



PARLIAMENT
OF THE REPUBLIC OF SOUTH AFRICA

YOUR GUIDE TO THE PARLIAMENT OF THE REPUBLIC OF SOUTH AFRICA

VISION, MISSION & VALUES

Parliament exists to represent the people and to ensure that government delivers on its promises and undertakings to the public. Parliament also provides a national forum for the public consideration of issues, and the representation of provincial and local government interests in the national sphere. In so doing, Parliament must ensure meaningful public involvement in its processes. Parliament's work is guided by its vision, mission and values.

VISION

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

MISSION

Parliament aims to serve the people of South Africa by providing:

- 🏛️ A vibrant people's assembly that intervenes and transforms society and addresses the development challenges of our people;
- 🏛️ Effective oversight over the Executive by strengthening its scrutiny of actions against the needs of South Africans;
- 🏛️ Participation of South Africans in the decision-making processes that affect their lives;
- 🏛️ A healthy relationship between the three arms of the state that promotes efficient co-operative governance, and ensures appropriate links with our region and the world; and
- 🏛️ An innovative, transformative, effective and efficient parliamentary service and administration that enables Members of Parliament to fulfil their constitutional responsibilities.

VALUES

In keeping with its vision and mission, Parliament has adopted the following values in carrying out its work.

- 🏛️ Openness
- 🏛️ Responsiveness
- 🏛️ Accountability
- 🏛️ Teamwork
- 🏛️ Professionalism
- 🏛️ Integrity



Welcome to Parliament of the Republic of South Africa, set against the majestic backdrop of Table Mountain, one of the seven natural wonders of the world.












The National Assembly

In the New Wing Building.



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Introduction

Our Democracy

After a long struggle for liberation, every South African, 18 years and older, achieved the right to vote. This was a significant moment in South Africa's rich history and in 1994 South Africa had its first democratic elections. Our democracy is referred to as a constitutional democracy because it is protected and guided by the Constitution of the Republic of South Africa, the highest law in our land. The Bill of Rights, enshrined in our Constitution, is the cornerstone of democracy in South Africa.

Our democracy is also described as a representative democracy because the electorate votes for the political parties they choose to represent them in Parliament. The public entrusts Members of Parliament with the responsibility of making decisions on their behalf. Our democracy is a participatory democracy that emphasises the participation of citizens to actively influence decisions that determine how they are governed.

Members of Parliament therefore have a duty to consult the public, represent and account to them. Our democracy strives to embody the principle of a government of the people, by the people, for the people. When Members of Parliament take their oath of office, they “solemnly affirm to be faithful to the Republic of South Africa and to obey, respect and uphold the Constitution and all other laws of the Republic, and solemnly promise to perform their functions as Members of Parliament to the best of their ability.”



The National Council of Provinces

NATIONAL COUNCIL OF PROVINCES





How our country is governed?

The Constitution protects our democracy by separating the power of the state into three arms namely; the Legislature (Parliament), the Executive (Cabinet) and the Judiciary (the Courts). The three arms ensure that power is divided so that no single arm of state has all the power. This minimises the risk of abuse of state power. In the Constitution this principle is referred to as the “separation of powers”.

Our Democracy

Each of these arms has its own special responsibilities, but functions in a way that compliments each other so that effective and co-operative governance is possible. The Constitution places an obligation on the arms of state to inform and consult one another on matters of common interest and in the interest of the Republic and its citizens.

THE LEGISLATURE

The Legislative authority is vested in Parliament.

- Consists of:
 - National Assembly (NA)
 - National Council of Provinces (NCOP)
- Passes legislation
- Scrutinises and oversees executive action
- Represents the People
- Elects the President (NA)

THREE ARMS OF STATE

THE EXECUTIVE

The Executive authority is vested in the Cabinet.

- Consists of:
 - President, Deputy President and Members of Cabinet
- Exercise power and functions assigned to them by the President
- Drafts policies

THE JUDICIARY

The Judicial authority is vested in the Courts.

- Includes the:
 - Constitutional Court, Supreme Court of Appeal, High Courts and Magistrates' Courts
- Considers:
 - Criminal and civil matters/cases
 - Appeals against judgements
 - Reviews of administrative decisions
 - Constitutional matters

Symbols of Parliament

South Africa embraces democratic values, social justice and fundamental human rights. Against this background, South Africa reviewed its national symbols to promote unity and instil a culture of respect and appreciation for our diversity.

Parliamentary Emblem

Our South Africa – the Sun

The sun heals the divisions of the past, improves the quality of life of all South Africans, frees the potential of each person and builds a united and democratic South Africa to take its rightful place as a sovereign state in the family of nations.

Our People – the Protea leaves

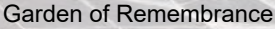
Our people, building on the foundation of a democratic and open society, freely elect representatives to act as the voice of the people in a national forum for the public consideration of issues.

Our Parliament – the Drum

The drum calls the people's Parliament, the National Assembly and the National Council of Provinces together to consider national and provincial issues, thereby ensuring government by the people under the Constitution.

Our Constitution – the Book

Our Constitution, the highest law of our land, lays the solid foundation for a democratic and open society based on democratic values, social justice and human rights.



Mace




The National Assembly (NA) Mace

The Mace is the symbol of authority of the Speaker of the NA. The Mace is carried by the Serjeant-at-Arms to signify official proceedings of the NA. The Mace was designed to reflect the history, tradition, diversity, culture and languages of South Africa. It also celebrates the country's natural beauty, its plant and animal life and its rich mineral resources. The shape of the Mace resembles the knopkie, an African symbol of defence, authority and leadership.

The drum, which forms the head of the Mace, expresses the African tradition of drums calling people to gather and speak, and is a reminder that South Africa's successful transition to democracy was achieved through dialogue. The book of gold resting on top of the drum represents the Constitution of South Africa and the principles that ground how Parliament functions. The different materials and symbols used in the Mace recall the past, mirror the present and look forward to the future.

MACE OF THE NATIONAL ASSEMBLY





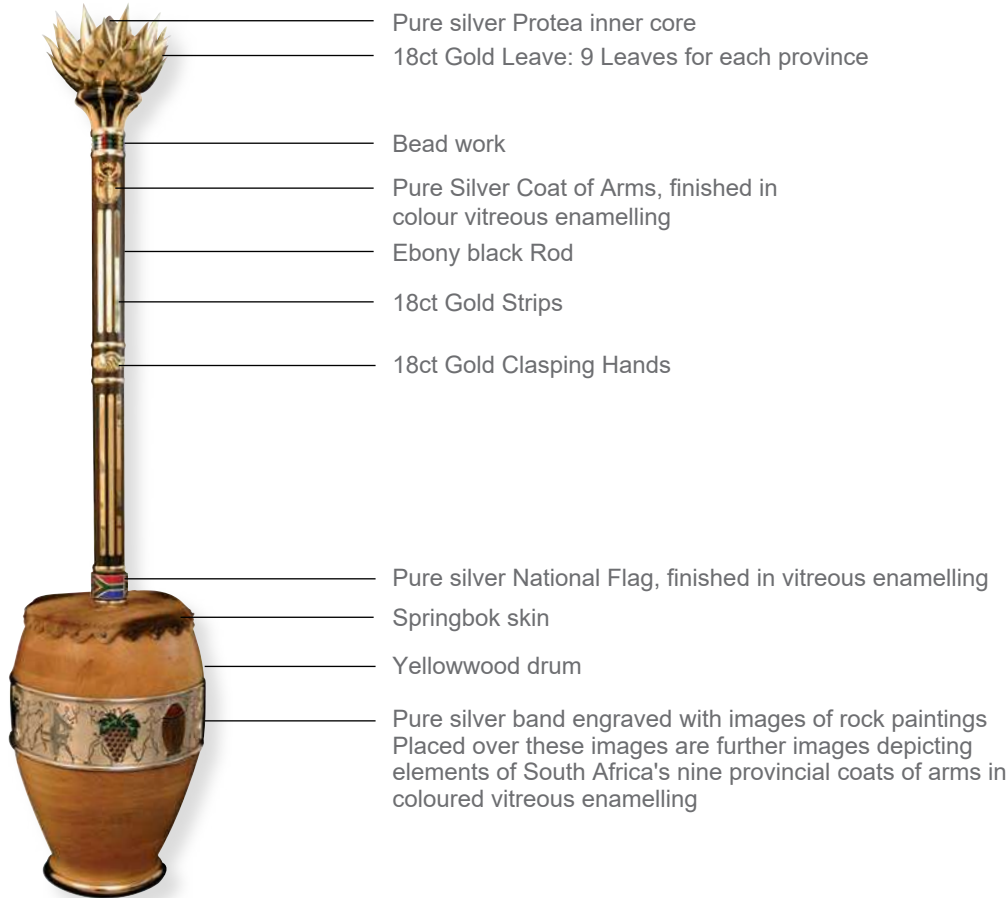
Black Rod

The National Council of Provinces (NCOP) Black Rod

The Black Rod is the symbol of authority of the Chairperson of the NCOP. The Black Rod is carried by the Usher of the Black Rod to signify official proceedings of the NCOP. When it is placed upright next to the Presiding Officer's chair, it indicates that the NCOP is formally in session. The Black Rod name is derived from the ebony wood used to make the rod. The shape of the Black Rod is also in the form of a knopkierie.

The Black Rod reflects the importance of the provinces in the functioning of the NCOP. The protea at the head of the Black Rod is made up of two rows of nine leaves, each leaf representing one of the nine provinces. The protea, as South Africa's national flower, also symbolises national pride. On the drum is a band of silver decorated with elements of the various provincial Coats of Arms. The clasping hands in gold symbolise freedom, peace and co-operation.

BLACK ROD OF THE NATIONAL COUNCIL OF PROVINCES



Structure of Parliament

Parliament consists of two Houses namely; the National Assembly and the National Council of Provinces. The Houses of Parliament are presided over by the Presiding Officers. They ensure that Members speak freely but adhere to the rules of the Houses. The Presiding Officers are assisted with their duties by the House Chairpersons. The main functions of Parliament are law-making and overseeing the work of the Executive. The Constitution further places an obligation on Parliament to facilitate public involvement in the legislative and other processes of Parliament.

The National Assembly (NA)

The National Assembly is elected to represent the people and to ensure government by the people under the Constitution. It does this by choosing the President, by providing a national forum for public consideration of issues, by passing legislation and by scrutinising and overseeing executive action. The NA is presided over by the Speaker and the Deputy Speaker of the NA. The NA consists of 400 elected Members of Parliament (MPs).

The National Council of Provinces (NCOP)

The National Council of Provinces represents the provinces to ensure that provincial interests are taken into account in the national sphere of government. It does this mainly by participating in the national legislative process and by providing a national forum for public consideration of issues affecting the provinces. The NCOP consists of 90 delegates drawn from the nine provinces. These delegates are nominated by the provincial legislatures. A delegation from the South African Local Government Association (SALGA) is also represented, but they do not have voting rights. The NCOP is presided over by the Chairperson and Deputy Chairperson of the National Council of Provinces.



A Joint Sitting of the National Assembly and the National Council of Provinces.



A Plenary Sitting of the National Council of Provinces.

Committees

Most of Parliament's work is done through committees which are typically referred to as the “engine room” of Parliament, where Members come together and meet in smaller focused groups. Committees are generally representative of the parties in Parliament. Committee meetings are open to the public, but may be closed if there is a good reason to do so.

The NA appoints Portfolio Committees and the NCOP appoints Select Committees to shadow the work of the various national government departments. Together both Houses appoint a number of Joint Committees that are established in accordance with the Constitution, by an Act of Parliament or in terms of the Rules of the Houses. The committees play a very important role in the process of building democracy and involving the public in the processes of Parliament. Other committees of Parliament include the Public Accounts Committee, Ad Hoc Committees, Joint Committees and internal committees.

Committees have the power to summon any person to appear before it to give evidence or produce documents. Committees may ask any person or institution to report to it and may receive petitions, representations or submissions from the public. They play a crucial role in the law-making process.



A member of the public addressing a public hearing.



Public Participation in Action.

How a law is made?

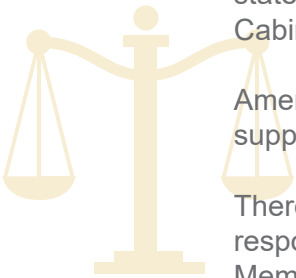
Parliament is the national legislature (law-making body) of South Africa. It passes new laws, amends existing laws, and repeals or abolishes old laws. Parliament's law-making function is guided by the Constitution, which governs all laws and conduct within South Africa. Both Houses of Parliament, the NA and the NCOP, play a role in the process of making laws. A Bill or draft law can be introduced in Parliament by a Minister, a Deputy Minister, a committee of Parliament, or an individual Member of Parliament (MP).

Process of making a Law

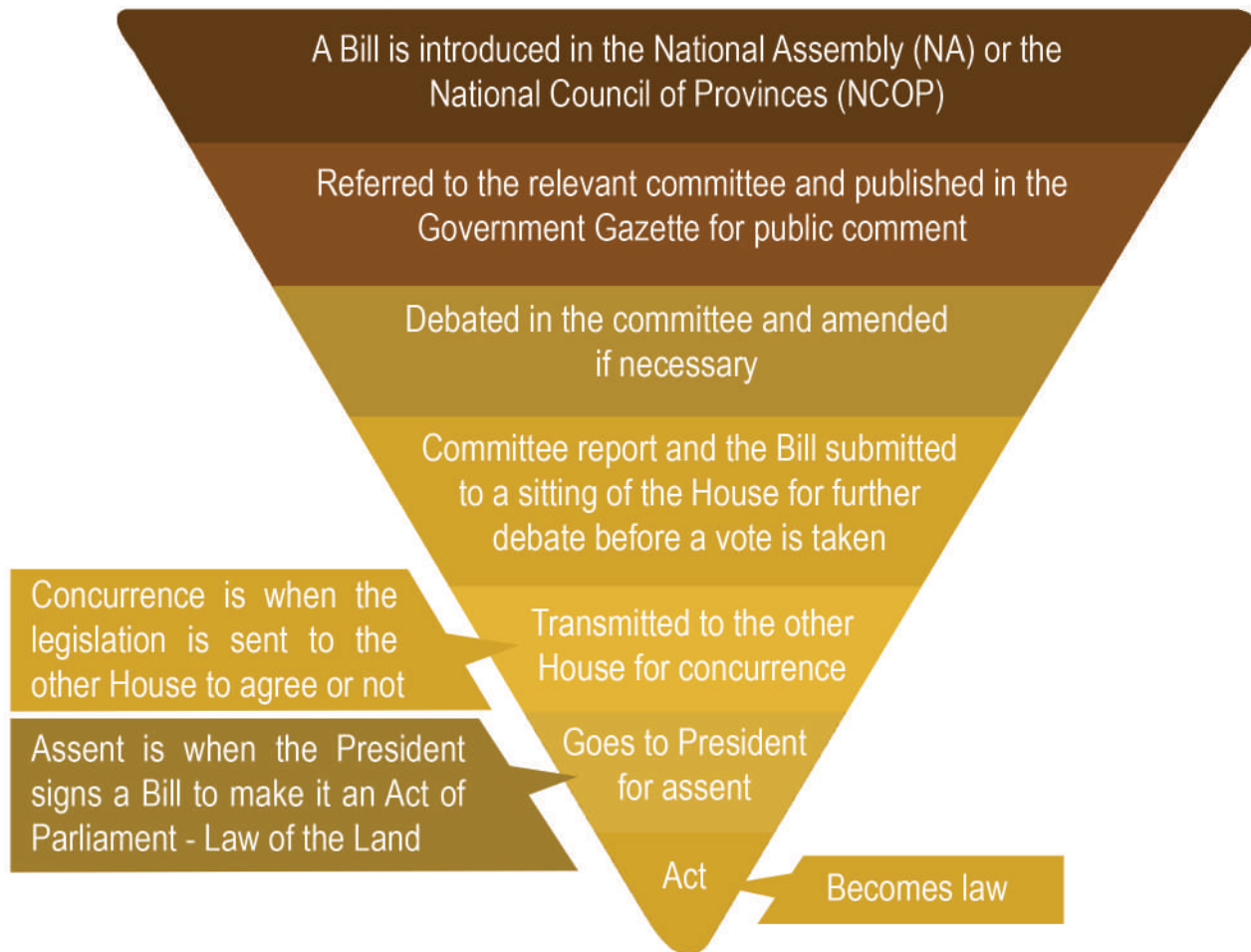
The process of making a law may start with a discussion document called a Green Paper, drafted in a government department, dealing with a particular issue. This discussion document gives an idea of the thinking that informs a particular policy. It is then published for comment, suggestions or ideas. This leads to the development of a more refined discussion document, called a White Paper, which is a broad statement of government policy. The White Paper is a statement of intent and a detailed policy plan which often forms the basis of legislation. The Cabinet Minister in question would normally table the Bill in Parliament.

Amendments to the Constitution (Section 74 Bills), require a vote of two-thirds of the NA and the support of six provinces in the NCOP.

There is a constitutional requirement for the Constitution to be reviewed at least annually. This responsibility rests with the Joint Constitutional Review Committee established by Parliament. Members of the public have the right to make submissions to the Joint Constitutional Review Committee on sections of the Constitution they feel need to be reviewed.



How a law is made in South Africa?



Oversight

In terms of the provisions of the Constitution, Parliament has an important oversight function to monitor and oversee government actions. Parliament monitors the implementation of laws and oversees the application of the budget to ensure that the government remains transparent, accountable and answerable to the people.

An important oversight function is to detect and prevent abuse, arbitrary behaviour or illegal and unconstitutional conduct on the part of the government and organs of state. At the core of this function is the protection of the rights and liberties of citizens. This enhances the integrity of public governance.

In conducting oversight, the principles of co-operative governance must be taken into consideration. These principles include the separation of powers and the need for all organs of state to perform their functions in a manner that complies with the Constitution.

Monitoring and Accountability

The State of the Nation Address (SONA) and the Budget are key tools for Parliament to hold government accountable for what it has planned to deliver and for how the national budget is spent. The National Budget and the SONA are public documents. South African citizens have a vested interest to hold all three spheres of government accountable for commitments made and for money spent on the needs and priorities of the nation.

Each year, the President addresses the nation to account for government's programme of action and expenditure in the previous year, and what the government will focus on for the next financial year.

**STATE OF
THE NATION
ADDRESS
(SONA)**

After the SONA the Minister of Finance presents the Budget Speech that projects how money will be spent according to the priorities determined in the SONA.

**BUDGET
SPEECH**

The National Budget is approved by Parliament and divides money between national departments, provinces and municipalities.

**APPROVED
NATIONAL
BUDGET**





The various government departments table their expenditure forecasts for debate in individual Budget Votes.

**BUDGET
VOTES**

Public Education and Involvement

Public participation in law-making, oversight and other processes of Parliament is a fundamental constitutional requirement of our democracy. The true test of our democracy is the extent to which Parliament can ensure that government remains accountable to the people. Parliament has developed a number of ways to promote public involvement and participation in the work of the institution and to make Parliament more accessible to the people.

One of the strategic objectives of Parliament is to increase access and improve the quality of public participation in its law-making and oversight functions. To respond to this strategic objective, Parliament established the Public Education Office (PEO) and 3 provincial Parliamentary Democracy Offices (PDO). The core mandate of these offices is to:

-  Promote an understanding of Parliament and its work;
-  Educate and inform the public on legislation and matters before Parliament;
-  Educate and inform the public about democracy and institutions supporting democracy; and
-  Encourage public involvement in the work of Parliament.

Public participation mechanisms include:

-  Voting in elections;
-  Attending parliamentary committee meetings and public hearings;
-  Making submissions and representations to Parliament;
-  Petitioning or lobbying Parliament;
-  Contacting Members of Parliament;
-  Contacting local Parliamentary Constituency Offices (PCO); and
-  Outreach programmes.

These mechanisms encourage public involvement and participation by informing and educating people about Parliament and how they can get involved in the legislative processes.



A Sectoral Parliament in the Old Assembly Chamber.



A school group on an educational tour of Parliament.

Visiting Parliament

Free educational tours of Parliament are offered to promote public participation and to make the institution more accessible to the public.

Members of the public can observe debates from the galleries in the National Assembly and National Council of Provinces. Visitors may also request to meet with Members of Parliament.

A virtual tour of Parliament is available, which is another way in which South Africans and the international community can experience Parliament without having to physically visit Parliament.

For more information about tours contact:

Tel: +27 21 403 2266

Cell: +27 60 551 4706

Email: tours@parliament.gov.za



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