

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

			<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

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

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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