

INDEX TO RULINGS - 2012

| | Description | Point of Order raised | Speaker's Ruling | Date of Sitting |
|----|--|---|--|-----------------|
| 1 | Unparliamentary remark "Jy is 'n rassis" | Member raised a point of order on whether it is parliamentary to say to a Member " Jy's 'n rassis" | Remark ruled unparliamentary, Member requested to withdraw the remark | 21/02/12 |
| 2 | Unparliamentary remark | Member raised a point of order on whether it is parliamentary to say to a Member Uyayazi ukuba ububhanxa obuthethayo" (Literal translation – "You know that what you are saying is stupid." | Remark ruled unparliamentary, Member requested to withdraw the remark | 22/02/12 |
| 3 | Behaviour in the House/Decorum of the House | Minister used polystyrene cups to make a political point, and at the conclusion of his speech he deliberately knocked the cups from his bench. | Deputy Speaker ruled that the Minister's action of knocking down the cups did not contribute to the dignity and decorum of the House and was therefore not parliamentary. Member requested to withdraw and apologise. | 22/02/12 |
| 4 | Addressing the chair | The speaker on the floor must address the chair when delivering his/her speech | Member ordered to address the chair | 23/03/12 |
| 5 | Relevance in the debate | Member raised a point of order that a Members speech is not relevant to the debate | Members requested to stick to the subject | 23/03/21 |
| 6 | Unparliamentary remark "lies" | Point of order raised: "member he is telling lies" | Remark ruled unparliamentary, Member requested to withdraw the remark | 23/03/12 |
| 7 | Ignoring authority of the Chair/Decorum of the House | Ignoring authority of the Chair | Member was asked to withdraw from the Chamber due to his contempt for the authority of the Chair. | 27/03/12 |
| 8 | Calling another Member "corrupt" | A Member called a former member of the House corrupt (Considered ruling) | <p>(Verbatim ruling by the Deputy Speaker) "I have consulted various parliamentary sources relating to freedom of speech in the House and could find nothing to indicate that a former member of the House had the same protection as a current member. In other words, it would be in order, strictly in terms of being unparliamentary or not, to say that a former member is corrupt.</p> <p>However, it has long been accepted that members have a positive duty not to abuse the privilege of freedom of speech and to temper their utterances in debate so as to conform to the parliamentary standards of propriety. This applies to every member under all circumstances, whether the reference is to persons outside parliament, to fellow members or to members of another House.</p> <p>Although I therefore cannot rule the remark of the hon member Skwatsha to be unparliamentary, I need again to call on all members to temper their references to former members and not to abuse their right to freedom of speech in the House, especially where such statements relate to unsubstantiated allegations of misconduct."</p> | 28/03/12 |
| 9 | Unparliamentary remark "don't lie" | Member raised a point of order on whether it is parliamentary to say to a Member say "Don't lie | Remark ruled unparliamentary, Member requested to withdraw the remark | 29/03/12 |
| 10 | Unparliamentary remark "shut up man!" | Shut up, man! | Remark ruled unparliamentary, Member requested to withdraw the remark | 29/03/12 |
| 11 | Reflecting on the character of another Member | A Member's remarked that another Member's entire statement focused on the character of another Member | <p>(Verbatim ruling by Deputy Speaker) " I have carefully studied the Hansard of the hon member. His statement in totality, in other words, the general tone and innuendos, and not merely the remark that I quoted above, was no doubt a reflection on the character and integrity of the hon Minister of Community Safety and therefore unparliamentary and not acceptable.</p> <p>It has further been ruled in the National Assembly, and subsequently confirmed in a resolution of that House that members may not reflect on their fellow members</p> | 10/05/12 |

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| | | | <p>except upon a substantive motion properly given notice of. That is the current situation in the National Assembly and it is strictly applied.</p> <p>...to guide hon members in the application of this ruling, may I indicate that a substantive motion would be required only in instances where such reflection is of a material nature. In other words, casual and brief criticism of fellow members will still be in order, provided the integrity and character of members are not reflected upon.</p> <p>Members will realise that the application of this ruling will make it very difficult for the Chair to determine whether negative references or criticism is indeed material reflection or not. I therefore again want to appeal to hon members to carefully weigh their words when criticising fellow members, or ideally to refrain from engaging in this type of debating. It certainly does not add anything to the standard of debate or the dignity and decorum of the House.</p> <p>Although this ruling was not applicable at the time when hon Member spoke, his statement nevertheless, in terms of convention and practice alone, constituted a reflection on the character and integrity of the hon Minister. I therefore ask the hon member to withdraw the remarks. (Whereupon the Member withdrew the remark).</p> | |
| 12 | Unparliamentary remark "why do you really hate blacks so much?" | A Member asked: Why do you really hate the blacks so much? | The remark was ruled unparliamentary, and the Member was ordered to withdraw the remark and apologise. | 17/05/12 |
| 13 | Unparliamentary remark: | A Member said: The fact that the plight of our babies is ignored by the government is tantamount to criminal negligence, if not a form of murder. | The member denied referring the remark to a particular member, and the Deputy Speaker ruled as follows:- "... I will accept the hon member's word for that, but I must point out to the hon member and to the House that the dignity and decorum of the House are not served if our speeches and utterances continually test the boundaries of unparliamentary, unbecoming and offensive language or statements. If these types of statements, which, by implication, would or could reflect on members of the House, are not stopped, the Chair will not hesitate to deviate from practice and rule them unparliamentary". | 17/05/12 |
| 14 | Unparliamentary remark | Member raised a point of order on whether it is parliamentary to say "I will still call you cowards" | Remark ruled unparliamentary, Member requested to withdraw the remark and apologise. | 17/05/12 |
| 15 | Order in the House | Running commentaries | A Member in the podium should be given a chance to deliver his/her speech without interruption. | 17/05/12 |
| 16 | Objections-Motions | General remark by Deputy Speaker | If Members want to object to the motion, the objection must be clearly articulated | 07/06/12 |
| 17 | Running commentaries. | General remark by Deputy Speaker | Members are allowed to interject, but those interjections should not become running commentaries. | 07/06/12 |
| 18 | Address the chair | General remark by Deputy Speaker | Member ordered to address the chair when speaking | 07/06/12 |
| 19 | Question asking for an opinion | Remark by the Speaker – Rules regarding types of questions | In terms of the Rules, questions may not ask for an opinion | 16/08/12 |
| 20 | Considered ruling | "is also engaged in lies the DA tells for cosmetic purposes" | Remark ruled unparliamentary , Member requested to withdraw remarks | 16/08/12 |

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| 21 | Running commentary -order in the House | Member raised a point of order requesting Speaker to protect the speaker from running commentary | Members to refrain from running commentaries | 23/08/12 |
| 22 | Unparliamentary remark "Hoeveel geld steel julle?" | Member raised a point whether the remark is parliamentary | Deputy Speaker ordered Member to withdraw the remark. | 23/08/12 |
| 23 | Running commentary -order in the House | General remark by the Speaker | Members to refrain from running commentaries | 23/08/12 |
| 24 | Un parliamentary remark | Member raised a point of order whether it is parliamentary for one member to say to another member "that he beat children in Bonteheuvel" | Deputy Speaker ordered Member to withdraw the remark | 23/08/12 |
| 25 | Unparliamentary remark "racist" | Member raised a point of order on whether it is parliamentary to call the Premier a racist | Remark withdrawn | 06/09/12 |
| 26 | Referring to Member by name | Member raised a point of order on whether it is parliamentary for a Member to refer to another Member by name | Deputy Speaker ruled that when we address one another in the House, even if we are absent, we are called Hon members. | 06/09/12 |
| 27 | Arrangement of items on the Order Paper | A Member raised on a point of order that the Order Paper does not reflect the discussions and arrangements that were made by the Programming Authority. | The Presiding Officer cannot rule on the arrangements made by the Programming Authority | 13/09/12 |
| 28 | Unparliamentary remark "rubbish" | A Member raised on a point of order whether it is parliamentary for a Member to say "oh rubbish" when the Speaker is talking" | Remark withdrawn | 27/09/12 |
| 29 | Unparliamentary remark "racist" | A Member raised on a point of order whether it is parliamentary for the Premier to call him a racist" | Deputy Speaker ruled the remark unparliamentary, Premier ordered to withdraw | 18/10 |
| 30 | Considered ruling | Whether the remark by a hon Member that black people are barbarians | Remark ruled unparliamentary and Member ordered to withdraw the remark unconditionally. | 25/10/12 |
| 31 | Unparliamentary remark | Member raised a point of order on whether it is parliamentary for a Member to refer to Members as fools | Speaker ruled the remark unparliamentary, Member ordered to withdraw | 01/11/12 |
| 32 | Minister not replying to question | Member raised a point of order that the Minister is not answering the question as printed on the Question Paper | Speaker cannot tell a Minister how to answer a question | 15/11/12 |

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| 33 | Unparliamentary remark "jakkals" | Member raised a point of order on whether it is parliamentary for a Member to refer to Members as "jakkals" (jackals). | Chairperson ruled the remark unparliamentary, Member ordered to withdraw | 22/11/12 |
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