

**VISIT OF A DELEGATION OF
OFFICERS OF RAJYA SABHA
SECRETARIAT TO PARLIAMENT OF
THE REPUBLIC OF SOUTH AFRICA
IN FEBRUARY 2011**

REPORT

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Report on Parliament of South Africa

INTRODUCTION

A seven-member delegation comprising officers of the Rajya Sabha Secretariat visited Parliament of the Republic of South Africa from 13th February 2011 to 18 February 2011 under a bilateral exchange study programme.

The initiative for the visit came under the framework of our ongoing efforts to intensify Parliamentary exchanges between our two countries. Though there have been frequent meetings between the Speakers of the two Parliaments in various multilateral fora including at the CPA and the IPU meetings, the bilateral exchanges between them have been far and few between. The previous official-level visit from our side was in April 2009 when two of our officials had gone to Cape Town, who interacted with their counterparts there. An official-level Working Group of the South African Parliament could not visit India in August 2009 for the inaugural meeting of the proposed IBSA Parliamentary Forum before the 6th IBSA Ministerial Meeting, due to lack of response from the Brazilian side. This visit, therefore, filled the growing gap and did provide the necessary and much-needed impetus to our bilateral parliamentary exchanges.

During the visit, officers interacted with their counterparts from the different Services supporting the Second Chamber of the South African Parliament *i.e.* National Council of Provinces (NCOP). The visiting delegation had fruitful interactions with NCOP officials on a whole range of issues from Communication Services such as Media Management and Parliamentary Publications; to discussions on the legislative process in the

NCOP, Parliamentary questions, ethics and privileges, provincial representation and executive accountability of Parliament etc.

Our delegation also interacted with the officials of NCOP Committees Section to discuss Committee system and secretarial assistance to MPs; and with the Research Unit to understand the research work provided to Members of Parliament. The Human Resource Division provided an insight into the HR management issues while the Hansard Service exchanged with them their experiences in translation and interpretation of parliamentary debates. Our team also met the Member's Facilities Section to get the firsthand knowledge of the amenities provided to SA members of Parliament including their salaries and allowances. The two sides discussed in details the role of ICT in Parliament.

On 15 February, the delegation could witness the debate on the State of the Nation Address in the National Assembly (NA) Chamber. During the proceedings of Parliamentary Portfolio Committee on 16 February, the presence of our delegation was duly acknowledged by the Chair.

As a special gesture of warmth towards India, the Secretaries to both the Houses of SA Parliament hosted our delegation over luncheon meetings. It is worth mentioning that the Secretaries to the two Houses of South African Parliament are appointed by the respective Houses on a resolution. The Secretaries of NA and NCOP, under the overall guidance of the Secretary to the Parliament, are responsible for smooth running of the parliamentary sessions.

During this programme, the Members of the delegation also shared their experiences about the structure as well as operational dynamics of our Parliaments with the officers of the South African Parliament, they

interacted. Since it was a delegation from the Upper House of the Indian Parliament, the emphasis was mainly on the working of the Second Chamber, the National Council of Provinces (NCOP) of South Africa.

The salient features of the South African Parliament and its functioning as revealed during the interaction with South African Parliament are as under.

CONSTITUTION

Like our Constitution, the Constitution of the Republic of South Africa contains an important democratic principle called the separation of powers. That means that the power of the State is divided between three different but interdependent components or arms, namely the executive (Cabinet), the legislature (Parliament) and the judiciary (Courts of law).

The Executive

The President is the head of State and of the national executive. He exercises executive authority together with other members of the Cabinet, namely, the Deputy President and Ministers. The executive develops policy, for example by preparing and initiating legislation which it submits to Parliament for approval. It then implements that policy by running the administration of the country by means of the different government departments. The executive must account for its actions and policies to Parliament.

The Legislature (Parliament)

The national legislature or Parliament consists of two Houses, the National Assembly and National Council of Provinces, whose members are elected by the people of South Africa. Each House has its own distinct functions and powers, as set out in the Constitution. The National Assembly is responsible for choosing the President, passing laws, ensuring that the members of the

executive perform their work properly and providing a forum where the representatives of the people can publicly debate issues. The National Council of Provinces is also involved in the law-making process and provides a forum for debate on issues affecting the provinces. Its main focus is ensuring that provincial interests are taken into account in the national sphere of government. In specific cases, local government representatives also participate in debates in the National Council of Provinces.

The Judiciary

The judiciary is made up of the courts, such as the Constitutional Court, the Supreme Court of Appeal, High Courts, Magistrates' Courts and other courts established or recognized through the Act of Parliament. The head of the Constitutional Court is also the Chief Justice of South Africa. The Constitution states that the courts must be independent and act impartially. Organs of state such as Parliament and the executive must assist and protect the courts in order to ensure their independence, impartiality, dignity, accessibility and effectiveness.

PARLIAMENT

The Parliament of South Africa is bicameral comprising 'National Assembly' and 'National Council of Provinces'.

National Assembly

The National Assembly (NA) consists of 400 Members. South Africa has a List System of election based on universal adult franchise, where the electors are required to vote for the parties and not for the candidates as we do in India. They exercise two votes - one for the National Assembly and the other for the Provincial Assemblies. After the election, the parties taking part in the election submit their lists of the persons who they would like to nominate to the National Assembly in proportion to the percentage of votes obtained by them.

In the current National Assembly, the African National Congress (ANC) has 264 members constituting 66% of the total seats, followed by Democratic Alliance 16.75% Congress of the People and Inkatha Freedom Party 4.5% each and the remaining 19 parties have one or less than one percent. The elections are conducted / supervised by an Independent Electoral Officer. The parties, it may be interesting to know, can change their Members of Parliament in the National Assembly at any time, by substituting by another.

The President of the Republic of South Africa is also the Head of the Government. He is elected by the National Assembly from amongst its members, who ceases to become a member, after his election. The seat, so vacated, is filled by another member nominated by the concerned party. It means, the Head of the Government in South Africa can come only from the lower House. The President attends the sittings of the National Assembly

and replies to the questions. He also makes annual 'State of the Nation Address', much like President's Address in India, at a joint sitting of both the Houses. This sitting is called by the President. The President also attends State ceremonial functions and attends visiting Heads of State and Governments. Thus, in certain respects, the Office of the President in South Africa combines responsibilities of the Head of the State as well as Head of the Government.

Office Bearers of the Assembly

At its first sitting after a general election, the National Assembly elects the Speaker, the principal office bearer of the Assembly. The Speaker has many responsibilities which include constitutional, statutory (in terms of the law), procedural and administrative powers and functions. The duties of the Speaker fall broadly into three categories, namely –

- 1) presiding over sittings of the House, maintaining order applying its rules;
- 2) acting as representative and spokesperson for the Assembly and (with the Chairperson of the Council) for Parliament; and
- 3) acting as chief executive officer for Parliament, in conjunction with the Chairperson of the Council.

The Speaker is equivalent in rank to a Cabinet Minister. Though the Speaker is a member of a political party, he or she is required to act impartially and protect the rights of all parties.

In performing his or her functions, the Speaker is assisted by the Deputy Speaker and three House Chairpersons, each with specific areas of responsibility determined by the Speaker.

To ensure the proper functioning of the House, the presiding officers are assisted by the whips. Whips are party-political functionaries. A whip is a member selected by his or her party to assist in organizing party business, keeping members informed of party and parliamentary business, ensuring that members attend committee meetings and debates in the House, arranging for their members to speak in debates, and to perform many other duties. The Chief Whip of the Majority Party, by virtue of his or her party being the majority party, also has certain duties in relation to proceedings of the House. Recognition is also given to the chief whip of the largest minority party. He or she is called the Chief Whip of the Opposition.

As the leader of the largest minority party (or largest party that is not in government), the Leader of the Opposition enjoys a special status in Parliament. The post is specified in the Constitution and the rules and is accorded a specific salary, though he or she has no specific duties in terms of the rules.

Relations with the Executive

There are three office bearers who facilitate liaison between Parliament and the executive. The Leader of Government Business is appointed from the Cabinet by the President to take care of the affairs of the executive in Parliament. That includes the programming of business initiated by the executive and arranging the attendance of Cabinet Ministers in respect of parliamentary business. The Speaker may also select two members of the Assembly to act as Parliamentary Counsellors, one to the President and the other to the Deputy President. These members are responsible for facilitating communication between the Assembly and the offices of the President and the Deputy President.

How the NA Works

Some of the tasks of the Assembly, particularly those involving detailed consideration of matters, are more appropriately performed by a smaller group than the Assembly sitting in plenary, i.e. as the full House. Much of the Assembly's work is therefore done in committee, but the final decisions on all matters are taken by the House. The House always has the final authority.

Committee

In accordance with the powers given to it by the Constitution, the Assembly establishes a range of committees with assigned powers and functions. The committees are required to report regularly on their activities and to make recommendations to the House for debate and decision. A large part of the Assembly's role in the law-making process happens in committees and much of its oversight over the executive is also done through committees, particularly the portfolio committees.

Members' statements

In addition to dealing with government business, usually bills initiated by the executive, individual members (sometimes called "private members") have several ways of bringing matters to the attention of the House. A member may give notice that he or she intends moving a motion in the House. A motion is a way of asking the House to take a decision on or to debate a particular matter. The rules also make provision for members' statements on certain days. During member's statements, 15 members get an opportunity to make a statement for a minute and a half on a topic of their choice. At least six Ministers are then afforded two minutes each to respond to any of the statements. The opportunity for members' statements was created mainly to give members a chance to raise constituency issues in the

House. Furthermore, if there is a burning issue of grave importance that a member wants the House to discuss as soon as possible, he or she may request the Speaker to agree to accommodate a debate on a matter of public importance.

Statements by Cabinet Members

A Cabinet member may make a factual or policy statement relating to government policy, any executive action or similar matter of which the Assembly should be informed. The Minister in question asks the Speaker for an opportunity to make such a statement. Each political party is allowed an opportunity to respond to a such a statement.

Private Members' Legislative Proposals

Members may also submit legislative proposals for consideration by the House. The member submits the proposal for new legislation or amending an existing legislation to the Speaker. It is then tabled and referred to the Committee on Members' Legislative Proposals and Special Petitions. That committee will look at the proposal and advise the House on whether it is a good idea to proceed with such legislation. If the House agrees, the member submits a draft bill and it is referred to the relevant portfolio committee for processing.

Questions

Another important mechanism the Assembly has of holding the executive to account is question to the President and Cabinet Ministers. Members submit questions by certain deadlines for oral or written reply. Question time in the National Assembly is usually on Wednesdays, during which time the Ministers respond to the questions for oral reply. The member who originally asked the question and members of other parties then get a chance to ask follow-up questions and probe the matter further. The answers to

questions for oral and written reply are published in Hansard, the official record of the debates in Parliament.

The National Assembly has many other tasks and roles in addition to those mentioned above, including the ratification of international agreements and the appointment of certain office bearers such as the Auditor-General and the Public Protector.

National Council of Provinces

The Second Chamber of South African Parliament, the National Council of Provinces (NCOP) is described as a "unique South African institution" that replaced the Senate of the Apartheid regime *on 6 February 1997*. Whether South Africa needed a Second Chamber and if so, what should be its powers had been a matter of intense debate at various fora for a long time. Ultimately, a decision was taken to have a powerful and effective Federal Chamber in real sense of the term. A dominant view was that the Second Chamber should play main role at the National and Provincial levels and that it should be working not merely as a revisory and debating body. It should reflect the diverse nature of the country and that its primary function should be to look after, protect and promote the provincial interests. Eventually, the Second Chamber, NCOP was established in 1997, having powers and functions, more or less, like Germany's Second Chamber *i.e. Bundestag*. South Africa did not go for Westminster tradition as they wanted to have federal system in which the provinces would have some original powers, which promoted co-operation rather than competition between national and provincial governments. Mr. Nelson Mandela the then, President of South Africa described the members of the NCOP in his State of Nation Address in 1997 as "the living embodiment of co-operative governance".

Unique Composition of NCOP

The NCOP is composed of 90 members representing the nine provinces of the Republic of South Africa. Each province sends a delegation of 10 members that has six **permanent delegates** and four **special delegates**. The permanent delegates represent political parties on a proportional basis and the special delegates consist of Premier of the province and three other special delegates who are designated from among the members of the provincial legislatures. In addition, the NCOP has ten part-time representatives also designated by the organized local government to represent the different categories of municipalities who may participate in the proceedings of the NCOP, wherever necessary but may not vote. Premiers of the Provinces (comparable to our Chief Ministers) generally head respective provincial delegations in the NCOP. Currently, the Premiers belonging to the African National Congress party lead eight out of nine provincial delegation in the NCOP.

Term of the Parliament

The Assembly is elected for a term of five years. However, once three years have passed since the Assembly was elected, if the Assembly adopts a resolution to dissolve, supported by a majority of its members, the President must dissolve the Assembly and call a new election.

In addition, if there is a vacancy in the office of President, and the Assembly fails to elect a new President within 30 days after the vacancy occurred, the Acting President must dissolve the Assembly, after which an election must take place.

At the end of a term of the Assembly, any business still before the Assembly or any of its committees – including legislation not yet passed – lapses.

Annual Sessions and Types of Parliamentary Days.

Commencement of Session

1. An annual session; and
2. A session after an election, after the initial sitting at which the President is elected, and once the President had been sworn in, usually commences with a formal, ceremonial joint sitting, at which the President delivers a State of the National address to Parliament.

Although in the case of (2) above this address marks the formal beginning of the parliamentary term, in the case of (1) the Assembly, on occasion, begins proceedings – particularly committee work – prior to the President’s address.

The joint sitting at which the President delivers his or her address, usually takes place on a Friday morning, and either the Speaker or the Chairperson of the Council, by arrangement between them, presides. No other debate takes place at that sitting. During the following week a debate of approximately three days is held on the address. This is one of the major general debates of the parliamentary year.

Sessions, sitting days and working days.

Annual session: The average annual session is usually divided into four shorter sessions, each between one and a half and three months long, separated by recesses consisting of “constituency days” and “leave days” .

Kinds of parliamentary days: The parliamentary year is divided into –

1. Sessions consisting of -
 - a) sitting days: on which sittings of the plenary take place (and committees may also sit, but not during a plenary sitting, unless with permission.
 - b) Committee days: on which the House does not sit, but committee sittings take place.
 - c) Study group days: set aside for meetings of party study groups.
2. Recesses consisting of -
 - a) constituency days: set aside for members to attend to duties related to the constituencies allocated to them.
 - b) Leave days.

Often the first few days of a session consist of committee days, to enable the committees to generate work for the plenary to consider.

Sitting weeks during session: The week’s sittings are planned by the Assembly Programme Committee, and although the pattern of sittings may vary considerably from week to week, depending on the workload and other factors, the following is typical –

Monday: If the programme of work permits the entire day is set aside for meetings of party study groups. However, a Monday may be a committee day or, if the programme requires it, a plenary sitting may be held from 14:00.

Tuesday: The morning is available for committee sittings. A plenary sitting starts at 14:00.

Wednesdays: Plenary sitting starts at 15:00 with Questions to the Executive.

Thursdays: Party caucuses are held on Thursday mornings. Plenary sitting starts at 14:00.

Fridays: Usually set aside as committee days, but may be used for plenaries. Friday plenaries start at 09:00 in the morning and usually end before 13:00.

Saturdays and Sundays : Not parliamentary working days.

Working hours: The Rules stipulate that on Mondays to Thursdays, the House starts at 14:00 “or such later time as the Speaker determines” to adjournment.

On Wednesdays it is normal for the House to start at 15:00 (to allow for Cabinet meetings. On Wednesdays, members of the Executive answer questions in the House).

Early and extended sittings: By decision of the Assembly Programme Committee in 1998, it is only in exceptional circumstances that a sitting will extend beyond 18:00, and unfinished business should be dealt with the following day. Nevertheless, the Assembly does, when circumstances require, sit until late evening. On such occasions business may or may not be suspended for supper.

The House may resolve to sit at an earlier time on any day. In addition, the Speaker has on occasion, in consultation with whips, by agreement varied the starting time of a sitting for good reason, without a House resolution.

Adjournment to a later sitting day: The presiding officer may, in consultation with the Leader of Government Business, adjourn the Assembly to a later day than the next sitting day, and will announce such later day. During the adjournment, the Speaker may change the day on which the Assembly is to resume.

Joint Sitting

A joint sitting of both Houses may be called by the presiding officers jointly or by the President, and is not a decision-making forum. A joint sitting is called for the following purposes –

1. The President’s State of the Nation address, delivered at the start of a new Parliament or annual session, or another special address by the President.
2. To enable a Head of a foreign State to address Parliament. This is always by invitation of the presiding officers.
3. For occasional important joint debates.
4. In connection with the declaration of a state of national defence.
5. For any other “special business” (referred to as such in the Constitution but not defined).

Joint sittings are held in the Assembly Chamber. For this purpose, cross-benches are installed on the floor of the House for members of the Council, leaving an aisle between them up the centre of the Chamber for ceremonial processions.

Joint sittings are presided over either by the Speaker or by the Chairperson of the Council, by arrangement between them. As regards discipline, Assembly Rules apply to Assembly members, and Council Rules to Council members. There are no joint “rules of debate”. Freedom of speech is not

explicitly extended to joint sittings in the Constitution, but is also not conclusively excluded.

LEGISLATIVE PROCESS

A Bill can be introduced in Parliament either by a Minister or by an individual Member. A Bill can also be introduced by parliamentary committees. Most bills are drawn up by government department under the direction of the relevant Minister or Deputy Minister. A Bill introduced by a member of the executive must be approved by the Cabinet before being submitted to Parliament for processing. Bills introduced by individual MPs are called private members' bills.

A bill must be passed by both Houses of Parliament. Most bills are introduced in the National Assembly, but certain bills that affect provinces may be introduced in the NCOP. Once it has been introduced, a bill is referred to the relevant committee, where it is debated in detail and, if necessary, amended. If there is much public interest in a bill, the committee may organize public hearings. Once the committee has finalized its deliberations on a bill, it reports to the corresponding House. After the House has debated the bill, it takes a decision on whether to pass the bill. A bill could be referred back to the committee for further work before the House takes a decision. Once the first House has agreed and passed a bill, it is then referred to the other House. If a bill passes through both the National Assembly and the NCOP, it is sent to the President for assent. Once the President has signed a bill passed by the Houses, it becomes an Act of Parliament - a law of the land.

Role of the NCOP in the Legislative Process

In exercising its legislative power, the NCOP may consider, pass, amend, propose amendments to or reject any legislation before it.

The NCOP generally follows two clear processes for dealing with “ordinary bills not affecting provinces” and “ordinary bills affecting provinces”.

Section 75 bills (Bills not affecting provinces)

Bills that do not affect the provinces are generally those that relate to areas of national legislative powers, such as Foreign Affairs, Defense and Justice. Such bills are processed according to the procedure set out in section 75 of the Constitution. When considering section 75 bills, each individual member of the NCOP has one vote. The bill is agreed to if the majority of members vote in favour of the Bill, but at least one-third of the delegates (Members) must be present for voting.

Section 76 bills (Bill that affects provinces)

Bills that affect the provinces are generally those that relate to areas of shared national and provincial legislative powers, such as Housing, Health and Education. Such bills are processed in terms of the procedure set out in section 76 of the Constitution. When considering section 76 bills, each province (i.e. the provincial delegation) has one vote. A section 76 bill is agreed to if at least five provinces vote in favour of the bill.

Because delegations vote according to the mandate they receive from their provinces, the legislative process in the NCOP allow an opportunity for provinces to discuss matters and formulate their positions on a particular bill. To allow time for proper consultation and discussion, both within provincial legislatures and among provinces, the NCOP uses a six-week cycle to deal with section 76 bills.

If there is a disagreement between the NCOP and NA on a section 76 bill, the bill will be referred to the Mediation Committee, which may agree to

- the version of the bill passed by the NA; or
- the version of the bill passed by the NCOP; or
- another version of the bill.

If the Mediation Committee is unable to agree within 30 days of the bill being referred to it, and if the bill had been introduced in the NCOP, the bill will lapse.

If the Mediation Committee is unable to agree within 30 days of the bill being referred to it, and if the bill had been introduced in the NA, the bill will lapse unless the NA passes the bill again with a supporting vote of at least two thirds of its members.

Bills amending the Constitution (section 74 bills)

Bills that amend the Constitution are processed in terms of the procedure set out in section 74 of the Constitution. The approval of the NCOP is required for certain constitutional amendments, such as amendments of section 1 which defines the Republic of South Africa, the Bill of Rights in Chapter 2, section 74 (3) and any other amendments that relate to a matter that affect the Council, alters provincial boundaries, functions or institutions or amends a provision that deals specifically with a provincial matter. When considering such section 74 bills, each province has one vote and at least six provinces have to vote in favour of the bill for it to be passed.

In respect of other bills amending the Constitution, the NCOP may debate the constitutional amendment but is not required to approve the bill.

Money bill (section 77 bills)

The Constitution defines a money bill in section 77. One of the main money bills is the annual Appropriation Bill or the bill commonly referred to as “the Budget”. The procedure followed for the passing of a section 75 bill also applies in respect of money bills, except that money bills cannot be amended. The Constitution says that an Act of Parliament must provide for a procedure that will allow Parliament to amend money bills. Such legislation has not yet been passed.

Private Members’ Legislative Proposals

Members may also submit legislative proposals for consideration by the House. The member submits the proposal for new legislation or amending legislation to the Speaker. It is then tabled and referred to the Committee on Members’ Legislative Proposals and Special Petitions. That committee will look at the proposal and advise the House on whether it is a good idea to proceed with such legislation. If the House agrees, the member submits a draft bill and it is referred to the relevant portfolio committee for processing.

QUESTIONS

Like our Parliament, putting questions to the Executive is one of the ways in which South African Parliament holds the Executive to account.

Question Time

Questions may be put for oral and written reply to the President, the Deputy President and Cabinet Ministers on matters for which they are responsible. Two hours are set aside on Wednesdays for questions for oral reply, and this “Question Time” has precedence over other business on those days.

Sometimes on the direction of the Speaker an additional 30 minutes are added to Question Time to accommodate questions standing over from a previous question day owing to the absence of the responsible Minister.

Procedure

Members submit signed questions to the Questions Office, marked for oral or written reply. A member may also give notice or take charge of a question on behalf of an absent member if the member has been authorized to do so by the absent member. The questions are edited under the authority of the Speaker, in terms of the requirements and made available to government departments to enable them to prepare replies for their Ministers.

The President answers six questions once per term in accordance with the annual parliamentary programme. The Deputy President answers four questions during ordinary Question Time, generally once every two weeks.

All Ministries / Departments are divided into 3 clusters for the purpose of Questions and each week in rotation, one cluster of Ministries / Department is questioned.

Scope of Questions to President and Deputy President

The President may be asked questions about matters of national or international importance. These may include-

1. Matters for which the Government is responsible, excluding matters for which a line Minister is directly responsible.
2. His or her public duties.
3. The granting of honours.
4. The dissolution of Parliament.
5. The definition of the responsibilities of Cabinet members.
6. Whether statements made by Cabinet members (not Deputy Ministers, who are not members of the Cabinet) on public occasions represent the policy of the Government.

He/she may also be asked to furnish a copy of a speech made by him or her outside Parliament. A speech made by the President on a public occasion may only be questioned by calling for a copy and asking whether it represents Government policy.

When the President is not answering questions, these questions must be directed to the Deputy President.

Questions for oral reply relating to the Presidency must be directed to the Deputy President or the Minister in the Presidency.

Question Papers

There are two types of question paper, the “Question Paper” and the “Internal Question Paper”. Both are printed on green paper.

Question Paper

The Question Paper appears on the Monday preceding a particular question day and is delivered to all members. It is an agenda for oral questions, and therefore reflects the questions for oral reply on a given question day.

Internal Question Paper

The Internal Question Paper –

1. is a running, up-to-date record of all questions not yet replied to;
2. contains questions for both oral and written reply;
3. appears on Tuesdays, Thursdays and Fridays during session; and
4. is the document whereby notice is given of questions.

The Internal Question Paper indicates which questions for oral reply are standing over and which are appearing for the first time. It also indicates which questions for written reply have not yet been answered.

A limited number of these papers is supplied to the presiding officers, whips, members, each state department, staff, the Library of Parliament and the Press.

Notice of Questions

- (a) Questions must be placed on the Order Paper at least six working days before the question day on which they are to be answered.
- (b) A question for written reply received before 12:00 on a Tuesday will appear on the Internal Question Paper on the Friday of that week.

(c) Questions to the President must be submitted to the Questions Office by 12:00 on the Monday, 16 days prior to the Wednesday on which they are due to be answered. The approved questions are published by the Friday, 12 days before question day.

(d) Questions to the Deputy President must be submitted by party representatives in prioritized order before 12:00 on the Monday nine days before the question day for publication on the Tuesday. Any such questions not published will be returned to the party representatives who may resubmit them for a later date.

Limit on Number of Questions

Number of written questions per Minister: There is no limit to the number of written questions that may be put to the President, Deputy President and Ministers.

Number of written questions per member: Each member may ask three questions for written reply per Question day.

Number of Oral questions per member: All Members may ask not more than two questions per Question day.

Time limits for replies

The reply to a question is limited to three minutes. However, if the Chair considers that the matter is of sufficient importance, up to an additional two minutes may be added to this time.

The reply to a supplementary question is limited to two minutes.

Questions for written reply transferred to oral reply

If a member does not receive a reply to his or her question for written reply within 10 parliamentary working days after it has appeared on the internal Question Paper for the first time, that member is entitled to instruct the Questions Clerk to place such question for oral reply on the Question Paper.

Questions so transferred are additional to the quota of two questions for oral reply to which a member is entitled.

Supplementary questions

Four supplementary questions of one minute each, arising from the reply to a question, are allowed;. The member who asked the question is given the first opportunity to ask a supplementary question. It is in the discretion of the presiding officer to decide who may ask the other supplementary questions. A member who asks a supplementary question is entitled to express an opinion or make a statement, but should not make a speech. The Chair decides whether the supplementary question is in order.

Order of questions on question day

On question day the categories of questions for oral reply are dealt with in the following order:-

1. Questions to the Deputy President (every second week as applicable).
2. Questions for written reply by the Deputy President transferred for oral reply.
3. Questions for oral reply to the Deputy President standing over.

4. Urgent questions
5. Questions to Ministers.
6. Questions for written reply to Ministers transferred for oral reply.
7. Questions for oral reply to Ministers standing over.

On days on which the President answers questions there are no questions to the rest of the Cabinet.

Urgent Questions

It is like the Short Notice Questions (SNQ) asked in Lok Sabha and Rajya Sabha. A member who wants an urgent question to be placed on the Question Paper for a day on which it would not be dealt with by a particular cluster, should hand in the question to the Speaker, clearly indicating that it is an urgent question. The request is dealt with as if it were a request for a debate on a matter of public importance. It must be submitted at the latest by 12:00 noon on the Tuesday in the week before the week in which it is to be answered. The Speaker must consult the Leader of Government Business before approving it. Accommodation of such a question is subject to the availability of the responsible Minister.

Application may be made to put an urgent question to any member of Cabinet, including the President and the Deputy President. No time is added to Question Time to accommodate an urgent question.

PARLIAMENTARY COMMITTEES

Parliamentary Committee

Like our Parliament some tasks particularly those involving detailed consideration of matters, are more appropriately performed in the two Houses of South African Parliament by Committees than the sitting in plenary. For this purpose, in accordance with the Constitution, the rules of the two Houses establish a range of committees with assigned powers and functions to assist the two Houses in their work. The committees are required to report regularly on their activities and to make recommendations on the matters referred to them.

Thus, a parliamentary committee consists of a number of members appointed by a House to perform a specific function and report back to the House. The composition of Assembly committees reflects, as far as is practicable, the numerical strengths of the parties represented in the Assembly. Committees are appointed to deal with two main areas of work: the work of Parliament (such as legislation and oversight) and Parliament's internal arrangements and procedures.

There are joint committees also consisting of members of both Houses as well as committee specific to and appointed by each House.

Committees are one of the mechanisms required by the Constitution to ensure accountability by and oversight of the Executive. In addition, committees give effect to the constitutional concept of "participatory

democracy” by holding public hearings and affording the public the opportunity to contribute to their deliberations.

Types of Committee

The Rules make provision for several categories of committee –

1. Assembly Committees appointed by the Assembly and consisting of Assembly members only.
2. Joint Committees appointed by, and consisting of members of, both houses.
3. Committees dealing with the work of the Assembly (such as portfolio committees).
4. Committees dealing with the internal affairs and functioning of the Assembly and of Parliament (“House” or “internal” committees).
5. Committees established in terms of the Constitution or other legislation.
6. Ad hoc Committees, constituted by resolution of the House/s.
7. Council Committees equivalent to National Assembly Committees.
8. Subcommittees.

Some of the above committees are specifically identified in either the Joint Rules or the Assembly Rules, while others are established by resolution.

Rules and Conventions applicable to all Committees

Power of Committees

A Committee draws its mandate from and is accountable to the House/s that created it. It functions in terms of the Rules laid down by the House/s. It has the power to report and make recommendations to the

House/s but no power to make decisions, save in respect of its internal proceedings.

The parliamentary committee generally has the following powers (subject to the Constitution, legislations, the Rules and House resolutions) –

1. To summon any person to appear before it to give evidence on oath or affirmation, or to produce documents.
2. To receive petitions, representations or submissions from interested persons or institutions.
3. To conduct public hearings.
4. To permit oral evidence on petitions, representations, submissions and any other matter before the committee.
5. To determine its own procedure.
6. To meet at a venue determined by it, which may be a venue beyond the seat of Parliament.
7. To meet on any day and at any time.
8. To confer with another parliamentary committee.

Broad functions of Committees

Committees play a vital role in the parliamentary process, helping Parliament perform its constitutional functions. The following are the main functions of Committees –

1. Oversight of the Executive, including monitoring of Government departments and statutory bodies.
2. Consideration (and sometimes drafting or redrafting) of legislation.
3. Controlling the internal functioning of Parliament.
4. Consideration of private members' legislative proposals.
5. Consideration of petitions.
6. Consideration of international treaties and agreements.

Public access

The Constitution requires that parliamentary committees conduct their business in an open manner in public. Reasonable measures may be taken to regulate public access, including access to the media.

The Assembly may only exclude the public, including the media, from a sitting of a committee “if it is reasonable and justifiable to do so in an open and democratic society”. Assembly Rule 152 and Joint Rule 47 specify when such exclusion is deemed reasonable, namely when –

1. Legislation, the Rule or House resolutions provide for the Committee or subcommittee to meet in closed session; or
2. The committee/ subcommittee is considering a matter which is –
 - (a) of a private nature that is prejudicial to a particular person;
 - (b) protected under parliamentary privilege, or for any other reason privileged in terms of the law;
 - (c) confidential in terms of legislation; or
 - (d) of such a nature that its confidential treatment is for any other reason reasonable and justifiable in an open and democratic society.

Members of Committees

Members of both Assembly and joint committees are appointed for the term of the Assembly.

Membership ceases when a whip of the party to which the relevant member belongs, notifies the Speaker in writing that the member is to be replaced or withdrawn.

Alternate members: The Joint and Assembly Rules provide that alternates may be appointed for one or more specific members of a committee in accordance with the same procedure in which an ordinary committee member is appointed. An alternate may act for another member only when that other member is absent or has vacated office.

Co-opted members: The Joint and Assembly Rules provide that if a committee member and the alternate are both absent from a committee

meeting, the chair may co-opt any other member to act as a member of the committee. A co-opted member has the rights of a full member.

Subcommittees

The subcommittee is appointed by its parent committee to assist it in its task. It is accountable to the parent committee and must carry out its task within any framework or guidelines set for it. It may only make recommendations to the parent committee.

The parent committee may delegate any of its powers to its subcommittee, and may instruct it to perform any of its functions. It may also determine time-frames within which the subcommittee must complete its task, and determine the nature and timing of its reports.

A subcommittee may proceed with business when no quorum is present. Decisions are reached by consensus. Where no consensus is possible, all views are reported to the parent committee.

Quorum

A majority of the members of the Committee constitutes a quorum. A committee may proceed with business in the absence of a quorum, but requires a quorum for decisions. A question before a committee is decided when there is agreement among the majority of the members present.

Different Committees of Parliament

Portfolio Committee

They are like our Department-related Parliamentary Standing Committees. The National Assembly (NA) appoints from among its

members a number of Portfolio Committees to shadow the work of the various national government departments.

The role of the Portfolio Committees is to:

- consider bill.
- deal with departmental budget votes,
- oversee the work of the department they are responsible for, and enquire and make recommendations about any aspect of the department, including its structure, functioning and policy.

The work of Committee is not restricted to government. They may investigate any matter of public interest that falls within their area of responsibility. There is a Portfolio Committee for each national Ministry and its associated government department/s.

Select Committees

Portfolio Committees in the National Council of Provinces are known as Select Committees. The National Council of Provinces (NCOP) appoints from its permanent members a number of Select Committees to shadow the work of the various national government departments and to deal with Bills.

Because only 54 of the 90 NCOP Members are permanent delegates compared to the 400 of the NA, the Select Committees oversee the work of more than one national government department.

Public Accounts Committee

The National Assembly Standing Committee on Public Account acts as Parliament's watchdog over the way taxpayers' money is spent by the Executive. Every year the Auditor-General tables reports on the accounts and financial management of the various government departments and State institutions.

Heads of government departments and institutions are regularly called by the committee to report and account for expenditure. The Committee can recommend that the National Assembly takes corrective actions if necessary.

Members' Legislative Proposals and Petitions Committees

Draft bills can be submitted by individual Members of the National Assembly. These bills are considered by the National Assembly's Standing Committee on Private Member's Legislative Proposals and Special Petitions. If the Committee agrees with the principle of the draft Bill, a Bill will be prepared and dealt with by Parliament.

The National Council of Provinces Select Committee on Members' and Provincial Legislative Proposals considers draft Bills from individual NCOP members and provincial legislatures.

Petitions may also be tabled in Parliament and referred to the relevant committee that deals with the issue raised in the petition.

Internal Committee

The National Assembly has a number of internal committees that deal with matters affecting the running of Parliament. The Committee normally consist of senior Members of Parliament. The Rules Committee and its subcommittees deal with House rules, the budget of the House, support for Members internal arrangements, and powers and privileges of members. Other internal Committees are the Programme Committee that plans the work of the Assembly, the Disciplinary Committee, and the Committee of Chairpersons.

The National Council of Provinces has its own domestic Committees. The Rules Committee and its subcommittees deal with the NCOP rules, the NCOP budget, parliamentary privileges, internal arrangements, international relations and delegated. The Programme Committee plans the work of the

NCOP and the Committee of Chairpersons make recommendations about the functioning of Committees and other NCOP forums.

Ad hoc Committees

Parliament or one of its Houses may appoint an ad hoc (temporary) Committee for a special task. When the task is complete, the Committee is dissolved.

Joint Committees

The National Assembly and the National Council of Provinces together appoint a number of joint committees, for example the Constitutional Review Committee.

The Joint Standing Committee on Intelligence and the Joint Standing Committee on Defence are statutory Committees. This means that they are established, by the Constitution or by an Act of Parliament, as well as in terms of the rules of Parliament.

PARLIAMENTARY PRIVILEGE & ETHICS

South Africa is one of the few countries which have codified the privileges and immunities of Parliament and its Member. Article 58 of the Constitution of South Africa lays down that Cabinet members, Deputy Ministers and members of the National Assembly –

1. have freedom of speech in the Assembly and in its committees, subject to its Rules and Orders; and
2. are not liable to civil or criminal proceedings, arrest, imprisonment or damages for –
 - a) anything that they have said in, produced before or submitted to the Assembly or any of its committees; or
 - b) anything revealed as a result of anything that they have said in, produced before or submitted to the Assembly or any of its committees.

It further provides that other privileges and immunities of the Assembly, Cabinet members and members of the Assembly may be prescribed by national legislation. Till 2004 the Powers and Privileges of Parliament were being governed by various Acts of Parliament which predates the new Constitution.

In 2004, the Parliament enacted the Powers, Privileges and Immunities of Parliament and Provincial Legislature Act which clearly defines the Powers, Privileges and Immunities of two Houses - the National Assembly and National Council of Provinces, their Members, Ministers or Deputy Ministers who is not a member. A copy of the said Act is Annexed.

On Conflict of Interests

It may be interesting to note that Member of our Ethics Committee had visited South African Parliament in the year 1999 to study a similar Committee on Standard functioning there. Our Committee has borrowed significantly from their system except that they have a Joint Committee for

both Houses and a Registrar of Members' Interests - a custodian of Members' declared interests. An interesting difference about conflict of interest of Members following may be noted:

Declaration of private interests to parliamentary committees and forums

A member must -

- (a) declare any personal or private financial or business interest that that member or any spouse, permanent companion or business partner of that member may have in a matter before a joint committee, committee or other parliamentary forum of which that member is a member; and
- (b) withdraw from the proceedings of that committee or forum when that matter is considered, unless that committee or forum decides that the member's interest is trivial or not relevant.

Declaration of private interests when making representations

If a member makes representations as a member to a Cabinet member or any other organ of state with regard to a matter in which that member or any spouse, permanent companion or business partner of that member has a personal or private financial or business interest, that member must declare that interest to that Cabinet member or organ of state.

Lobbying for remuneration

No member may lobby for remuneration.

Remunerated employment outside Parliament

A member may only engage in remunerated employment when such employment is -

- (a) sanctioned by the political party to which the member belongs; and
- (b) compatible with that member's function as a public representative.

MEMBERS' FACILITIES

(i) **Salaries and Allowances cont.**

Basic	Rand 30,143.67
Deemed medical allowance	Rand 5,128.00
Parliamentary allowance	Rand 10,000.00
Motor Vehicle allowance	Rand 11,448.33
Pension contribution	Rand 10,186.13

(Note: 1 Rand = Rupees 7/- approx)

(ii) **Pensions**

Contribution design

Member contribution of Basic 7.5%

Total state contribution 54.5% (By State)

(iii) **Facilities for Members**

Provided to enable members to perform their duties as elected public representatives

(a) **Air Journeys**

All members – 86 singles journeys per financial year (1 April to 31 March)
Party whips – 94 single journeys

Travel by dependants

The dependants must be registered with the Parliament record before the journey.

Age limits apply

0-2 years 60 single journeys

2-11 years 24 single journeys

12+ years 12 single journeys

(b) **Parking at airports**

Parking costs to a maximum of R25,000 per annum

Parking cards are issued

(c) **Relocation costs**

Establishments fee of R15,750 or cost of removal limited to R18,750

R10,000 replacement allowance after 5 years

(d) **Telephone allocation**

Ordinary members R2,600 limit per month

Calls from office phone

Home telephone calls

Cellular telephone calls

Internet subscriptions

Numbers must be registered

(e) **Equipment provided to Members**

Furnished office

Workstation consisting of:

Laptop

Docking Station

External Monitor and Keyboard

Office Printer

Portable Printer

PDA/cell phone

MPLADS

A fixed sum is given to Political Parties and the party give it to Leader of the Party and Members to use it on Constituency. Therefore, there is no separate fund for any particular constituency like the Indian Parliamentary System where the MPLAD Scheme exists and a fixed sum is granted to the Member of Parliament to be spent on his constituency.

PARLIAMENTARY REPORTING SERVICE

The deliberations and discussions that take place in Parliament over subject of public interest are of vital importance that reflect collective thinking in terms of contemporary social, economical and political context. It thus holds immense educating value for the future generations. Therefore, the importance of keeping the written records of the deliberations in Parliament can hardly be over-emphasized. This underlines the importance of Parliamentary Service dealings with reporting, translation and printing of these records. These are very essential services for Parliament to function smoothly.

In the Parliament of South Africa, this aspect is taken care of by the "Department of Language Services". Though official languages being Afrikaans and English, there are as many as 11 other recognized official languages. Members of Parliament have a freedom to make use of any of these languages for deliberations/discussions in the Parliament. Language does not come as a barrier in parliamentary participations in South Africa.

It was only in the year 2004, when third Parliament was elected, that the provision for **Simultaneous Interpretation** for all the official and recognized languages became available through the establishment of a large Language Section.

The work-flow in these services is as follows:

- Language Practitioners (equivalent to Translators/Reports/ Interpreters in the context of Indian Parliament) are provided with Distribution sheet containing text/data to be translated by them which is prepared by Data Control. This task is performed by the

Control Editor (equivalent to Editor/Assistant Director in the case of E&T Service of Rajya Sabha Secretariat).

- Thereafter, Senior Language Practitioners undertake checking, altering, wherever required, the text translated by Language Practitioners. Thereafter, Control Editor notifies that the Debate is ready for taking print outs thereof. This process is almost identical in all the three services i.e Reporting, Interpretation and Editing and Translation.
- One of the unique features of the Language Services is that every Senior Language Practitioner is required to undertake atleast two of the activities i.e Publication and Reporting or Editing or Publication at a time unlike our system when each of these activities is taken care of by an independent service that is Reporting Service, Interpretation Service and the E&T Service.
- During the course of deliberations, officials of the Parliament of South Africa appreciated our system of having three distinct Services dealing independently with each of these parliamentary work concerning Reporting, Editing/Translation and Interpretation. The Department of Language Services also undertakes work of Parliamentary Committees etc.

The pattern of hierarchy in the Department of Language Services is as follows:

1. Control Editor
2. Senior Language Practitioners
3. Language Practitioners

Language Practitioners above the age of 18 years can enter the services at any point of time and there is no upper age limit as such to join Parliament Service and can continue up to the age of superannuation i.e. attaining 65 years of age. Officials are offered a fixed package of wages which is subject to upward revision from time to time.

RESEARCH AND INFORMATION SERVICE

The Parliamentary administration is structured in a manner that gives effect to the core functions of Parliament and is headed by a Secretary to Parliament. It is structured into Divisions, which are divided into Sections and the Sections into Units. The Parliamentary Research Unit is located within the Information Services Section, which forms part of the Legislation and Oversight Division of Parliament. The main task of this Division is to provide the procedural, legislative and oversight support services required by Members to perform their tasks. It may thus be noted the research & information back up to Members has been awarded a place of primacy in its legislative, procedural and oversight function.

Functions and Services

The main function of the Parliamentary Research Unit is to provide research and information services to Members of Parliament, including the Presiding Officers, Committees and Senior Managers in Parliament. It provides a research input that is reliable, valid, analytical, technically sound and well synthesized. In order to give effect to the main function of the Research Unit, the following services are provided:

- Reactive research
- Proactive research
- Commissioned research
- Knowledge sharing and knowledge development
- Support on oversight visits and study tours

Reactive Research: Reactive research refers to research requests submitted to the Unit, whereupon it is assigned to the relevant researcher to process.

The product delivered by the researcher/s is in most cases a research paper, although the Committee could also request oral presentations.

Proactive research: Proactive research papers are initiated by the individual researcher or by a team of researchers. The research paper could, amongst others, be informed by the programme of the particular Committee or it could emanate from topical issues currently in the public discourse requiring Committees' attention. Proactive papers initiated by teams facilitate an inter-sectoral approach to a research topic, which provides a richer and multi-dimensional aspect. The product produced through both proactive and reactive research take the form of Information Packs, Fact Sheets, Legislative Analysis, Budget Analysis, policy analysis and comparative studies.

Commissioned research: As the name suggests, these research projects are commissioned to researchers and or institutions outside of Parliament. The decision to commission research could be based on the fact that the Research Unit does not have the required human resources to undertake the project or the necessary specialist expertise required for the particular project.

Knowledge sharing and knowledge development: The Research Unit may undertake various activities which are geared towards knowledge development and sharing aimed at enhancing the analytic and critical skills of researchers. These activities have taken the form of:

- Seminars - These are presented by staff members or by researchers, policy analysts and academics from various institutions who have prepared presentations on topics in their particular area of expertise.
- Resource Room - The Research Unit has a number of books and other resources, which are currently being classified and catalogued. The aim is to have a fully functional resource room, which will enable

easy access to information. It is also envisaged that literature will be obtained from institutions and housed in this resource room.

Researchers and the Committees

The Research Unit was established in 1997 to provide objective, non-partisan research support to individual Members of Parliament and Committees. Eight researchers and a manager were hired to offer research services to the Members of Parliament. Each researcher had specialist skills in a number of sectors and was expected to serve a cluster of approximately four committees each, as well as providing individual research support to all Members. Initially, the Research Unit was only mandated to serve the National Assembly and not the National Council of Provinces. Researchers were hired on contract and were funded by European Union donor funding.

Since the end of 2006, researchers serving both the National Council of Provinces and the National Assembly have been attached to specific committees. This is a shift from the manner in which the Unit previously functioned. Prior to the recruitment of researchers to serve specific committees in 2007, researchers served more than one committee and were regarded as generalists. Now, researchers are recruited for their expertise in a specific area. Whilst researchers are attached to specific committees, researchers are still required to provide support within their areas of expertise to delegations attending conference, etc.

Oversight visits and study tours

Researchers have been called on to provide research support on study tours and oversight visits. This may take the form of on-site input or assistance with relevant questions to pose. Researchers also complete reports after the event. The reports emanating from these events provide an in-depth analysis of the event, as well as areas for follow-up.

Research Structure

A new structure for the Research Unit has been in place since the end of 2006. As indicated above, this sees the appointment of one researcher per committee, as well as senior researchers. This structure facilitates the provision of specialized research support to Committees and Members of Parliament through a structure that promotes an inter-sectoral approach to the task at hand. The difference from the previous structure is that researchers now operate in teams of related subject areas, and that these teams provide the core support to Committees and Members. As mentioned, a researcher is assigned to each Committee, which is aimed at strengthening the relationship between the Committee and the various research teams.

The structure is headed by the Chief Researcher who is the research manager, and introduced a new level of senior researchers, who each head a research team. A total of 8 research teams are in place. Each team consists of between 3-8 research specialists. The teams are as follows:

- Social and Public Services
- Finance and Public Accounts
- Socially Vulnerable Groups and Private Members' Legislative Proposals
- Trade and Economic Affairs
- Education and Recreation
- Parliamentary Affairs and International Law
- Intergovernmental and Resources Matters
- Justice, Security and Constitutional Affairs

The importance of this structure is that the senior researcher from each team, together with the committee researcher, the committee secretary, and content advisor, in the Committee section, will assist the Committee Chairperson to develop annual and or quarterly programmes or workplans for the Committee. These workplans will in turn set the research agenda and research workplan of the different research teams. Together with the Committee support staff, the research staff will also be involved in the development of Committee budgets, drafting Committee reports and identifying relevant persons to participate in public hearings, etc. This should ultimately result in a Committee more equipped to undertake its Constitutional mandates.

Challenges confronting the Research Unit

A few challenges facing the Research Unit are detailed briefly below:-

- There is a need for comprehensive knowledge management and knowledge development systems.
- There is need to consolidate analytic skills and develop greater specialist knowledge and technical skills.
- There are no formalized links with national and regional research institutes.
- The relationship amongst all support staff to Committee's will have to be managed so as to prevent staff becoming confused about the various roles or leading to tension amongst staff.

Human Resource: Providing reliable, objective, non-partisan research to Members of Parliament is a labour intensive function. Research staff who have the relevant knowledge and skills in their particular fields are essential. It is essential that the appropriate Researchers are recruited, i.e. Researchers

who have the necessary educational qualifications (a minimum of an Honours degree), and three years research experience.

HUMAN RESOURCE MANAGEMENT

1. Human Resource Division

Recruitment, placement and training of staff is handled by one section *i.e.* Human Resource Division, unlike the Indian Parliament (Rajya Sabha Secretariat) where personnel management is done by Personnel Section and training is provided by the Training Cell.

2. Number of Staff

There are 1200 employees for the whole Parliamentary Service.

3. Recruitment

Recruitment files are cleared by the Secretary to the Parliament, who is over and above the Secretary to National Assembly and NCOP.

4. Salary packages

Salary offers are made within the Remuneration Policy which is negotiated at the Secretary of Parliament level for prospective candidates. The salaries for the Secretaries of the NA and NCOP are from R10,55,164 to R11,07,922 per annum

5. Key Designations

- (i) Secretary to Parliament: The Secretary to Parliament is the overall Head of the Parliamentary Service. He can sit in any Chamber, if there is a need. This is, however, rare given that they have procedural heads for both the 'National Assembly' and the 'National Council of Provinces'.
- (ii) Deputy Secretary to Parliament
- (iii) Chief Operations Officer
- (iv) Division Managers *e.g.* HR Executive

- (v) Chief Financial Officer, Chief Audit Executive, Chief Legal Adviser
- (vi) Section Managers
- (vii) Unit Managers

6. Promotion Process

Promotion is given on merit basis. Promotion decisions are based on the following criteria: -

- (i) Relevant work experience is required as minimum experience for appointment to a higher post.
- (ii) Relevant academic qualifications are required as minimum qualifications for the higher posts to be filled.
- (iii) Competence is based on a combination of knowledge, skills, ability, attitudes, attributes and behaviours which are required to perform the duties of the higher post.
- (iv) Performance record of the employee being considered for promotion.
- (v) Prior learning.

7. Age of Retirement

There is option of retirement at the age of 55 or 25 years of service, whichever is earlier. Therefore, an official can retire any time before the age of 65 years. However, 65 is the compulsory age of retirement. Thereafter, employees can be retained on contract basis, if the organization wishes to retain a particular employee.

8. Publicity for Vacancies

Advertisements for jobs are given in national newspapers as well as on the website to reach the maximum audience.

Information, Communication and Technology (ICT) (Master Systems Plan)

The ICT Strategy review for Parliament of South Africa was conducted in 2008-09. The ICT Strategy review was based on an enterprise-architecture approach and it delivered several outputs to guide the development of the ICT Strategy for the period 2009/2014 and the Parliament has revised the Information, Communication and Technology (ICT) Strategy (Master Systems Plan) that was developed in 2004 to ensure that the various ICT initiatives undertaken by parliament in 2009 and beyond will be in line with parliament's vision:

“To build an effective peoples Parliament that is responsive to the needs of the people and that it is driven by the ideal of realizing a better quality of life for all the people of South Africa”

The ICT Strategy development process involved focused engagement with member, managers, political leadership, through workshops, interviews and discussions. Various Parliamentary strategy & policy documents, business plans and other policy documents were also analysed. The engagement with stakeholders focused on:

- Parliament's mandate according to the Constitution
- Parliament's vision in fulfilling this mandate
- How the mandate is fulfilled through our present work
- How we can improve our role in future
- What factors might impact on how we fulfill the mandate in the next three to five years.

The main theme of **Parliaments' ICT Strategy (MSP) 2009-2014** is “**From E-Parliament to E-Democracy**” and it will be the blueprint that

defines the vision, strategic direction and framework for leveraging ICT in Parliament. The strategy identifies the services and initiatives that overarch decision-making, planning, and deployment of ICT services and systems across Parliament. The ICT strategy is an outline of Parliament's future aspirations for the use of ICT, to sustain and grow Parliament.

While this plan is intended to provide a three to five-year view of Parliament's ICT Strategy, it will be reviewed and updated annually under the guidance and governance of the Corporate Service Division and the ICT Steering Committee, to reflect the changing needs and emerging developments of ICT, as well as Parliament's directions and business requirements.

ICT strategic planning is required to manage and direct all ICT resources in line with the business strategy and priorities. The ICT function and business stakeholders are responsible for ensuring that optimal value is realized from project (programme) and service portfolios. The ICT strategic plan should improve the understanding of key stakeholders regarding ICT opportunities and limitations, it must assess current performance and it must clarify the level of investment required. The business strategy and priorities are to be reflected in portfolios, and executed in line with the ICT tactical plan, which establishes concise objectives, plans and tasks understood and accepted by both business and ICT.

The key inputs into reviewing and developing the ICT Strategy were:

- Parliament's Strategic Plan
- Business plans of business units

- Interviews with business units
- Previous Master Systems Plan (2004/2009)
- Inventories of deployed ICT systems
- Gap analysis between the existing state of Parliament and the envisioned state of Parliament.

The main deliverables for the ICT Strategy (2009-2014) are:

- An **Integrated Business Model** which reflects the way Parliament “works”. This model was developed after wide consultation with Parliament, and was presented to the ICT Steering committee, the Management Team and the Management Forum
- The **Solutions Architecture** which reflects the framework within which Parliament defines ICT solutions in order to ensure a consolidated, service-orientated approach for reviewing the ICT Strategy.
- The **Information Architecture** which reflects the core information that Parliament needs to manage in order to fulfill its vision and mission, based on the processes supporting Parliament.
- The **Application Architecture** which reflects the key applications deployed throughout Parliament to support the various business processes in Parliament
- The **Technical Architecture** reflecting key components of the infrastructure that enables application to operate; integrate and communicate.
- The **Business Solutions/Services Deployment Map** which shows the core ICT services that must be enabled to support Parliament’s Strategic intent.

The main thrust of the ICT Strategy (MSP) 2009-2014 is to support Parliament’s business strategy by enabling a shift from enabling an **E-PARLIAMENT** to enabling an **E-DEMOCRACY**.

The ICT Strategy (2009-2014) will leverage the ICT capacity developed during the 2004-2009 period to enable Parliament to support an e-Democracy. This means using e-Democracy to enable *inter alia* an external focus on increasing public participation, becoming more people-centered, deepening democracy and supporting legislation in action. E-Democracy will require ICT solutions that will leverage Parliament's processes and support the core objectives of Parliament.

From a business perspective the shift enabled through the ICT Strategy must support the key focus areas of the business that defines e-Democracy:

- Members must be optimally capacitated
- Deepen public participation
- Legislation in action
- Effective oversight
- International participation and regional collaboration
- Co-operative government and the legislative sector
- Institutional performance.