

## II. CORE OBJECTIVES – ROLE AND BUSINESS OF PARLIAMENT

### **Mission:**

As the freely elected representatives of the people of South Africa, our mission is to represent, and act as a voice of the people, in fulfilling our constitutional functions of passing laws and overseeing executive action.

## II. CORE OBJECTIVES

### ROLE AND BUSINESS OF PARLIAMENT

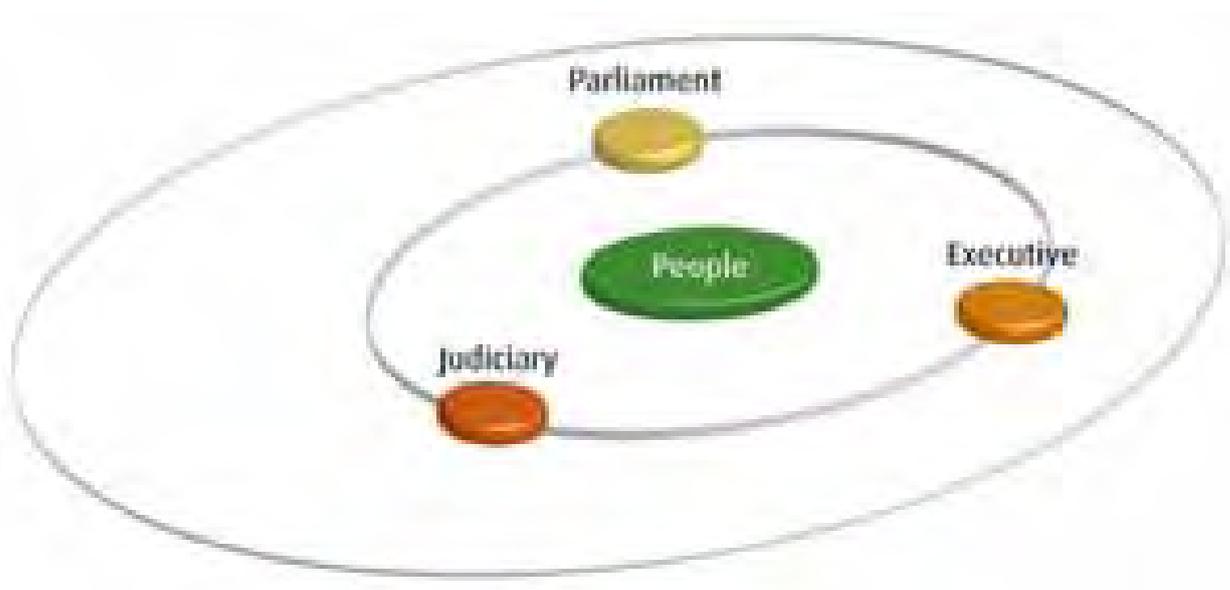
#### 2.1 MANDATE AND MISSION

The 1994 elections ushered in a new democratic order in South Africa. The extraordinary participation by South Africans showed that we desired to heal the divisions of the past and establish a society based on democratic values, social justice and fundamental human rights.

The process of negotiations, which preceded the 1994 elections, resulted in the drafting of a new Constitution, as adopted on 8 May 1996 by the Constitutional Assembly. The Constitution was adopted as the supreme law of the Republic and lays the foundations

for a democratic and open society in which government is based on the will of the people and every citizen is equally protected by law. It stipulates the values and mechanisms for governance of our unique people-centred democracy.

The Constitution sets a single, sovereign democratic state where governance is effected through Parliament, the Executive and the Judiciary. In the Republic the legislative authority is vested in Parliament, the executive authority is vested in the President, and the judicial authority is vested in the Courts.



Parliament's role and ultimate outcome is to represent the people and ensure government by the people under the Constitution, as well as represent the provinces in the national sphere of government.

This mandate of Parliament is achieved through passing legislation, overseeing government action, and the facilitating of public involvement, co-operative government and international participation.

The role of Parliament includes the promotion of the values of human dignity, equality, non-racialism, non-sexism, the supremacy of the Constitution, universal adult suffrage and a multi-party system of democratic government. It upholds our citizens' political rights, the basic values and principles governing public administration, and oversees the implementation of constitutional imperatives.

It provides legislation that prevents or prohibits unfair discrimination, and holds members of the Executive accountable, collectively and individually. In this the National Assembly, by a resolution adopted with a supporting vote of at least two thirds of its members, may remove the President from office. The National Assembly can furthermore, by a vote supported by a majority of its members, pass a motion of no confidence in the Cabinet.

Parliament also provides multi-party parliamentary committees to have oversight of all security services in a manner determined by the national legislation or the rules and orders of Parliament.

Parliament further facilitates public involvement in the legislative and

other processes and in its committees, has the responsibility to promote the principles of co-operative government and intergovernmental relations, and ratifies international agreements which are binding on the Republic.

Parliament as an organ of state, through legislative and other measures, must assist and protect the courts and state institutions, to ensure their independence, impartiality, dignity, accessibility and effectiveness.

This mandate of Parliament determines its reason for existence. It is the origin of the institution, and is based on the provisions of the Constitution of the Republic of South Africa, Act 108 of 1996, establishing Parliament and setting out the functions it performs. Parliament therefore fulfils this mandate by performing the following functions:

- Function 1: Pass legislation (laws)
- Function 2: Scrutinise and oversee executive action (keep oversight of the Executive and organs of state)
- Function 3: Facilitate public participation and involvement in the legislative and other processes
- Function 4: To participate in, promote and oversee co-operative government
- Function 5: To engage in, participate in, and oversee international relations

The mandate of Parliament provides direction to set the mission, indicating the purpose of Parliament and describing its main business.

The mission is:

*As the freely elected representatives of the people of South Africa, our mission is to represent, and act as a voice of the people, in fulfilling our constitutional functions of passing laws and overseeing executive action.*

Our mission indicates our core business, the functions of Parliament, as described in the Core Objectives.

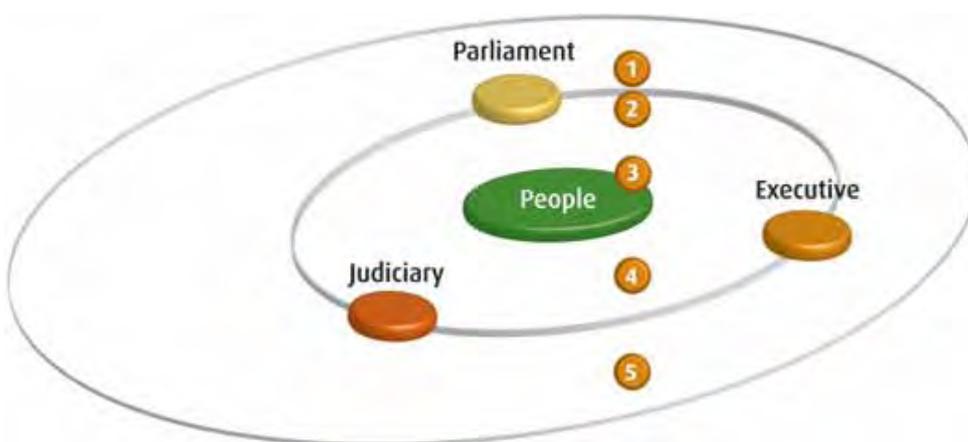
## 2.2 CORE OBJECTIVES

The Core Objectives of Parliament are to pass legislation (laws), to scrutinise and oversee Executive action (keep oversight of the executive and organs of state), to facilitate public participation and involvement in the legislative and other

processes, to participate in, promote and oversee co-operative government and to engage in, participate in, and oversee international relations.

The outputs for the Core Objectives include Bills passed, questions put to the Executive, annual reports tabled and scrutinised, public participation facilitated, participation in international forums and organisations, approved international agreements, appointed public office bearers, and discharged statutory functions. The Core Objectives of Parliament therefore indicate our main business.

According to the output of the Core Objectives Parliament has set its Selected Performance Indicators (see Table 1).



## Core Objectives

- 1 Pass Legislation
- 2 Conduct Oversight
- 3 Public Participation
- 4 Co-operative Government
- 5 International Participation

**TABLE 1: SELECTED PERFORMANCE INDICATORS**

Indicators	Annual performance						
	Past			Current	Projected		
	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11
Number of bills passed	40	39	28	45	30	40	60
Number of questions put to the executive	1 973	2 722	2 489	2 868	2 500	2 000	2 700
Number of annual reports scrutinised by committees	186	267	251	223	250	270	270
Number of oversight visits undertaken by committees	157	93	50	–	70	80	120
Number of debates held for the public consideration of issues (NA and NCOP)	87	117	62	132	–	–	–
Number of international agreements adopted	33	44	55	34	30	30	50

**2.2. a. CORE OBJECTIVE 1: To pass laws (legislation)**

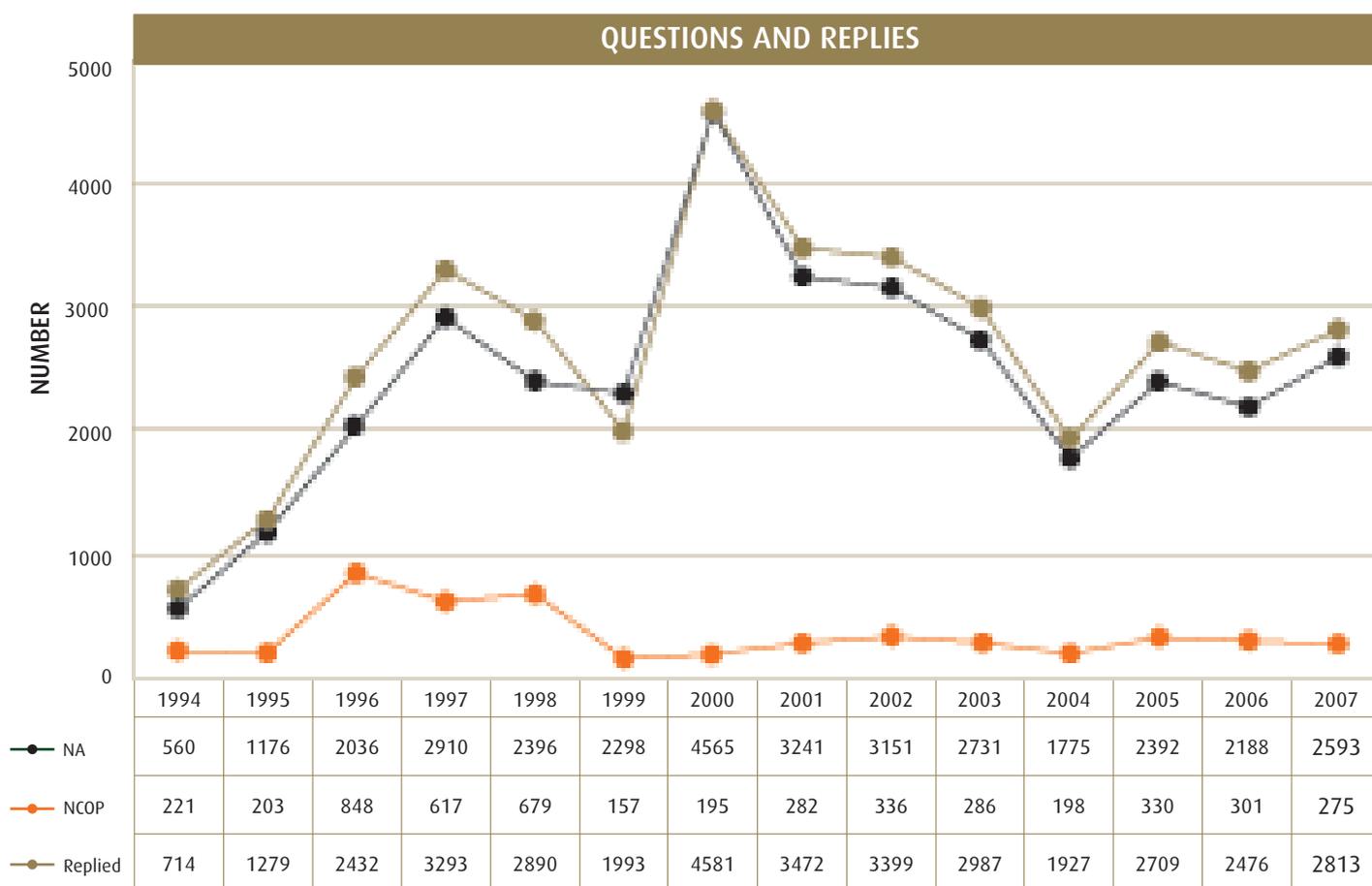
Bills are introduced in Parliament by the Executive or initiated by Parliament itself. Bills are classified in terms of the Constitution as section 74 Bills (constitutional amendments), section 75 Bills (ordinary Bills not affecting provinces), section 76 Bills (ordinary Bills affecting provinces), and section 77 Bills (money Bills).



In the 5 years after the first democratic elections, significant transformation occurred through the legislative process. The period 1994 to 2004 saw a sustained focus on eradicating the statute books of discriminatory legislation and laying the foundations for a democratic and open society. The first five years therefore saw an increase in Bills introduced in Parliament and subsequent Acts passed. With this important work mostly completed there has been a gradual decline in the number of Bills introduced in Parliament.

## 2.2.b. CORE OBJECTIVE 2: To oversee and scrutinise executive action (oversight)

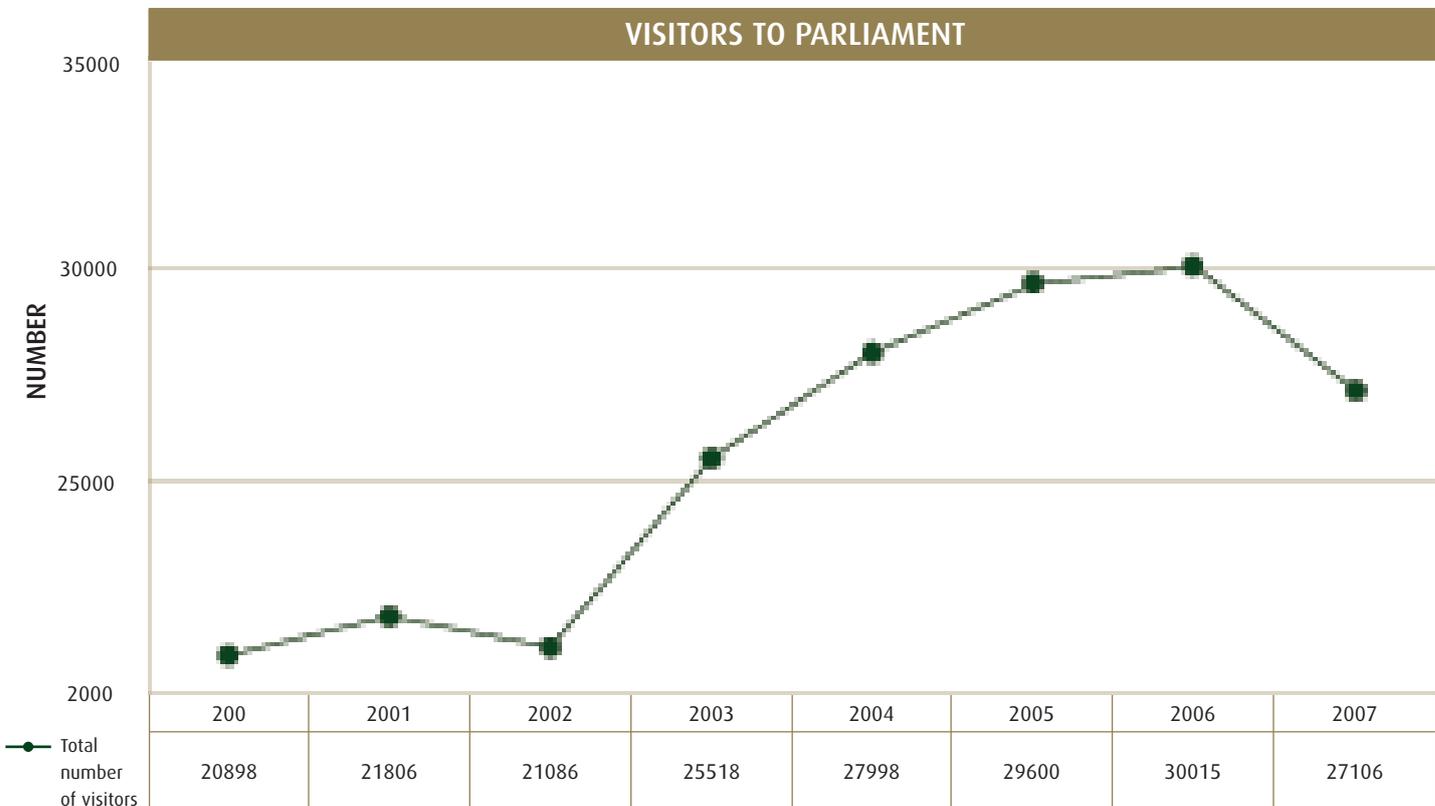
As part of the oversight function of Parliament, members put questions to the Executive for oral or written reply. Questions may be put to the President, Deputy President or Ministers. In addition to questions and replies, the oversight function includes the tabling of reports in Parliament by institutions accounting to it. Annual reports are tabled by national departments, state institutions supporting constitutional democracy, public entities, and sector education and training authorities. In this parliamentary committees require government officials to appear before them. Further oversight activities include site visits, reports and briefings to committees, and the budget process.



During 2007 a total of 2593 questions were put to the executive in the National Assembly and 275 in the National Council of Provinces. A total of 2813 replies were given. Furthermore committees of Parliament considered 196 annual reports, conducted 92 oversight visits and held 137 public hearings.

**2.2.c. CORE OBJECTIVE 3:** To facilitate public participation and involvement

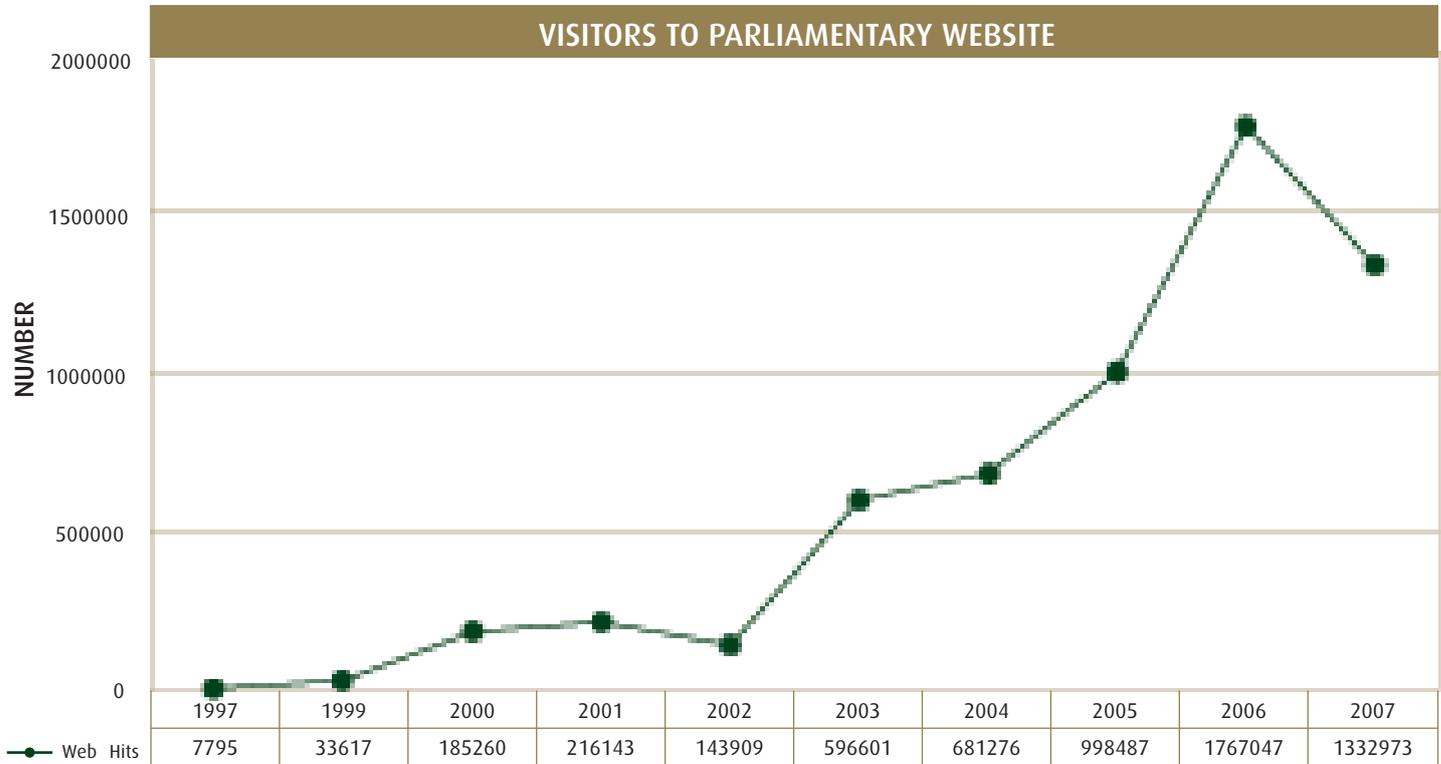
The participation of the public in the processes of Parliament, their access to the institution and its members, and information provided to the public remain a vital focus of Parliament. Public participation activities include public hearings, outreach programmes, radio programmes and broadcasts, television broadcasts, publications, newsletters, promotional material and the website. Parliament’s sectoral programmes for public participation includes the People’s Assembly, Taking Parliament to the People, the Women’s Parliament and the Youth Parliament.



Since 2001 no fewer than 60 publications have been produced in Parliament – these include books, brochures, catalogues, fact sheets, newsletters, pamphlets and reports.

In 2004, 848 educational and informational radio spots reached 21 million people; this was broadcast in all official languages. Interviews with members were also flighted on radio.

In 2007 the People’s Assembly was held in Mbizana whilst the Taking Parliament to the People programme took place in North West and Western Cape.



The Parliamentary Website project was completed in November 2007 with the website going live on 8 February 2008. The primary objective of this project was to build a new integrated, interactive and dynamic website in order to provide a two-way participative relationship between Parliament and the citizens of South Africa, Members of Parliament, relevant stakeholders, international governments and the media, using the web channel.



A people's Parliament to improve the quality of life of all citizens and free the potential of each person.

#### 2.2.d. CORE OBJECTIVE 4: To participate in, promote and oversee co-operative government

Parliament plays a major part in facilitating co-operative government by working with the other arms of government in the discharge of certain statutory functions as prescribed in legislation, the appointment of public office bearers, and approving instruments such as international agreements.

A range of functions and duties are assigned to Parliament in the Constitution and in many other laws that have been placed on the statute book over the years.

Most of these functions concern the appointment and dismissal of office-bearers of the institutions supporting democracy (Chapter 9 of the Constitution) such as the Auditor-General, Public Protector, various commissions and also other boards and councils. However, the functions also include obligations as diverse as the ratification of international protocols and conventions; determining the President's salary and allowances; receiving and considering quarterly reports on all conventional arms exports; confirming the provisional suspension of magistrates; approving the salaries, allowances and benefits of magistrates and judges, as determined by the President; consenting to the extension of the operation of sections of the Criminal Law Amendment Act; agreeing to the excision of land from a national park; and approving proposals for the leasing of sea space in terms of the Sea-Shore Act.

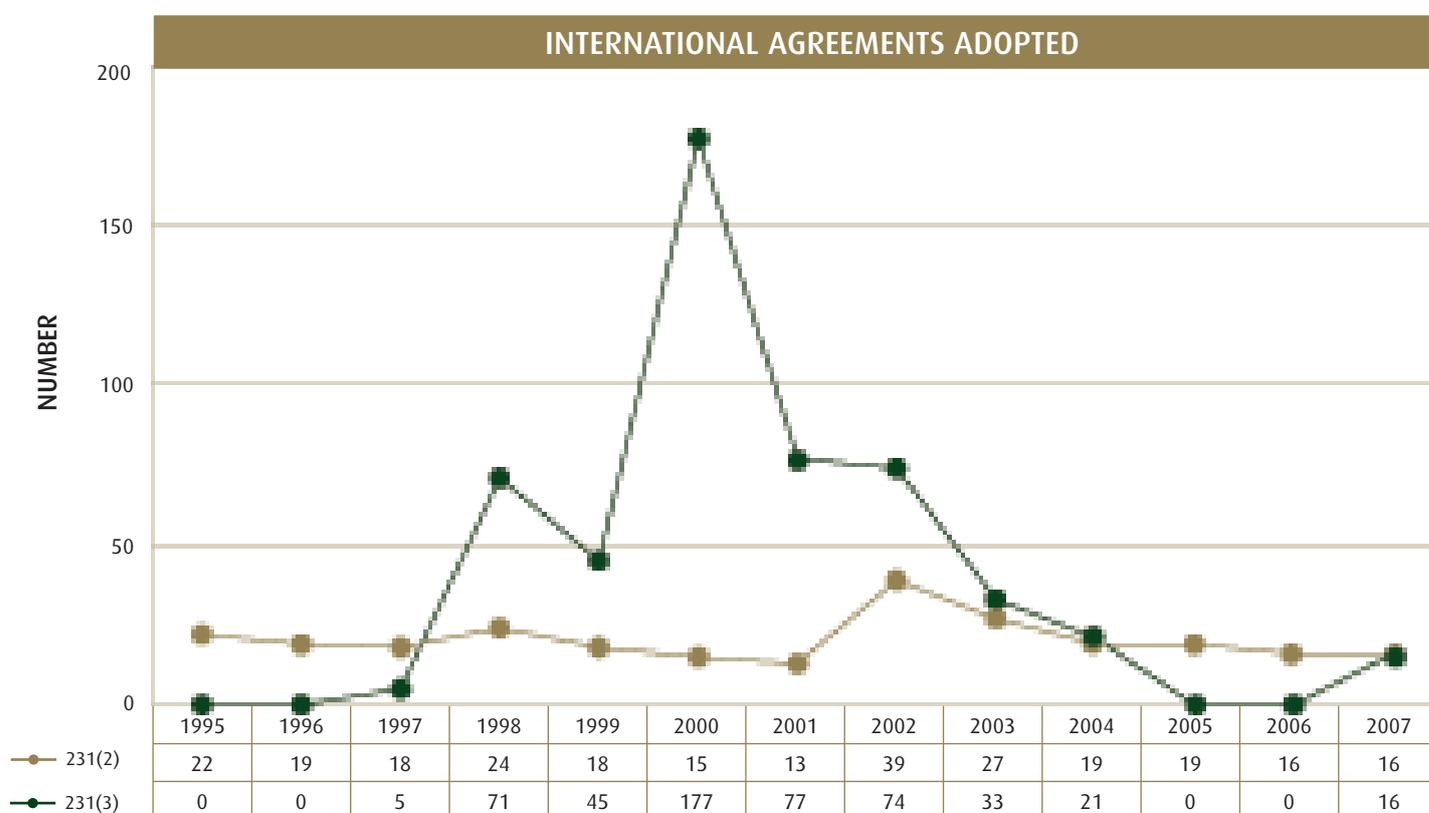
All organs of state, including Parliament, are required to assist and protect the Chapter 9 institutions to ensure their independence, impartiality, dignity and effectiveness,

but are prohibited from interfering with their functioning. Most of the Chapter 9 institutions are accountable to the National Assembly and must report to it at least once a year on their activities and the performance of their functions.

As part of Parliament's greater oversight role, the Review of Chapter 9 and Associated Institutions was completed by an ad hoc committee. This review provided an opportunity to assess the extent to which society had been transformed and human rights entrenched through the operation of these institutions. The review also identified requirements to strengthen these institutions to ensure that they are best able to achieve their objectives. The recommendations of this report will now be considered.

## 2.2.e. CORE OBJECTIVE 5: To engage in, participate in, and oversee international relations

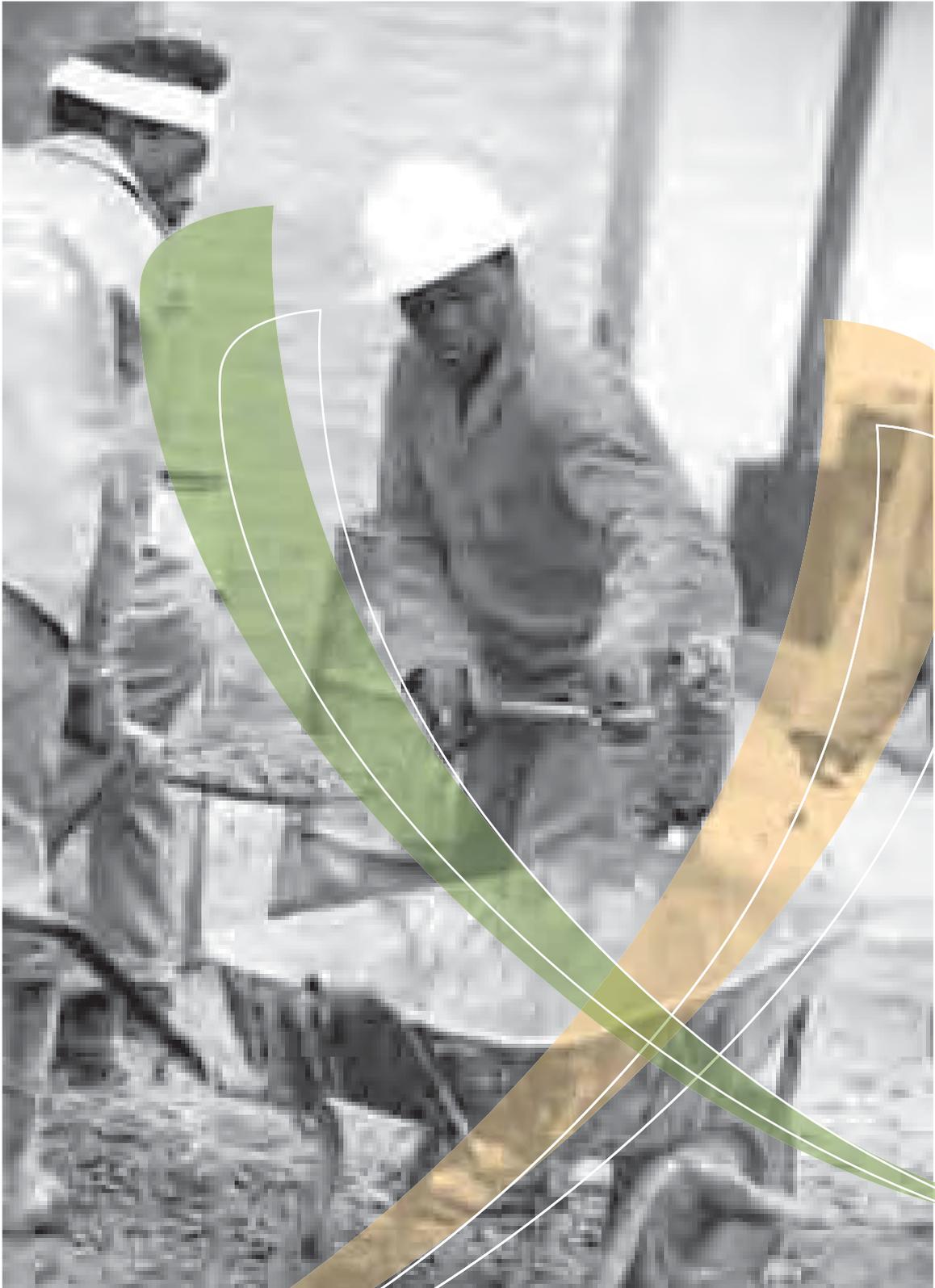
Parliament facilitates and participates in several international relations activities including multilaterals, bilaterals, international forums and organisations. These include the African, Caribbean, Pacific-European Union forum, the Inter-Parliamentary Union, the Commonwealth Parliamentary Association, the Pan-African Parliament and the SADC Parliamentary Forum. Several incoming visits and outgoing delegations are facilitated annually.



Parliament hosted the 118th Inter-Parliamentary Union assembly from 10-18 April 2008. The theme of the Assembly was pushing back the frontiers of poverty. The Assembly was attended by 1,467 delegates from 130 countries which included 700 members of national parliaments, 51 presiding officers, 42 deputy presiding officers and 196 women MPs.

The Assembly discussed issues around the:

- Political, economic and social situation in the world with special emphasis on pushing back the frontiers of poverty
- The role of parliaments in striking a balance between national security, human security and individual freedoms, and in averting the threat to democracy
- Parliamentary oversight of state policies on foreign aid
- Migrant workers, people trafficking, xenophobia and human rights.



## 2.3 SERVICES SUPPORTING THE CORE OBJECTIVES

In order to enable Members of Parliament to fulfil their constitutional functions, Parliament provides support and administrative services clustered in Divisions. The following services are provided:

- The **National Assembly Table Division** provides Members of the National Assembly with procedural advice and guidance for proceedings (tablings, plenary sessions and House Rules) and related administrative services.
- The **National Council of Provinces Table Division** provides Members of the National Council of Provinces with procedural and legal advice for proceedings (tablings, plenary sessions and House Rules) and related administrative services.
- The **Legislation and Oversight Division** provides research and administrative support for committees, provision of interpretation and translation services, and the production of the official record of Parliament (Hansard).
- The **Institutional Support Division** provides accommodation and housekeeping, catering services, artworks management, and documentation management.
- The **Human Resources Division** provides support for human resources including organisational wellness, learning and development, and organisational resourcing.
- The **Corporate Services Division** provides support in ICT including business support, Master Systems Plan implementation, ICT operations, sound and vision and the Marang centre of excellence.
- The **Office of the Secretary** provides overall management and services for communication, international relations, members' interests, legal affairs, finance management, protocol and protection services.

The following outputs are delivered by the Divisions of Parliament:

### National Assembly Table Division

OVERALL PROCEDURAL ADVICE AND GUIDANCE ON, AND SUPPORT IN RESPECT OF, NATIONAL ASSEMBLY AND PARLIAMENTARY PROCEEDINGS AND PROCEDURES, AND RELATED ADMINISTRATIVE SERVICES		
RESPONSIBILITY/LEVEL	SECRETARY TO THE NATIONAL ASSEMBLY	
Service	Output	KPI
Advice and guidance on parliamentary proceedings and procedures	Advice and guidance on parliamentary proceedings and procedures provided	Comprehensive, reliable, clear and timely advice and guidance
Support in respect of parliamentary proceedings and procedures	Support in respect of parliamentary proceedings and procedures provided	Comprehensive, accurate and clear processes and procedures
Chamber and administrative support	Chamber and administrative support rendered	House functioning smoothly
Procedural advice and support in respect of external parliamentary interaction	Procedural advice and support in respect of external parliamentary interaction provided	Timely, comprehensive, clear

**National Council of Provinces Table Division**

OVERALL PROCEDURAL AND LEGAL ADVICE AND SUPPORT IN RESPECT OF NATIONAL COUNCIL OF PROVINCES AND PARLIAMENTARY PROCEEDINGS, AND RELATED ADMINISTRATIVE SERVICES		
RESPONSIBILITY/LEVEL		
SECRETARY TO THE NATIONAL COUNCIL OF PROVINCES		
Service	Output	KPI
Procedural advice	Procedural advice provided and procedural guidance produced	No constitutional comebacks; smooth functioning of the House
Legal advice relating to procedural issues in the NCOP	Legal advice provided	Timely, well-reasoned, functional
Scheduling of House business	Programme for NCOP delivered	100% accurate, timely
Information and communication to facilitate the processing of legislation	Information provided	100% accurate, timely
Security and protocol services	Safe chamber; controlled access; protocol services rendered	No incident; no unauthorised access; no breach of protocol
Administrative support to committees and the House	Minutes of plenaries and House committees prepared	100% accurate records



A people’s Parliament educating, informing and involving the people of South Africa in its processes and acting as a voice of the people.

## Legislation and Oversight Division

PROCEDURAL, ADMINISTRATIVE, INFORMATION AND LANGUAGE SUPPORT SERVICES TO PARLIAMENT IN ITS LEGISLATIVE, OVERSIGHT AND RELATED FUNCTIONS		
RESPONSIBILITY/LEVEL	DIVISION MANAGER LEGISLATION AND OVERSIGHT	
Service	Output	KPI
Facilitation of the processing of legislation	Bills published for introduction Amended Bills processed Acts produced in printed form	Accurate and timely Accurate and timely Accurate and timely
Procedural guidance and advice in relation to committee proceedings and procedures (excluding House committees)	Procedural advice and guidance provided on committee proceedings and procedures	Appropriate and timely
Administrative and logistical support to committees	Administrative and logistical support provided to committees	Timely, appropriate, accurate and efficient
Library and research services to members, committees, management and staff	Issue briefs, analytical papers, conference papers, background documents, comparative studies and subject files produced and disseminated Library collection developed and maintained	Timely, accurate and analytical
Provision of interpreting services	Simultaneous interpretation services provided	Accurate and fluent
Production of official report of debates in both Houses	Official report of debates in both Houses produced	Timely and accurate
Translation of debates and official documents from other languages into English	Official documents translated from other languages into English	Timely and accurate
Facilitation of participation of the executive in the legislative and oversight functions	Participation by executive facilitated	Timely

**Human Resource Division**

ORGANISATIONAL WELLNESS, LEARNING AND DEVELOPMENT, AND ORGANISATIONAL RESOURCING		
RESPONSIBILITY/LEVEL	DIVISION MANAGER HUMAN RESOURCES	
Service	Output	KPI
Provision and Development of Human Resources and Organisational Wellness Support, Functions and Activities	Organisational Wellness Labour Relations Safety & Health  Learning & Development Training & Development Performance improvement  Organisational Resourcing Staffing Talent Managing Administration	Capacitated and resource establishment with skilled and competent professionals  Staff retention and strategic and operational effectiveness of institutional programmes  Productive, sound and healthy staff and staff relations

**Corporate Services Division**

ICT INCLUDING BUSINESS SUPPORT, MASTER SYSTEMS PLAN IMPLEMENTATION, ICT OPERATIONS, SOUND AND VISION AND THE MANRANG CENTRE OF EXCELLENCE		
RESPONSIBILITY/LEVEL	DIVISION MANAGER CORPORATE SERVICES	
Service	Output	KPI
Information and Communication Technology Services	ICT Leadership Master Systems Plan and systems provided ICT Operations and systems support Infrastructure support services Provision of audio & video services Marang Centre of Excellence	Reliable and innovative business application support  Smooth operations of business and technology support system  Recorded, archived parliamentary proceedings and broadcast material

## Institutional Support Division

CATERING SERVICES, HOUSEHOLD SERVICES, ARTWORK MANAGEMENT, AND DOCUMENT MANAGEMENT FOR PARLIAMENT		
RESPONSIBILITY/LEVEL	DIVISION MANAGER INSTITUTIONAL SUPPORT	
Service	Output	KPI
Telephone administration	Telephone system managed	Accurate billing, contracts implemented
Accommodation and housekeeping services	Accommodation and housekeeping services managed	Availability, clean, timely
Artworks management	Artworks managed	Preserved, recorded and maintained, accessible
Catering services	Catering service provided	Timely, quality, within budget
Document management	Paper-based artifacts and records preserved; records of Parliament archived; parliamentary papers distributed; registry managed; documents printed; books and documents bound	Timely, quality preservation  Accessibility, ease of retrieval Timely  Complete, accessible, ease of retrieval Timely, quality Timely, quality



A people's Parliament providing a national forum for public consideration of issues.

## Office of the Secretary

COMMUNICATION SERVICES, INTERNATIONAL RELATIONS, FINANCE MANAGEMENT, LEGAL SERVICES, MEMBERS' INTERESTS, STRATEGIC MANAGEMENT, PROTOCOL AND SECURITY		
RESPONSIBILITY/LEVEL		
SECRETARY TO PARLIAMENT		
Service	Output	KPI
Parliamentary Communication Services	Communication services management Multi-media productions Media management Public relations management Information and content development Specialist communication services Public education	Positive feedback from public and members
International relations	Advice on international relations Content support Administrative and logistical support for international relations provided	As per requirement
Finance management	Budget prepared; transactions processed; control exercised; facilities for members administered; members' support provided	According to budget guidelines, accurate and complete Valid, accurate and complete Reconciled with budget According to PS policy As per request
Legal services	Legal services provided	Timeous, well reasoned, functional
Recording of members' interests	Register of Members' Interests	100% accurate
Protection services	Users and property of Parliament protected	Secure environment
Protocol service	Protocol service	According to protocol policy

