



PARLIAMENT
OF THE REPUBLIC OF SOUTH AFRICA



English

The National Assembly (NA)

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Parliament consists of two Houses - the National Assembly (NA) and the National Council of Provinces (NCOP).

The Constitution states that 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



Providing a national forum for public debate of important issues



Passing laws



Overseeing the executive

Composition

The National Assembly must consist of between 350 and 400 members, elected every five years by citizens who are 18 years or older and who are registered on the national voters' roll.

In each election, political parties compete for support and nominate representatives. The number of seats allocated to each party is, in general, proportional to the number of votes won in the election.



Membership of the National Assembly

Every citizen, who may vote, is entitled to be a member of the National Assembly, except:



People employed or appointed by the state who are paid for this work, although the President, the Cabinet and certain other office bearers may become members;



Permanent delegates of the National Council of Provinces (NCOP), members of provincial legislatures and members of municipal councils;



Insolvents (people declared bankrupt) who have not been rehabilitated;



People declared by a court to be mentally unsound; and



People convicted of an offence and sentenced to more than a year in prison without the option of a fine after October 1996.



When members of the National Assembly take up their seats, they take an oath and *“solemnly affirm to be faithful to the Republic of South Africa and to obey, respect and uphold the Constitution and all other law of the Republic, and solemnly promise to perform their functions as Members of Parliament to the best of their ability.”*



The National Assembly (NA)

National Assembly (NA) office-bearers

The National Assembly chooses presiding officers - the Speaker and the Deputy Speaker - from amongst its members at its first sitting. These officers preside over meetings of the National Assembly so that members can participate freely while keeping to the rules of the House. The National Assembly also elects three members as House Chairpersons, who amongst other things, perform presiding duties.

The Speaker also has managerial duties to ensure that Parliament runs smoothly. Political parties appoint whips to run their affairs. The presiding officers, the whips and the Leader of Government Business (the person appointed by the President to liaise with Parliament) together decide on the programme of work of the National Assembly.

Decision-making

Most decisions in the House require a majority of members to vote in favour of a decision, although the number of members (the quorum) required for a vote varies. A vote on:

- 🏆 Most Bills may be taken when a majority of members are present;
- 🏆 Other questions may be taken if a third of the members are present.

Amendments to the Constitution require higher thresholds.



The National Assembly (NA)

Law-Making

The legislative authority of the national sphere of government is vested in Parliament, as set out in section 44 of the Constitution. The National Assembly may:

- 🏆 Make laws on anything except specific provincial matters (listed in Schedule 5 of the Constitution);
- 🏆 Amend the Constitution; and it may give its law-making powers (except the power to amend the Constitution) to another legislative body;
- 🏆 Consider, pass, amend or reject legislation brought before it; and
- 🏆 Initiate or prepare any Bill, except a money Bill (a Bill that allocates money or imposes tax).

Most of this work is done in committees before a Bill is sent to the National Assembly for debate and for a vote.



National Assembly and National Executive

The National Assembly chooses the President – as head of the National Executive from amongst its members at the first sitting after an election.

The President relinquishes his/her seat in the National Assembly and forms the government by appointing the Cabinet. Thereafter, the National Assembly must oversee and hold the Executive accountable for their performance. The Executive must also report to Parliament regularly.

Section 89 of the Constitution gives the National Assembly the power to remove a President of the Republic from office on the following grounds:

- 🏛️ serious violation of the Constitution or the law;
- 🏛️ serious misconduct; or
- 🏛️ inability to perform the functions of office.

The new procedures, which the National Assembly adopted on **22 November 2018** provide for any member of the National Assembly to initiate, through a substantive motion, a process to remove a President.

Debates and questions

The National Assembly debates matters of public importance including the President's annual State of the Nation Address (SONA), legislation, committee reports and topics proposed by individual members.

- 🏛️ All parties take part in these debates;
- 🏛️ Members may also ask the President and Ministers questions which they must answer; and
- 🏛️ The public can also lobby members to raise questions in the House.



Committee work

Committees of the National Assembly are called Portfolio Committees (PC). Each Portfolio Committee oversees the work of a particular government department. They also consider legislation within the portfolio. In so doing, they can call for public submissions and hold hearings.

Committees may also summon any person to give evidence or produce documents, and they may require any person or institution to report to them.



The Budget

The Annual Budget is tabled in the National Assembly each year by the Minister of Finance. The budget captures the essential features of the government's policy agenda and the National Assembly therefore debates all the different budget proposals before a vote is taken in the House.



More information about the various political parties in the National Assembly and what they stand for can be obtained from the parties themselves at Parliament.



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