

WESTERN CAPE PROVINCIAL PARLIAMENT



My Easy Reference to Business of the House

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FOREWORD

My easy reference to business of the House is an addition to the existing procedural information with the needs of new Members primarily in mind.

The guide, which is essentially a fleshed-out glossary of parliamentary terminology, has been compiled by staff of the Procedural Services Section. It is not a comprehensive procedural manual but rather a tool for easy reference to be used by Members in the House or committees. Hopefully more experienced Members will also benefit from the information in the booklet to refresh their memories from time to time.

Brief descriptions of parliamentary procedures and processes are arranged alphabetically and these entries often serve as the first contact point, after which more detailed advice could be obtained from our staff.

Examples of legislation, flowcharts, parliamentary papers, as well as an illustration of the Chamber are reflected in the appendices.

Any suggestions about ways to improve the guide are most welcome.

SECRETARY

A

absolute majority	An absolute majority is more than half the total number of votes of all those Members who are eligible to vote in the House, one vote more than half the number of votes of the total number of Members of the House, whether they are present or not.
abstention	Abstention is the refusal to vote either for or against a question. Members wishing to abstain from voting should leave the Chamber so that they are not counted.
accountable	An accountable person may be called on to explain his or her actions. Ministers are accountable to the Provincial Parliament for the actions they take while in office.
Act of Parliament	A legislative proposal (bill) becomes an act of Parliament when it has been approved by the legislature and assented to by the President or Premier. Unless a provision in the act specifies otherwise, the act comes into operation on the date of assent. (See Appendices A and C.)
ad-hoc committee	An ad-hoc committee is a temporary committee established by a resolution of the House to perform a specific task. It must report its findings to the House and is discharged of its duties once the task has been completed.
alternate Member	An alternate Member is a Member who represents his or her party in a committee when a core Member of the party is absent. The alternate Member may participate in the proceedings and vote.
amendment bill	An amendment bill is a bill that amends existing legislation. When policymakers are of the view that an existing act needs to be adjusted, an amendment bill can be introduced to put into effect the necessary changes.
amendment	<p>An amendment is a proposed change to legislation or a motion before the House or a committee.</p> <p>An amendment to a motion must comply with certain conditions before it is admissible. First, it has to be relevant and within the scope of the original question. Second, an amendment should seek to:</p> <ul style="list-style-type: none">• leave out certain words;• leave out certain words in order to insert other words; or• insert or add other words to the original motion. <p>An amendment must also be framed in such a way that, if agreed to, it will leave the main question, as amended, intelligible and consistent.</p>

Announcements, Tablings and Committee Reports (ATC)	The ATC is a documentary record of official announcements made in Parliament, documents tabled in and reports by parliamentary committees. (See Appendix H.)
anticipation	The rule of anticipation prevents a Member from discussing a matter that appears on the Order Paper, whether it is a bill or a motion. Such discussion is prohibited as the matter appears on the Order Paper. This rule prevents a Member from pre-empting a decision on a matter that is already on the Order Paper by introducing a second, identical matter or one similar enough to be considered the same.
appointment of Members to serve on committees	Parties are represented in committees in broadly the same proportion as the proportion in which they are represented in the House. The Rules Committee determines the ratio of party representation. Parties themselves decide which of their Members are to serve in certain committees in accordance with this ratio.
appropriation	Appropriation is a sum of money allocated by Parliament for a specific purpose outlined in the government's spending estimates. This money is secured annually by legislation and is utilised to fund government departments and programmes.
appropriation bill	An appropriation bill is a bill introduced by the Minister responsible for financial matters to authorise the provincial government's expenditure. It normally contains a schedule that reflects the amounts allocated to each government department.
B	
backbench; backbencher	Backbenchers are those Members of Parliament who are not Ministers or presiding officers.
bell	A bell is used to call Members of Parliament into the Chamber for a sitting or to announce a vote or the lack of a quorum in the House. When the bell is used to announce a vote, it is called a division bell.
bill	A bill is a legislative proposal to enact a new law and can be introduced by a Minister, a standing committee or a Member of Parliament. (See Appendix C.)
business of the House	The business of the House on an ordinary sitting day consists of: <ul style="list-style-type: none"> • statements by Members; • notices of motion; and • orders of the day. <p>On certain days, interpellations and questions for oral reply are also dealt with. The Speaker may allow requests for matters of public importance or urgent public importance to be placed on the Order Paper for discussion. Ministers may request the Speaker to make statements in connection with their portfolios.</p>
by-election	A by-election is a special election that is held to fill the seat of a councillor who has passed away or resigned.

C

cabinet	The cabinet comprises all the Ministers (MECs) who are appointed by the Premier. The cabinet determines the government's priorities and policies; prepares the legislation that will be presented to Parliament; and raises and spends revenues.
casting vote	<p>A casting vote is a deciding vote by the presiding officer when there is an equal number of votes on a specific question.</p> <p>Section 21(2) of the Constitution of the Western Cape provides that the Member presiding at a meeting of Parliament has no deliberative vote but must (i) cast a deciding vote when there is an equal number of votes on each side of a question and (ii) may cast the deciding vote when a question must be decided by a supporting vote of at least two-thirds of the Members of Parliament.</p>
caucus	A caucus is a group composed of Members of Parliament from the same political party who normally hold private meetings, which are called caucus meetings, on Thursdays.
chair	The Chair is the Presiding Officer at a meeting of the House or a committee.
Chamber	The Chamber is the place where the House meets for its plenary sittings. (See Appendix M.)
chief whip	See: whip
citizens' right of reply	A person, other than a Member, may exercise the citizen's right of reply if he or she is aggrieved by a remark made about him or her by a Member of the House or a witness before a committee, may submit a written request to the Secretary to have his or her response to that statement or remark recorded. The disciplinary committee may consider the request and publish the response in the appropriate parliamentary paper.
clause	A clause is a part of a bill that consists of an individual sentence or statement. Once a bill is enacted (becomes an act), its clauses are referred to as sections.
Code of Conduct	<p>The Code of Conduct was adopted by the House to guide its Members on ethical issues and on questions relating to the declaration of their interests in the Register of Members' Interests.</p> <p>The Conduct Committee, established in terms of the Standing Rules of Parliament, is responsible for:</p> <ul style="list-style-type: none">• implementing the Code of Conduct;• developing standards of conduct;• reviewing the Code and making recommendations on amendments thereto; and• reporting annually to the House on its operations and the effectiveness of the Code.

committee	A committee is a group of Members assigned to consider issues relating to a particular subject area. Committees consider and report on bills and issues that the House refers to them. They also play an oversight role over the executive authority and government departments.
	There are generally three types of committees, namely ad-hoc, standing and internal committees.
Commonwealth Parliamentary Association	The Commonwealth Parliamentary Association is an association of parliaments of countries that form part of the Commonwealth of Nations, such as Australia, South Africa, the United Kingdom and India.
constituency	A constituency is a specific geographic area in the Western Cape that is represented by a Member of Parliament.
contempt of Parliament	When someone is in contempt of Parliament, he or she has committed an offence against the authority or dignity of Parliament, which includes failing to obey its orders or committing libel against it or its Members.
D	
debate	A debate is a discussion in which the arguments for and against a subject are presented in the House according to specific rules.
decisions	All questions before the House are decided by majority vote. The presiding officer has the deciding vote when there is an equal number of votes on each side of the question.
	A quorum of at least one-third of the Members is necessary for the House to meet and, subject to certain specific provisions of the Constitution, a majority of the Members is necessary before a decision may be made about a bill.
delegated or subordinate legislation	Delegated or subordinate legislation is drafted when Parliament delegates the power to draft detail in legislation to the executive authority. This is mainly in the form of proclamations and regulations issued by the government.
dissolution	Dissolution is bringing Parliament to an end, either at the conclusion of its five-year term or by proclamation issued by the President. It is followed by a general election.
division	A division takes place in the House when Members are divided into two groups (the ayes and the nays) so that their votes can be counted to reach a decision.
draft bill	A draft bill is a bill that has been drafted for the executive authority and submitted to cabinet for review before it is introduced in Parliament.

E

executive statements

Executive statements are factual statements that are made in the House by Ministers on behalf of the government regarding their domestic policy, executive action or a similar matter of which the House should be informed. The Speaker must be given prior notice of this, but the leave of the House is not required.

After the Minister has made a statement, which could be up to 10 minutes long, Members of parties represented in the House are allowed to comment on the executive statement for no more than three minutes each.

explanatory memorandum

An explanatory memorandum refers to a brief explanation of the contents of a bill or an amendment bill that is attached to the bill in the form of a memorandum. This is a prerequisite before a bill can be introduced in the House. An explanatory memorandum differs from a schedule to a bill in that it does not form part of a bill and is not enacted into law like a schedule.

F

filibustering

Filibustering is an obstructive tactic consisting of numerous or excessively long speeches to delay the business of the House or a committee.

first reading

The first reading of a bill is the formal first stage in a bill's progress, which is not followed by a debate or a vote after it has been introduced in the House. Copies of the bill are distributed to all Members at this point.

floor of the House

The floor of the House is that part of the Chamber which is reserved for Members and parliamentary officials.

Front benches

The front benches are the first few rows of seats in the House which, on the government's side, are occupied by the Premier and the cabinet and, on the opposition's side, by the leaders of the recognised opposition parties.

front bench

Seats where the Ministers sit.

H

Hansard

The Hansard is the official report of proceedings in the House. The official reports were named "Hansard" after TC Hansard, the first official printer and publisher of parliamentary debates in the United Kingdom in 1803.

The Hansard contains full reports of all speeches, questions and answers, statements, etc.

Although the Hansard is regarded as a verbatim report, repetition and redundancies are omitted and obvious mistakes are corrected. Members, however, may not change the substance of what they have said although they may make superficial corrections to the record of their speeches before publication.

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hearing (public) A public hearing is a meeting of a parliamentary committee for the purpose of receiving oral or written evidence.

I

interpellation An interpellation is a 15-minute mini-debate on a question or a matter of topical interest. It contains no more than two sub- divisions. Unlike question for oral reply, the subject of and reply to an interpellation may be debated.

Precedence is given to interpellation in the House on Thursdays.

At the start of an interpellation the presiding officer formally calls on the interpellant to speak, and then other Members are given the opportunity to make brief speeches not exceeding the time limit laid down in the Rules.

introduction of a bill The introduction of an ordinary bill refers to the first presentation of the bill together with a memorandum to the House for consideration. This process is a mere formality compared to the introduction of a money bill.

M

mace The mace is the symbol of the authority of the House. It is placed in the brackets on the Table when the House is in session.

maiden speech When a new Member makes a speech in the House the first time, it is commonly referred to as a maiden speech. It is the convention that Members should not interrupt a Member who is making his or her maiden speech. On the other hand, the Member making his or her maiden speech should not raise any controversial issues.

matter of public importance A Member may request the Speaker to allow a debate on a matter of public importance. Once approved by the Speaker, the normal programme is adjusted so that the debate can take place. The following criteria are used when deciding whether or not to allow such a debate to take place:

- The request must deal with a matter for which the provincial government can be held responsible;
- The request will not be granted if the matter can be dealt with by some other means in the near future;
- The subject of the request must relate to a specific matter of recent occurrence and not to a general state of affairs or to a matter of policy;
- The matter must be raised at the earliest opportunity; and
- The request for such a debate should be well motivated.

matter of urgent public importance	The Speaker can also be requested to allow a debate on a matter of urgent public importance. A matter of urgent public importance usually, if allowed, takes place on the same day the request is made. By agreeing to such a request the Speaker overrides the parliamentary programme. The criteria used to allow or not allow a request for such a debate are the same as those that are applied to matters of public importance.
Members' statements	Members' statements are statements made by Members who are not Ministers on any matters they consider to be important.
ministerial statement	A ministerial statement is made by a Minister in the House, a procedure that is often used to announce government policies and decisions.
minority report	A minority report is a committee report by at least two committee members to state their position on an issue officially when those members are in the minority on that issue.
Minutes of proceedings	<p>The Minutes of proceedings are a record of the proceedings in the House. Unlike the Hansard, only decisions made in the House are recorded. The Minutes are noted by the Secretary and published in the three official languages of the province.</p> <p>Printed copies of the Minutes of proceedings are distributed during the morning after each sitting day and are also available on Parliament's website (www.wcpp.gov.za). Once signed by the Secretary, they are the official record of the proceedings of Parliament. (See Appendix J.)</p>
money bill	A money bill is a bill that appropriates money or imposes taxes, levies or duties. In the case of the latter, the introduction forms the first stage of the legislative process, whereby the Minister responsible for financial matters formally introduces the bill in an introductory speech. Papers relating to the bill are also tabled at this stage. (See Appendix F.)
motions	<p>A motion is a proposal by a Member that the House should do something, order that something should be done or that the opinion of the House is expressed on a certain matter.</p> <p>After a motion has been placed on the Order Paper for consideration on any given day, it is up to the Member in whose name the motion appears to move the motion when called on to do so by the presiding officer.</p> <p>A motion may not contain unbecoming expressions, contravene the Standing Rules, be tendered in a spirit of mockery or be designed merely to annoy. The Rules provide that motions that offend the practice or the Rules may be amended or otherwise dealt with as the Speaker may decide.</p>

When a motion on the Order Paper is reached on any given sitting day, the Member in whose name it appears rises and formally moves the motion. He or she may introduce and motivate it if the time has been made available for a debate. Members may move amendments to the motion. At the end of the debate, the Member who introduced the motion is given an opportunity to reply to the debate before it is put for decision by the Chair.

N

name a Member Naming a Member is a disciplinary procedure used by the Speaker to maintain order in the House.

new Parliament A new Parliament is the first sitting of Parliament after a general election. Parliament convenes in accordance with the rules determined by the Chief Justice. The Constitution requires that four tasks should be performed at this first sitting. These are the:

- swearing in of Members;
- election of the Premier;
- election of the Speaker; and
- election of the Deputy Speaker.

notices of motion With a few exceptions, which are listed in the Rules, notice must be given of all motions. The House is generally informed in advance of any motion so that Members will have sufficient time to prepare for a debate and take a party-related position on the matter.

Notice may only be dispensed with if each and every Member present in the House agrees. If a Member wishes to move a motion without notice, consultation with other parties are important as their consent must be obtained. If that is not done, Members are unlikely to agree to a motion being proceeded with if no notice of it has been given.

O

oath or affirmation of allegiance The oath or affirmation of allegiance is a declaration of loyalty to the national and provincial constitutions that is made or subscribed by each Member of Parliament before taking his or her seat.

official opposition The government is the largest political party. The official opposition, the largest opposition party, works to oppose what it believes to be wrong in government policies or actions, and is ready to form a government should voters so decide at the next or subsequent election.

opening address The opening address is also known as the State of the Province Address. The address is delivered by the Premier at the beginning of each parliamentary session. It normally contains the government’s plans and programmes for the year as well as its legislative programme. The opening address forms the basis of the first debate in the House.

Order Paper The Order Paper is the official agenda of Parliament. It contains a summary of the proceedings planned for the day of issue. The Order Paper comprises the following parts:

- business of the current day, for example motions and orders that have to be considered on the day in question;
- further business, including orders of the day that are ready to be considered, those planned for a future date and draft resolutions that are to be moved in future;
- the current status of bills in the legislative process and, when relevant, amendments to bills; and
- a list of dates and venues of committee meetings.

(See Appendix I.)

ordinary bills Ordinary bills are all bills except money bills. Money bills may not deal with any matter other than a subordinate matter incidental to the appropriation of money or the imposition of taxes, levies or duties.

In terms of the Standing Rules, ordinary bills can be introduced by:

- the relevant Minister of a department;
- a standing committee; or
- a Member.

Ordinary bills are passed by agreeing to its second reading and, in the case of a money bill, the third reading. (See Appendix G.)

P

parliamentary precinct The House and its offices are the precinct of Parliament. Members enjoy certain rights and privileges in the precinct of Parliament.

parliamentary privilege Parliamentary privilege is the legal immunity conferred upon Members of a legislature with regard to acts they may perform in the legislature or on its behalf.

parliamentary procedure The rules for and methods of carrying out the business of the House are known as parliamentary procedure.

personal explanation	A personal statement is a short statement made in the House by a Member concerning a matter with which he or she is personally connected, or by a Member who feels he or she has been misrepresented and wishes to state the correct facts or situation.
petition	A petition is a written presentation to Parliament by a person or group of people asking for action on a matter that is important to them.
points of order	Points of order are raised to call the attention of the presiding officer to alleged breaches of the Standing Rules or to establish conventions during debate.
preamble (of a bill)	The preamble is that part of a bill that precedes the main text and states the reasons for its introduction and what it seeks to achieve.
presiding officer	A presiding officer is a Member of Parliament who is elected to preside over, or be in charge of, the business, proceedings and administration of Parliament. This is usually the Speaker.
principle (of a bill)	The principle of a bill is the objective or related objectives that a bill seeks to achieve. The principle of a bill is adopted at the second reading.
private Members' public bills	A private Member may introduce a public bill on any matter except financial issues. This kind of bill is called a private Member's public bill.
programming of the House	The programming of business of the House is the responsibility of the Programming Authority. The Programming Authority comprises all the whips of all parties represented in the House.
public participation	The Constitution requires that Parliament facilitates public involvement in its activities. The following are examples of how the public can be involved: <ul style="list-style-type: none"> • Publication of a bill in the Provincial Gazette for public comment; • Conducting public hearings—a committee may invite stakeholders from the public to submit written submissions or to give oral evidence on a bill referred to it; • Holding regional debates on a particular topic to get the views of the public on the topic in that particular region; • Attending committee meetings and sittings of the House as observers; and • Participating in specific outreach programmes.

Q

Question Paper

The Question Paper contains notices of interpellations and questions that are put to Members of the executive authority for oral or written reply. (See Appendices K and L.)

questions to the Premier without notice

Questions are put to the Premier without prior notice on certain days and only twenty minutes are allowed for these questions and their replies. The Member who is called may put one concise question and, immediately after a reply thereto, put two supplementary questions that must relate to his or her original question or to the reply.

Parties wishing to participate in this process should submit the names of their Members for selection to the Plenary Support Section. No more than seven Members are selected for participation.

questions

As part of their oversight functions, Members of Parliament may ask the executive authority questions concerning their portfolios. There are two types of questions that may be put to the executive, namely questions for oral reply and questions for written reply.

Questions for oral reply are dealt with in the House, usually on Thursdays. These questions are placed on the Question Paper in the order in which they are submitted and are limited to two questions per Member per question day. A question may not contain more than five subdivisions.

Questions for written reply (usually requiring statistical information) may not contain more than fifteen subdivisions and are limited to three per Member during any working week when the House is sitting and one every working week when the House is not sitting.

All replies to interpellations and questions are published in the Hansard.

quorum in committees

This is the number of voting members who must be present in a committee so that the business of the committee may be transacted legally.

quorum in the House

A quorum in the House refers to the number of Members, which includes the Speaker, that is necessary to constitute a meeting of the House, meaning that it may exercise its powers.

At least one-third of the total number of Members of the House must be present to constitute a meeting of the House.

According to the Rules, the presence of a majority of Members is required before a vote may be taken on a bill.

If there is no quorum in a meeting of the House, the Members who are in the House will be counted. If fewer than one-third of Members are present when the count takes place, the bells will be rung for three minutes to give Members the opportunity to make their way to the House. If there is still no quorum after the bells had been rung the presiding officer may suspend the proceedings, adjourn the House or postpone the decision of the question.

Any Member may draw the presiding officer's attention to the lack of a quorum. Whenever the House is adjourned owing to the absence of a quorum, the time of such adjournment as well as the names of the Members present must be recorded in the Minutes of Proceedings.

R

recess

The period between the end of one session (prorogation) and the beginning of the next.

Register of Members' Interests The Register of Members' Interests, which is published annually, is a record of Members' personal financial interests and gifts, sponsorships, etc. that they received.

New and returning Members must complete the registration form that reflects their registrable interests within 30 days of taking their seats. The Registrar of Members' Interests must be informed in writing of any changes to the registrable interests that require disclosure.

relevancy

One of the most important rules of debate is that a Member must direct his or her speech to the question under discussion. In general a Member's remarks are irrelevant if their connection to the main question is not immediately apparent and the presiding officer will remind a Member who wanders from the subject. If a Member persists in irrelevance or tedious repetition, the Standing Rules empower the presiding officer to direct him or her to discontinue his or her speech.

The rule of relevancy is not strictly enforced during the second reading debate on the main appropriation bill or during the debate on the Premier's opening address. These are regarded as wide-ranging political debates in which almost anything goes.

report (of a committee)

A committee report is a written statement by a committee to the House. It may give the results of an inquiry, request additional powers or about a bill after consideration, with or without amendments.

rescind (revoke) a resolution	Rescinding or revoking a resolution is the act of cancelling the effect of a resolution previously adopted by the House.
resolution	A resolution is a motion that has been agreed to by the House and expresses the will or opinion of the House.
rules of debate	The rules of debate are rules that Members in the House are required to heed when they participate in debates. These rules include the following: <ul style="list-style-type: none"> • Speeches must be relevant to the subject matter being debated; • Members may not use offensive words against other Members; • Members may not make imputations or allegations of improper motives or personal reflections; and • Members must address the Chair.
ruling	A ruling is a formal decision by the Speaker, usually relating to a matter of procedure in the House.

S

schedule to a bill	A schedule to a bill is an appendix to it which contains detail not suitable for inclusion in a clause, or the text of an agreement which the bill brings into effect. Schedules form part of a bill and are subject to amendment, except in the case of a money bill. (See Appendix D.)
second reading	The second reading is the final stage in the legislative process when the principles and objects of a bill, other than a money bill, are either accepted or rejected. The bill is presented to the House with the report on any amendments that may have been made by the relevant standing committee. In the case of a money bill, detailed consideration is not given to the clauses of the bill at the second reading stage.
Secretary to the Provincial Parliament	The Secretary to the Provincial Parliament is the chief adviser to the Speaker and to Members of the House on all administrative and procedural matters. The Secretary is responsible for a wide range of duties relating to the proceedings and official records of the House and its committees and the general administration of the House. He or she is also the accounting officer of the administration of Parliament.
separation of powers	The separation of powers is the notion that, in a free society, the legislature, the executive and the judiciary are separate and act independently, without interference by one another.

Serjeant-at-Arms	The Serjeant-at-Arms is a senior official who is responsible for order and security within the precincts of Parliament. The Serjeant-at-Arms accompanies the Speaker when he or she enters or leaves the Chamber and is responsible for the mace.
session	A session is a fundamental period into which Parliament is divided during its five-year term, and usually consists of a number of separate sittings.
sitting	A sitting is the duration of the period when the House meets, from the time that the Speaker takes the Chair up to when the House is adjourned.
Speaker	<p>At the beginning of each parliament or as the need arises Members of Parliament must elect one of its Members as Speaker.</p> <p>The Speaker presides over the sittings of the House and enforces the Rules prescribed in the Standing Rules of Parliament for the orderly conduct of parliamentary business.</p> <p>In carrying out his or her duties in the House, the Speaker must remain impartial and fair to all Members of Parliament. The Speaker does not take part in debates of the House regularly, but must vote in favour of or against a question if he or she has to cast a deciding vote.</p> <p>The Speaker also acts as the representative of Parliament in its relations with other parliaments and bodies.</p> <p>The Speaker is the political head of the administration of Parliament. He or she is also the chairperson of the Rules Committee, which is the authority of the parliamentary administration that gives direction.</p> <p>Outside Parliament the Speaker must also continue to carry out his or her ordinary duties as a Member of Parliament.</p> <p>It is established practice that the Speaker's discretion, conduct and decisions can only be criticised by means of a substantive motion and not incidentally during the course of a debate. Furthermore, the House may only remove the Speaker through a resolution adopted by means of a majority vote by all its Members.</p>

Speaker's debates	<p>Speaker's debates provide Members with the opportunity to cast aside their party-political differences and debate a subject, initiated by the Speaker, which is non-political and of interest to the province.</p> <p>No decisions are made at the conclusion of the debate and the time allocated to these debates is decided by the Speaker in consultation with the Programming Authority. The normal rules of debate apply during Speaker's debates.</p>
standing committees	<p>A standing committee is a permanent committee constituted for the full term of a parliament. Each standing committee is a combination of a number of related portfolios. The main responsibilities of a committee are to process legislation from a particular department, scrutinise the legislation referred to the Provincial Parliament by the National Council of Provinces (NCOP) and to oversee the functioning of the provincial executive authority and organs of state.</p>
Standing Rules	<p>Parliamentary rules are necessary to provide opportunity for debate, to prevent decisions from being made without their having been well considered and to expedite the orderly progress of business in the House. These rules are drawn from different sources, namely practice, standing orders, rulings by the Chair and statutes. The parliamentary rules are contained in a document entitled <i>Standing Rules – Western Cape Provincial Parliament</i>, and is always updated when new rules are adopted by the House.</p>
stranger	<p>A stranger is anyone who is not a Member of the House or an official of the House.</p>
sub-judice rule	<p>The Standing Rules provide that “no member may refer to any matter on which a judicial decision is pending”. It is a voluntary restraint that Parliament itself imposes on its Members for the sake of the judicial process. It is, moreover, in the interest of justice not to make reference, either in debate, through motions or questions to matters before the courts. In this way an accused in any court action is protected against public discussion of a matter relating to him or her.</p> <p>The sub-judice rule does not apply to matters before commissions or parliamentary committees but Members should refrain from commenting on proceedings, evidence or findings before a final report has been made.</p>
short title	<p>The short title of a bill is the name by which a bill is commonly known and indexed, which is distinct from its long title, which describes its scope and purpose.</p>

simple majority A simple majority in a House is more than half of the votes of the Members who are present and may vote. This is contrary to an absolute majority.

swearing in of Members Members of Parliament are sworn in before they begin to perform their functions as Members. They swear allegiance to or affirm faithfulness to the Republic and commit to obeying the Constitution.

At the opening of a new parliament, Members must make an oath or affirmation prescribed in the Constitution before the Judge-President, whereas a Member filling a vacancy may swear or affirm before the presiding officer.

T

table (noun) The table in the parliamentary context is a table in front of the Speaker's chair in the Chamber at which table officers sit in order to record the daily business of the House.

table (verb) To table a document is to place a document before the House or a committee for consideration or consultation. (Synonym: to lay on the table.)

table officers Situations sometimes arise in the Chamber, therefore, table officers are responsible for providing procedural advice to the Speaker and others who are in the Chair as well as Members in general, including the preparation of the Minutes of Proceedings and the Order Paper. They also keep track of speeches and interventions and advise the Chair on the time limits that apply to various debates.

third reading This is the final stage in the consideration of a money bill in the House, at the conclusion of which the bill as a whole is either approved or rejected.

U

unparliamentary language Words or phrases that are deemed to be inappropriate to use in the House while it is in session are called unparliamentary language and includes, but is not limited to, the suggestion of dishonesty or profanity. Most prohibited is any suggestion that another Member is dishonourable. Exactly what is deemed to be unparliamentary language is generally left to the discretion of the Speaker.

W

whips

Both the efficient running of the parliamentary machine and the smooth functioning of party activities depend largely on the input of party whips. Each political party in the House is represented by a whip or whips and the chief whip or chief whips represent the majority party.

The chief whips and one whip of each political party represented in the House form the Programming Authority. The primary function of the Programming Authority is to prepare and adjust, if necessary, the annual programme of Parliament. The Programming Authority also arranges all business of the House on the Order Paper in accordance with the Rules or as it deems fit.

Whips are also responsible for the smooth running of political parties' activities as these relate to Members' discipline. This ensures that Members take part in debates during the sitting of the House and that they attend and participate in committee meetings.

White Paper

A White Paper is an authoritative report or guide that addresses issues and proposes ways to solve them. White Papers are used to educate readers and help people make decisions. They are often used in the political, business and technical fields.

Appendix A: Act

PROVINCE OF WESTERN CAPE

WESTERN CAPE LOCAL GOVERNMENT LAWS RATIONALISATION ACT, 2017

PROVINSIE WES-KAAP

WET OP RASIONALISASIE VAN WES-KAAPSE PLAASLIKEREGERINGSWETTE, 2017

IPHONDO LENTSHONA KOLONI

UMTHETHO WOLUNGELELANISO LWEMITHETHO KARHULUMENTE WOMMANDLA WENTSHONA KOLONI, 2017

No 3, 2017

Appendix B: Schedule to an act

SCHEDULE (As a charge to the Provincial Revenue Fund)

Vote	Description of votes and main divisions	Totals	Current payments			Transfers and subsidies to	Payments for capital assets	Payments for financial assets	Amounts specifically and exclusively appropriated
			Compensation of employees	Goods and services	Other				
1	Premier	R'000 1 440 749	R'000 599 448	R'000 772 332	R'000 16 435	R'000 52 534	R'000 939 159	R'000 939 159	
2	Provincial Parliament	137 715	64 917	28 723	41 298	2 777	201 742	201 742	
3	Provincial Treasury	308 184	185 665	63 992	53 867	4 660	156 100	156 100	
4	Community Safety	302 056	144 915	88 486	62 570	6 085	17 344 161	17 344 161	
5	Education	20 629 914	15 398 337	2 223 406	1 929 859	1 072 871	18 472 001	18 472 001	
6	Health	21 679 806	12 807 510	6 932 779	1 225 773	713 744	845 587	845 587	
7	Social Development	2 106 974	752 769	183 896	1 138 533	31 776	2 513 031	2 513 031	
8	Human Settlements	2 536 087	213 835	55 807	2 260 030	6 100	256 798	256 798	
9	Environmental Affairs and Development Planning	591 570	205 851	63 754	316 868	5 097	50	50	
10	Transport and Public Works	7 426 579	812 123	1 951 866	1 611 948	3 050 592	5 133 020	5 133 020	
11	Agriculture	795 179	372 399	165 471	238 249	19 060	595 997	595 997	
12	Economic Development and Tourism	427 345	125 655	117 530	179 613	4 547	243 198	243 198	
13	Cultural Affairs and Sport	725 049	201 415	151 497	362 823	9 314	525 705	525 705	
14	Local Government	249 206	158 080	41 263	46 596	3 022	199 114	199 114	
		59 356 413	32 042 919	12 840 802	9 484 462	4 982 179	6 051	47 425 613	

Appendix C: Bill

PROVINCE OF THE WESTERN CAPE

WESTERN CAPE PROVINCIAL ROAD TRAFFIC ADMINISTRATION AMENDMENT BILL

(As introduced)

(MINISTER OF TRANSPORT AND PUBLIC WORKS)

[B 3—2017]

PROVINSIE WES-KAAP

WES-KAAPSE PROVINSIALE WYSIGINGSWETSONTWERP OP PADVERKEERSADMINISTRASIE

(Soos ingedien)

(MINISTER VAN VERVOER EN OPENBARE WERKE)

[W 3—2017]

IPHONDO LENTSHONA KOLONI

UMTHETHO OSAYILWAYO WOLUNGISO WOLAWULO LOKUHAMBA KWEZITHUTHI EZINDLELENI KWIPHONDO LENTSHONA KOLONI

(Njengoko wazisiwe)

(UMPHATHISWA WEZOTHUTHO NEMISEBENZI YO LUNTU)

[B 3—2017]

ISBN 978-1-928393-09-2

Appendix D: Schedule to a bill

SCHEDULE (As a charge to the Provincial Revenue Fund)

Vote	Description of votes and main divisions	Totals	Current payments		Transfers and subsidies to	Payments for capital assets	Payments for financial assets	Amounts specifically and exclusively appropriated
			Compensation of employees	Goods and services Other				
1	Premier	R'000 1 440 749	R'000 599 448	R'000 772 332	R'000 16 435	R'000 52 534	R'000 939 159	R'000
2	Provincial Parliament	137 715	64 917	28 723	41 298	2 777		
3	Provincial Treasury	308 184	185 665	63 992	53 867	4 660	201 742	
4	Community Safety	302 056	144 915	88 486	62 570	6 085	156 100	
5	Education	20 629 914	15 398 337	2 223 406	1 929 859	1 072 871	17 344 161	
6	Health	21 679 806	12 807 510	6 932 779	1 225 773	713 744	18 472 001	
7	Social Development	2 106 974	752 769	183 896	1 138 533	31 776	845 587	
8	Human Settlements	2 536 087	213 835	55 807	2 260 030	6 100	2 513 031	
9	Environmental Affairs and Development Planning	591 570	205 851	63 754	316 868	5 097	256 798	
10	Transport and Public Works	7 426 579	812 123	1 951 866	1 611 948	3 050 592	5 133 020	
11	Agriculture	795 179	372 399	165 471	238 249	19 060	595 997	
12	Economic Development and Tourism	427 345	125 655	117 530	179 613	4 547	243 198	
13	Cultural Affairs and Sport	725 049	201 415	151 497	362 823	9 314	525 705	
14	Local Government	249 206	158 080	41 263	46 596	3 022	199 114	
		59 356 413	32 042 919	12 840 802	9 484 462	4 982 179	6 051	47 425 613

Appendix E: Explanatory memorandum

MEMORANDUM ON THE OBJECTS OF THE WESTERN CAPE APPROPRIATION BILL, 2017

The Bill provides for the appropriation of money by the Provincial Parliament from the Provincial Revenue Fund for the requirements of the Province in the 2017/18 financial year, to votes and main divisions within a vote, and for the specific listed purposes set out in the Schedule.

Amounts listed in the Schedule as specifically and exclusively appropriated refer to national conditional grants, which may be used only for the purpose stipulated in the Division of Revenue Act, 2017, and in accordance with the framework published in terms of that Act. Earmarked allocations may be used only for the purpose stipulated in the Schedule and in accordance with the directives issued from time to time by the Provincial Treasury.

The Provincial Treasury may withhold or stop the transfer of funds in respect of an earmarked allocation to a provincial department if that department, or the recipient organ of state for which that department is responsible, is in serious or persistent material breach of the measures in respect of an earmarked allocation.

A transferring provincial officer may withhold the transfer to a municipality of a conditional allocation or any part of such an allocation for a period not exceeding 30 days if the municipality does not comply with conditions to which the allocation is subject in terms of the framework concerned, or if expenditure on previous transfers during the financial year reflects significant underspending for which no satisfactory explanation is given.

The Provincial Treasury may, in its discretion or at the request of a transferring provincial officer, stop the transfer of a conditional allocation or any part of such an allocation to a municipality on the grounds of persistent and material non-compliance with conditions to which the allocation is subject in terms of the framework concerned, or if the Provincial Treasury anticipates that the municipality will substantially underspend on the programme or allocation concerned in the current financial year.

The Provincial Treasury may, where it stops an allocation, after consultation with the transferring provincial officer, determine that the allocation or any part thereof be reallocated to one or more municipalities on condition that the allocation must be spent in the current municipal financial year or the next municipal financial year.

The transfer of an allocation to a municipality in error is regarded as not legally due to that municipality.

Subject to the Public Finance Management Act, 1999 (Act 1 of 1999), the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003), and the annual Division of Revenue Act, any conditional allocation that is not spent by the municipality by the end of a municipal financial year, reverts to the Provincial Revenue Fund, unless the relevant receiving municipal officer can prove to the satisfaction of the Provincial Treasury and the transferring provincial officer that the unspent allocation is committed to identifiable projects.

If the Bill is not enacted before the start of the financial year, in terms of section 29 of the Public Finance Management Act, 1999, and section 3 of the Western Cape Direct Charges Act, 2000 (Act 6 of 2000), only 45 per cent of the amount appropriated in the previous budget may be spent during the first four months of the financial year and 10 per cent per month in the following months, and the total amount spent may in aggregate not exceed what was appropriated in the previous budget.

Appendix F: Money bill

PROVINCIAL MONEY BILLS

Introduction

Bill is introduced and related papers tabled by the Minister of Finance.

First reading

Bill is read a first time without the question being put and copies of the bill and related papers are supplied to all Members.

Referral to committee after first reading

The introductory speech and any papers laid upon the Table are referred to the appropriate committee (usually the Standing Committee on Finance) for deliberations and report.

Consideration of schedule to appropriation bill

When the principle of an appropriation bill which has a schedule has been approved, the votes in the schedule must be debated.

Discussion of votes in schedule

If a money bill has a schedule, all the votes contained in the schedule are discussed and voted on.

Finalisation of money bill

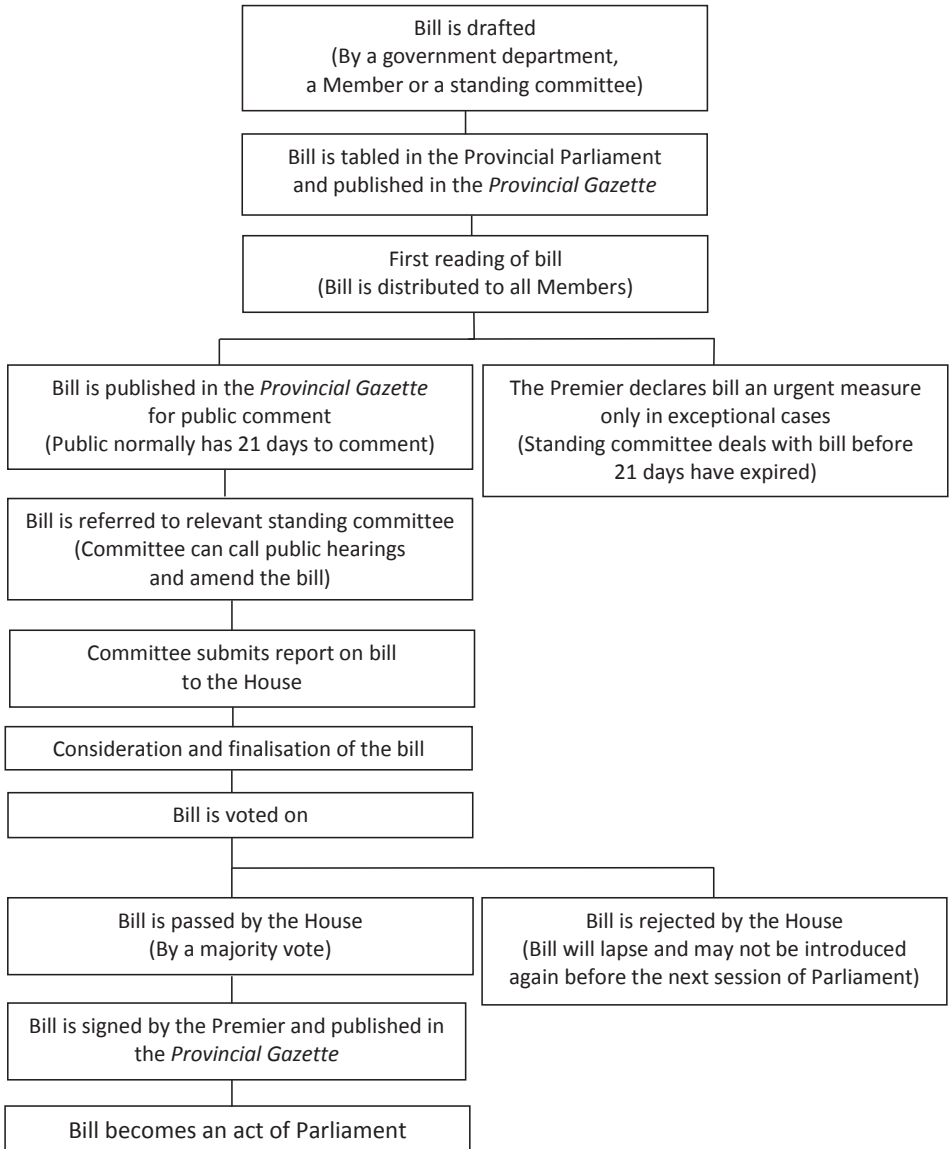
When the schedule to an appropriation bill – or the principle of a money bill which has no schedule – has been approved, the bill is placed on the Order Paper for finalisation.

Assent by the Premier

Bill is signed by Premier and published in the *Provincial Gazette*.

Appendix G: Ordinary bill

ORDINARY PROVINCIAL BILLS



Appendix H: Announcements, Tablings and Committee Reports

Thursday, 1 November 2012]

No 75 - 2012] FOURTH SESSION, FOURTH PARLIAMENT

PARLIAMENT OF THE PROVINCE OF THE WESTERN CAPE

ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS

THURSDAY, 1 NOVEMBER 2012

ANNOUNCEMENT

The Speaker:

Referral of bill to committee in terms of Rule 204:

Budget Committee

Draft Division of Revenue Amendment Bill, 2012 (NCOP) (proposed section 76 Bill).

TABLING

The Speaker:

Bill received from National Council of Provinces and tabled in terms of Rule 203:

Division of Revenue Amendment Bill [B 33–2012] (NCOP).

Appendix I: Order Paper

No 27 - 2012] FOURTH SESSION, FOURTH PARLIAMENT

PARLIAMENT OF THE PROVINCE OF THE WESTERN CAPE

ORDER PAPER

THURSDAY, 8 NOVEMBER 2012

HOUSE: 14:15

INTERPELLATIONS AND QUESTIONS

STATEMENTS BY MEMBERS

MOTIONS

SUBJECT FOR DISCUSSION

1. Ms A J du Toit Marais: The loss of children's lives on the Cape Flats.

FURTHER BUSINESS

NOTICE OF MOTIONS

1. Mr G C R Haskin: That the House debates the results of *Census 2011* and the implications of these results for the Western Cape.
2. Mr P C Mckenzie: That the House debates the veracity of the commission of inquiry into allegations of police inefficiency and a breakdown in relations between the community and the police in Khayelitsha.
3. Ms A J du Toit Marais: That the House discusses the impact of HIV/Aids, violence against women and children and the role of the father figure in families.
4. Ms E Prins: That the House debates the corruptive practices in the Department of Agriculture of the Western Cape.
5. Ms B G Mbalo: That the House discusses the translation problems experienced in the Western Cape Legislature.
6. Mr R B Lentit: That the House debates the status of genetically modified foods, and the long-term effects that GM foods have on, and implications of such foods for, the health and well-being of residents in the Western Cape.
7. Ms N P Magwaza: That the House notes with dismay the forced closure of the Cape Town Child Welfare offices in Du Noon in August 2012 due to a decision on the part of the provincial Department of Social Development to cut funding.
8. Mr K E Magaxa: That the House notes with concern that backyard dwellers in Mitchells Plain have lodged an urgent court application to secure a place to live after the City of Cape Town, led by the Democratic Alliance, refused to offer alternative housing to the people.

Appendix J: Minutes of Proceedings

No 26 - 2012] FOURTH SESSION, FOURTH PARLIAMENT

MINUTES OF PROCEEDINGS OF THE PARLIAMENT OF THE PROVINCE OF THE WESTERN CAPE

=====

THURSDAY, 25 OCTOBER 2012

1. The House met at 14:15.
2. The Speaker took the Chair and read the prayer.
3. [14:16] Interpellations.
4. [14:46] Questions.
5. [15:00] Statements by Members.
6. [15:25] The Deputy Speaker gave a ruling concerning a remark made by the hon M Ozinsky during the debate on 18 October 2012 and directed him to withdraw the remark.
Whereupon the Member withdrew the remark.
7. [15:27] Mr M G E Wiley moved without notice: That the House –
 - (1) expresses its sympathy with the family of warrant officer Douglas Moses, the 50-year old father and grandfather, and member of the South African Police Service, who was shot and killed while on duty in Ottery on Friday, 19 October 2012; and
 - (2) notes with serious concern that –
 - (a) he is the fifth police officer to be shot in the line of duty in the Western Cape in the past two weeks, and that four of these officers have died; and
 - (b) there have been over 150 attacks on police officers in the Western Cape since April of this year.Agreed to.
8. Mr R B Lentit moved without notice: That the House notes –
 - (1) the vision of Delft resident Wayne Jafta, who opened his house to the community;
 - (2) that Mr Jafta recognised the need for change and started an independent gym from his home; and
 - (3) that adults and children as young as eight years old are frequenting the service he provides to encourage sober habits.Agreed to.

Appendix K: Question Paper for Oral Reply

No 6 - 2012] FOURTH SESSION, FOURTH PARLIAMENT

PARLIAMENT OF THE PROVINCE OF THE WESTERN CAPE

QUESTION PAPER ORAL REPLY

Note: * Indicates translated version.

THURSDAY, 17 MAY 2012

INTERPELLATIONS

1. **Mr M C Walters to ask Mr R V Carlisle, Minister of Transport and Public Works:**

Whether the 100 km per hour decal stickers on the rear end of vehicles have any particular significance in terms of law enforcement in respect of speed regulation; if not, why are the decals used; if so, what measures are in place to detect and penalise drivers of vehicles who disregard the speed restriction indicated on the decals?

(189)

*2. **Ms M Tingwe to ask Mr D A C Grant, Minister of Education:**

Why the farm school Weltevrede Primary in the Riebeeck West area is not receiving the required support from his department?

(190)

3. **Ms A J du Toit Marais to ask Mr T L Botha, Minister of Health:**

Whether the Western Cape has been affected by the other provinces' inability to pay accounts and as a result being denied goods and services?

Appendix L: Question Paper for Written Reply

No 5 - 2018] FIFTH SESSION, FIFTH PARLIAMENT

PARLIAMENT OF THE PROVINCE OF THE WESTERN CAPE

QUESTION PAPER

WRITTEN REPLY

Note: * Indicates translated version.

FRIDAY, 2 MARCH 2018

1. Ms M M Wenger to ask Mr D Plato, Minister of Community Safety:

How many police reservists were appointed in the Western Cape (a) to positions in the South African Police Service and (b) as private security guards in (i) 2008, (ii) 2009, (iii) 2010, (iv) 2011, (v) 2012, (vi) 2013, (vii) 2014, (viii) 2015, (ix) 2016, (x) 2017 and (xi) 2018 to date?

(24)

2. Mr R D Mackenzie to ask Ms A J Marais, Minister of Cultural Affairs and Sport:

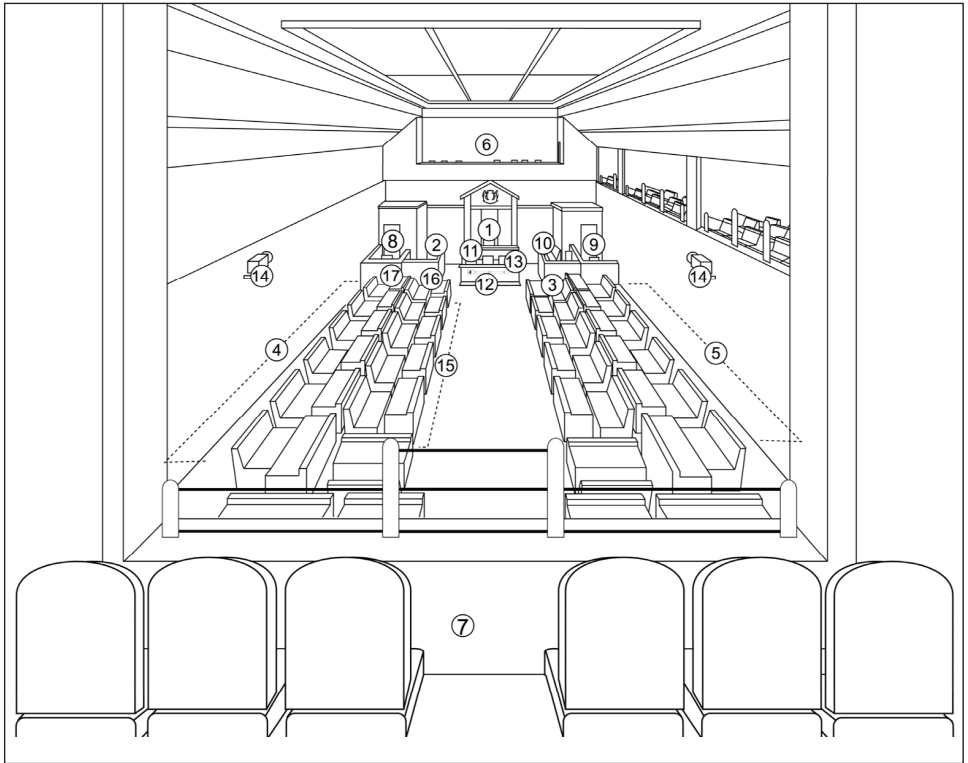
Whether any mass participation, opportunity and access, development and growth centres (MOD centres) are operational in Mitchells Plain; if not, why not; if so, (a) what are the details, (b) how many centres are operational, (c)(i) how many learners participated in activities, (ii) in which sporting codes and (iii) at which facilities in (aa) 2016 and (bb) 2017?

(25)

***3. Mr P Uys to ask Ms D A Schäfer, Minister of Education:**

- (1) What is the procedure that must be followed to change the national quintile designation of a school;
- (2) whether she received any applications for the changing of a quintile designation at any school in the Western Cape; if so, (a) from whom was the application received, (b) what was the decision and (c) what is (i) her role and (ii) the role of her Department regarding the redesignation of and deviation from already determined quintiles?

Appendix M: Chamber



1. Speaker
2. Premier
3. Leader of the Opposition
4. Majority grouping
5. Opposition
6. Media gallery
7. Public gallery
8. Official's bay
9. Premier and Speaker's bay
10. Hansard reporters
11. Secretary
12. Mace
13. Table
14. TV cameras
15. Ministerial benches
16. Leader of government business
17. Chief whip