

The work of Parliament

Parliament plays an important role in the life of the nation. It is elected to represent the citizens of South Africa according to the Constitution. Parliament is the place where laws are passed and where important issues of the day are discussed. It is the place where the views of citizens can be heard directly by parliamentary committees. Parliament also keeps the executive and state institutions accountable.

Parliament is made up of two 'houses' - the National Assembly and the National Council of Provinces (NCOP). The National Assembly represents the people, chooses the President, provides a forum for debate, passes laws, and oversees the executive. The NCOP represents the provinces to ensure that provincial interests are taken into account in the national sphere of government, participates in passing laws, provides a forum for debate of provincial issues, and ensures that local government is represented at national level. Both houses participate in debating and voting on the Budget.

Most of this work is done by Members of Parliament (MPs) sitting in parliamentary committees. MPs also have responsibilities outside Parliament. They must consult with the public and serve people in their constituency areas.

Making laws

Parliament makes new laws, changes existing laws and repeals laws which are no longer needed. Laws can be made in different ways. The most common way is for a government department to prepare a bill (a draft law) which is debated in parliamentary committees in both houses of Parliament and amended if necessary. Both houses must be consulted before a bill can be passed. Once the bill is passed and the President has signed it, it becomes an Act of Parliament (a law of the country).

Parliamentary oversight

Parliament (the legislature) represents the people of South Africa and it has a responsibility to keep the government (the executive - the President and the Cabinet) accountable to the people. State institutions like the Auditor-General are also accountable to Parliament. MPs keep the executive accountable through:

- asking parliamentary questions
- having parliamentary debates about important issues
- proposing and voting on motions
- requiring the executive and state institutions to report to Parliament

Parliament and its committees have strong powers. They can summon any person to give evidence or to produce documents, and they can require any person or institution to report to them. A state of emergency can only be declared by an Act of Parliament, and it can only be renewed if Parliament agrees. If Parliament passes a vote of no confidence in the Cabinet (excluding the President), the Cabinet must be reconstituted. If Parliament passes a motion of no confidence in the President, the entire Cabinet must resign. The NCOP has a special oversight role in situations where a provincial government has taken over a local government's functions, or cases where national government has taken over a provincial government's functions.

Parliamentary questions

Each Cabinet minister is responsible for a particular government department. For example, the Minister of Health is responsible for what goes on in the national Department of Health. MPs can ask ministers questions about their departments and expect a reply. Because these questions must be answered and because what goes on in Parliament is public, this is an important way of keeping the executive accountable to the people. There are three kinds of parliamentary questions - interpellations (mini-debates), questions for oral reply, and questions for written reply. Questions are a way of making issues of the day public. They are also often used for political gain. Opposition parties may ask questions as a way of criticising a minister and the government, while members of the majority party will often ask questions which highlight a minister's achievements.

The Budget

Every year the Minister of Finance presents the Budget. This is a proposal for how government will collect money for that year, and how it will spend the money on various government activities. Parliament debates the Budget and votes on it. The NCOP must be involved in the final decision over how money is divided between national, provincial and local levels of government.

Debates

In addition to interpellation debates, various other kinds of debates are held in Parliament. For example, a debate is held on the President's annual address to Parliament. A snap debate may be held when an issue of national importance must be discussed urgently. Debates are held around the annual Budget, and around bills which the Parliament has been asked to approve. When a government department submits a White Paper (a statement of its policy programme), this will also be debated in Parliament. The various political parties are each given time to make speeches and time is allowed for debating the points which have been raised.

Committee hearings

Parliamentary committees have a duty to take the views of the public into account when they discuss a bill or important issue. If the issue is of great public interest, committees may ask the public to make written submissions or to present their views directly to the committee. Members of the public have

the right to attend most parliamentary committee meetings and hearings of provincial legislature committees.

Parliamentary privilege

A very important part of what makes Parliament powerful is privilege. MPs have complete freedom of speech in Parliament, unlike other citizens. MPs have the right to say anything, to produce anything, or to submit anything to Parliament or its committees, as long as they stay within the rules of Parliament. They cannot be held legally liable for anything they say, produce or submit in Parliament. Imagine a situation where an ordinary citizen knows something which should be public knowledge, but does not say anything for fear of legal action. An MP can use parliamentary privilege to bring the issue out into the open without having to worry about legal consequences.

Keep yourself informed

Important national issues are debated and discussed in Parliament. Keep yourself informed about what is going on through the media or through reading Hansard. Hansard is a complete record of everything that has been said in the National Assembly and the NCOP. You can read copies of Hansard in many public libraries. Important events at Parliament like the annual Budget speech are broadcast on TV and radio. You can keep informed about the daily programme of activities by reading the Order Paper available from Parliament, contacting the Public Education Office of Parliament, tel (021) 403 2911.