



**REPORT OF THE MEETING OF THE SELECT COMMITTEE ON  
RULES AND ORDERS ON THE AMENDMENTS OF THE RULES AND  
ORDERS, 2013 EDITION:  
MPUMALANGA PROVINCIAL LEGISLATURE**

**1. INTRODUCTION**

In terms of section 116(1)(b) of the Constitution, a provincial legislature may make rules and orders concerning its business, with due regard to representative and participatory democracy, accountability, transparency and public involvement. In compliance with the Constitution, the Mpumalanga Provincial Legislature (“the Legislature”) had made its Rules and Orders (“the Rules”), which were last amended in 2013.

During the Fifth term of the Legislature, the Legislature took a decision to review the Rules, due to developments that have taken place since the beginning of this new term. This was done in order to make the Rules practical and relevant, and to align them with the provisions of the Constitution; Powers and Privileges and Immunities of Parliament and Provincial Legislatures Act, 2004; legislature practice and case law.

**2. METHOD OF WORK**

In embarking on the task of reviewing the Rules, the Select Committee on Rules and Orders (“the Committee”) convened several meetings at which all political parties represented in the Legislature were invited. The Committee is made up of the Honourable Speaker who is the Chairperson, Deputy Speaker, Chief Whip of the majority party, Chairperson of Committees, Deputy Chairperson of Committees, members from the three opposition parties represented in the Legislature, Democratic Alliance (“DA”), Economic Freedom Fighters (EFF), Bushbuckridge

Residents Association (BRA). Personnel from the Parliamentary Operations Division provide support to the Committee.

The proposed amendments to the 2013 Edition of the Rules were presented to the Committee for consideration and adoption. The Committee met on 28 August 2015, 1 September 2015, 16 February 2016 and 26 October 2016 and engaged fruitfully with the presentation and agreed on the proposed amendments where necessary.

[The Rules as amended and adopted by the Rules Committee are attached as an Annexure to this report.]

### **3. COMMITTEE OBSERVATIONS**

The Committee noted the following regarding the amendments to the Rules:-

- a) The Rules will be helpful in preserving the decorum of the House.
- b) The amendments are in line with developments in South Africa with regard to the Constitution, legislature convention and practice, case law, and legislation;
- c) The improved version of the Rules would ensure that democratically elected representatives conduct their work and fulfil their constitutional mandate of law-making, oversight and public involvement in a more effective and efficient manner;
- d) Where applicable, benchmarking on the Rules of other provincial legislatures and Parliament was done in order to ensure that these Rules are relevant, up to date and implementable;
- e) During the meetings, concerns and clarity seeking questions that were raised on various matters such as the dress code and procedure for dealing with notices of motion were responded to by the Committee in a manner that was satisfactory to Honourable members;

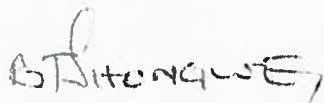
- f) A workshop on the amended Rules will be conducted, in order to train Members of the Legislature and support staff;
- g) The official date regarding the coming into operation of the amended Rules will be duly published by the Speaker in the ATC.

#### **4. RECOMMENDATION**

The Committee therefore recommends that the House approves and adopts the amendments.

#### **5. CONCLUSION**

The Chairperson would like to thank all members of the Committee who played a meaningful and critical role in the amendment of these Rules. Gratitude is also extended to the Legal Services and all the support staff for their role in the process of the amendment of the Rules.



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**HON BT SHONGWE (MPL)**  
**CHAIRPERSON: SELECT COMMITTEE**  
**ON RULES AND ORDERS**



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**DATE**

