



PARLIAMENT
OF THE REPUBLIC OF SOUTH AFRICA

FACT SHEET

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THE FIRST SITTING OF THE NATIONAL ASSEMBLY

Start of a new Parliament

The Constitution provides that, after a general election, the first sitting of the National Assembly must take place at a time and date determined by the Chief Justice, but not more than 14 days after the election result has been declared. The first sitting is called by the Chief Justice by notice in the Government Gazette in terms of Item 9 of Part A of Schedule 3 to the Constitution, stating the time, date and place of the sitting. The notice by the Chief Justice also provides information on the business that will be dealt with at the first sitting day, namely, the swearing in of elected members of the Assembly, the election of the Speaker, Deputy Speaker and the President of the Republic.

The sitting, which traditionally starts in the morning, commences with the ceremonial procession entering the National Assembly Chamber from the front entrance. The Chief Justice, Secretary to Parliament and Secretary to the National Assembly are led by the Serjeant-at-Arms (without the mace). The Chief Justice takes the Chair to preside over the sitting and announces that the sitting has been called in terms of section 51(1) of the Constitution and that in terms of section 48, members must swear or affirm their faithfulness to the Republic and obedience to the Constitution before they begin to perform their functions as public representatives. The first order of business following the singing of the national anthem is the administering of the oath of allegiance by the Chief Justice to the newly elected members of the National Assembly. Members can choose to take the oath or affirmation, which is done in any of the 11 official languages of the country. The oath or affirmation is signed by the Chief Justice and the member, and is kept for safe-keeping by the Clerk of the Papers.

After all members have been sworn in, the Chief Justice calls for nominations from amongst the members for the position of Speaker of the Assembly. Each nomination, which is done on a prescribed form, must be signed by two members of the Assembly and accepted in writing by the nominee. If only one candidate is nominated, the Chief Justice declares that candidate duly elected as Speaker. If more than one nomination is received, the Chief Justice announces that a secret ballot will take place in the House in terms of Item 6 of Part A of Schedule 3 to the Constitution, and suspends proceedings to allow for preparations for the voting process. At the resumption of proceedings, the Chief Justice announces the procedure to be followed and members are called in groups to cast their ballot. The Chief Justice, assisted by the returning officers appointed by him/her, conducts the election. After voting, the Chief Justice suspends proceedings to allow for counting of votes. When the proceedings resume in the House, the Chief Justice announces the results and in the event of the majority being obtained, he/she will



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accordingly declare the member concerned as having been duly elected as Speaker. The Chief Justice congratulates the newly elected Speaker and calls upon the Serjeant-at-Arms to conduct the Speaker to the Chair. The Serjeant-at-Arms (with the mace) enters the House and approaches the newly elected Speaker, bows and conducts the Speaker to the Chair. The Speaker is given an opportunity to express his/her sense of honour thus conferred and thereafter proceeds with the process of the election of the Deputy Speaker. The same procedure for the election of the Speaker is followed by the Speaker when presiding over the election of the Deputy Speaker.

At the conclusion of the election of the Speaker and Deputy Speaker, the business of the House is suspended for the election of the President of the Republic. Prior to the suspension of the business of the house, religious leaders are afforded an opportunity to bless the house by engaging in an interfaith prayer session. At the resumption of the afternoon proceedings, the Serjeant-at-Arms announces the Speaker who takes the Chair and invites the Chief Justice to preside over the election of the President as required by the Constitution.

The Assembly in accordance with sections 86(1) and (2), read with Schedule 3 to the Constitution, elects one of its members as the President of the Republic. The same election procedure which applies to the Speaker and Deputy Speaker is followed. Once the President has been elected, the Chief Justice steps down from the Chair and takes his/her designated seat in the Chamber Bay. The Speaker presides during speeches on election of the President until proceedings are adjourned.

In terms of section 87 of the Constitution, the President loses his/her membership of the Assembly upon being elected to that office. At the conclusion of the above business, the Assembly will normally adjourn for several days to enable the newly elected President to be sworn in and appoint his/her Cabinet. This is followed by the official opening of the new Parliament at which the President must deliver an Opening Address at a date and time to be announced by the Speaker (Rule 16).