heads

of state and government in June 2014. However, the revised protocol will only come into force once it has been ratified by 28 member states, that is, 50% + 1 of total AU membership. South Africa only recently signed the protocol in February 2019, hence Parliament has yet to debate or ratify it. Considering the implications of the protocol for South Africa's Electoral Act (among other things, the protocol provides for PAP MPs to be elected by national parliaments outside of their membership), it remains important for the sixth Parliament to continuously engage Dirco and other relevant departments to fully comprehend the repercussions of this Protocol on South Africa's laws.

On the CPA, the most critical issue for South Africa has been the transformation of the CPA from a registered charity to an organisation with diplomatic status. Registered in the United Kingdom (UK), the CPA is subject to UK laws, hence African countries have expressed their reservations about public funds from sovereign Commonwealth countries funding a charity based in the UK. In this regard, Parliament supported a motion moved by the Gauteng CPA branch to amend the CPA Constitution to allow for its transformation into a diplomatic entity within two years. South Africa was successful in the CPA Africa Region adopting this resolution as its official position; hence the sixth Parliament has to work with its African counterparts to ensure the implementation of this resolution.

In conclusion, the fifth Parliament leaves behind a legacy that the sixth Parliament should build on to ensure that South Africa's priorities, values, and aspirations as enshrined in the country's Constitution, the AU's Agenda 2063 strategy, the SADC RISDP, and the NDP are actively pursued through multilateral and bilateral engagements. 🌍



Building a corruption-free police force



Efforts to rid the South African Police Service (SAPS) of corruption are well underway through the implementation of vetting and lifestyle audits of all members within the system. The National Commissioner of Police assured the Portfolio Committee on Police of this during a briefing on progress in implementing the committee decision on this in the fifth Parliament, writes Malatswa Molepo.

"We are content with the steady progress that has been made by the SAPS management in implementing vetting and lifestyle audits as a standard of entry within the Saps. We think the stability

in leadership at the highest level of the Saps is behind the steadiness and clarity of direction within the SAPS currently," said Mr Francois Beukman, the Chairperson of the committee.

The three to five year phased programme to institutionalise



lifestyle audits within the system has seen the implementation of financial lifestyle assessments for 10 000 members of the Saps in strategic areas, including 900 senior managers, 17 tender bid committee members, 8 276 crime intelligence members and 865 Saps members deployed at the OR Tambo International Airport.

Of the 10 000 members subjected to financial lifestyle assessments, 99.15% of the members have had no adverse findings, with only 0.85% members being flagged for further validation to determine the veracity of findings.

The second phase, which commenced on 3 December 2018, will be to implement criminal activity assessments and will focus on units such as National Forensic Service, National Supply Chain Management, as well as the Cape Town

and Durban harbours. The committee emphasised the importance and urgency of the implementation of these vetting and lifestyle audits at station level, because that is the frontline of service delivery.

Meanwhile, the committee welcomed the update on the turnaround strategy for crime intelligence, which the

committee has for many years viewed as the spearhead of the fight against crime. According to the committee, all crime-fighting initiatives are anchored to the ability of the police to receive information and to urgently act on that information to prevent acts of criminality from happening.

"We think the stability in leadership at the highest level of the Saps is behind the steadiness and clarity of direction within the Saps currently," Francois Beukman

The strategy's key areas, which the committee appreciates, is the focus on the establishment of a rapid intervention capacity at both national and provincial level, the strengthening of strategic partnerships, the revised threat management system – to bring it up to date

with current challenges – as well as the filling of 424 vacant positions within the crime intelligence environment.

The committee urged National Treasury to urgently consider the request to purchase specialised, advanced hardware, software and tools that are essential in capacitating the officers to work effectively.

In relation to governance, the committee welcomed the assurance that the Auditor-General has now been given full and unfettered access to the financials of the crime intelligence unit to ensure accountability and credibility of the division in the eyes of the general public.

"But ultimately the proof of the pudding will be the production of intelligence products that are credible and can be used to fight crime such as cash-in-transit heists that have been stabilised in the past few weeks," Mr Beukman emphasised. 🇿🇦



Know your Parliament

The true test of democracy is the extent to which Parliament can ensure that government remains answerable to the people. This is done by maintaining constant oversight (monitoring) of government's actions. Parliament and its committees have powers to summon any person or institution to give evidence or produce documents, and to report to them.

CONSTITUTIONAL MANDATE

The Constitution states that Parliament has the power to conduct oversight of all organs of State, including those at provincial and local government level.

WHAT IS OVERSIGHT?

Oversight is a function granted by the Constitution to Parliament to monitor and oversee the actions of government.

When exercising oversight, Parliament focuses on the following areas:

- implementation of laws
- application of budgets
- strict observance of laws of Parliament and the Constitution
- effective management of government departments.

WHY IS PARLIAMENT'S OVERSIGHT ROLE IMPORTANT?

By overseeing the actions of government, Parliament is able to ensure that service delivery takes place, so that all citizens can live a better quality life.

PARLIAMENT EXERCISES OVERSIGHT FOR THE FOLLOWING REASONS:

- to detect and prevent abuse
- to prevent illegal and unconstitutional conduct on the part of the government

- to protect the rights and liberties of citizens
- to hold the government answerable for how taxpayers' money is spent
- to make government operations more transparent and increase public trust in the government.

THE OVERSIGHT ROLE OF THE TWO HOUSES OF PARLIAMENT

Parliament consists of two Houses, namely:

- the **National Assembly** (NA), and
- the **National Council of Provinces** (NCOP).

Each has a specific oversight role to play.

The Constitution states that the **National Assembly** is constituted to represent the people and to ensure government by the people under the Constitution. It does this by:

- ensuring that all executive organs of state at the national level of government are answerable to it; and
- maintaining oversight over the exercise of national government authority, and the implementation of legislation.

The **National Council of Provinces** represents the provinces to ensure that provincial interests are taken into account in the national sphere of government.

- The NCOP's role is to exercise oversight over national aspects of provincial and local government.
- The NCOP may require a Cabinet member, an official of the national government or a provincial government MEC to attend a meeting of the council or a committee.

THE ROLE OF PARLIAMENTARY COMMITTEES

Parliamentary committees are established as instruments of the Houses in terms of the Constitution, to facilitate oversight and monitor the government. These committees are the "engine rooms" of Parliament's oversight and legislative work. Committees scrutinise legislation, oversee government action, and interact with the public. One of the most important aspects of the oversight function is the consideration by committees of annual reports of organs of state, and reports of the Auditor-General. Depending on the purpose of the oversight, the committee will either request a briefing from the organ of state or visit it for fact-finding.

OVERSIGHT MECHANISMS

a) Budget Votes

The Minister of Finance announces the budget projections for the next financial year, as well as the budget votes of each department.

Parliament must approve the budget.

After the presentation of budget votes, each committee has hearings with the respective government department over which it exercises oversight. This serves to determine whether the department has kept its undertakings of the previous year, and spent taxpayers' money appropriately.

b) Questions for executive reply

Putting questions to the government is one of the ways in which Parliament holds the government to account. Questions for oral or written reply can be put to the President, the Deputy

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President and Ministers on matters for which they take responsibility.

Question time affords Members of Parliament the opportunity to question members of the government on matters of service delivery, on behalf of their political parties or the electorate.

c) Members' statements

Using this process, Members of Parliament can make statements in the House, on any matter.

d) Notices of Motion

By giving a Notice of a Motion, a member of any political party can bring up issues for debate in Parliament, thereby helping to fulfil their oversight responsibilities.

e) Plenary debates

Plenary debates are another way to bring important information to the attention of the government regarding specific government programmes or legislation required to improve service delivery.

f) Constituency work

Constituency work affords

Members of Parliament the greatest opportunity to interact with members of the public. Members of Parliament have a duty to alert Parliament to any issues identified during such oversight interventions.

HOW YOU CAN GET INVOLVED

a) Making a submission

Making a submission to a committee of Parliament is one way of making your voice heard in Parliament. By making a submission, you have an opportunity to influence the opinion of Members of the Committee who are discussing a particular piece of draft legislation before it becomes a law.

b) Petition

Every citizen has the right to petition Parliament, as provided for in the Constitution. Any person, group of people or organisation may petition Parliament. A petition is a formal request to an authority for action. It can assume the form of either a demand, a request for a favour, or the redress of a grievance.

Parliament consists of two Houses, namely the National Assembly and the National Council of Provinces.

THE NATIONAL ASSEMBLY

- The National Assembly is constituted every five years after the national elections.
- During the elections, voters choose whom they want as their representatives by voting for the political parties of their choice.

THE ROLE OF THE NATIONAL ASSEMBLY

The National Assembly has a constitutional mandate to:

Make laws

- One of the main functions of the National Assembly is to make the laws by which the country is governed.
- The National Assembly refers Bills to committees for processing and debates Bills.
- The National Assembly can approve, reject or refer Bills back to the committees for further discussion.

Carry out oversight

- Parliament has a responsibility to scrutinise, monitor and oversee the actions of government or any other organ of State, in respect of the implementation of laws, the application of the budget, and the observance of the Constitution.
- Parliament keeps the executive accountable by approving budgets, through asking parliamentary questions, having parliamentary debates about important issues and by proposing and voting on motions relating to the work of government.

Elect the President

The National Assembly has a constitutional mandate to elect the President of South Africa from among its Members.

THE COMPOSITION OF THE NATIONAL ASSEMBLY

- The National Assembly consists of 400 elected Members of Parliament (MPs).
- Members of the National Assembly are elected through a system called proportional representation. Before an election, each party draws up a list of candidates in order of preference. These candidates are then elected in proportion to the number of votes the party wins in the election. For example, if a party wins half of the votes, it will hold half of the seats in the National Assembly.

OFFICE BEARERS OF THE NATIONAL ASSEMBLY

Presiding Officers

- At the first sitting of the National Assembly, the Members of the National Assembly elect the Speaker and the Deputy Speaker, who are referred to as the Presiding Officers of the House.
- The Presiding Officers are entrusted to run the affairs of the National Assembly.
- The Speaker and Deputy Speaker of Parliament preside over the meetings of the National Assembly.
- They make sure that Members of Parliament speak freely, but adhere to the rules of the House.

House Chairpersons

The rules of the House make provision for House Chairpersons to assist the Presiding Officers in performing their work. The House Chairpersons may also be required to preside over sittings of the House.

The functions of the House Chairpersons include:

- Coordinating the work of committees
- Preparing reports on legislation
 - Coordinating oversight activities of the committees
 - Providing political and strategic support to the Presiding Officers.

The National Assembly

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Chief Whips

- Each political party in the National Assembly elects a Chief Whip to run its affairs.
- The Whips look after the Members of their respective parties.

Leader of Government Business

- The President appoints a Leader of Government Business who works with the office bearers of both Houses.
- The Leader of Government Business is responsible for looking after the interests of the Cabinet and government business in Parliament.
- The Leader of Government Business ensures that Cabinet Members attend to their parliamentary responsibilities

COMMITTEES OF THE NATIONAL ASSEMBLY

- Much of the work of the National Assembly takes place in committees.
- The National Assembly's committees are called portfolio committees.
- The work of each

committee relates to a corresponding government department. For example, a Portfolio Committee on Trade and Industry deals with all the matters that concern the Department of Trade and Industry.

- Each committee has a Chairperson to ensure the smooth running of its business.
- Portfolio committees are responsible for discussing, debating and amending bills.
- Committees may hold public hearings on legislation or matters related to legislation.
- Committees are also responsible for overseeing and monitoring the work of the government departments.

PUBLIC PARTICIPATION

- Constitutionally, Parliament is obliged to involve the public in law-making and other processes of Parliament.
- The portfolio committees are obliged to consult with members of the public in order to get input on a bill or to hear their views

on matters of national importance.

- The public is encouraged to actively participate in the proceedings when the committees hold public hearings.
- Individuals or groups are also encouraged to make written or oral submissions on matters of concern to them.

Members of the public have the right to participate in the processes and activities of Parliament by:

- Attending meetings of the portfolio committees.
- Contacting Members of Parliament serving in the National Assembly to enquire about or request information on their work in Parliament.
- Attending public hearings held by portfolio committees.
- Observing plenary debates in the House, for example, budget votes.
- Petitioning Parliament on any matter that is of concern. Petitions to Parliament should have the support of a Member of Parliament.