

*Monday, 20 April 2020]*

No 41—2020] SECOND SESSION, SIXTH PARLIAMENT

**PARLIAMENT**  
**OF THE**  
**REPUBLIC OF SOUTH AFRICA**

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**ANNOUNCEMENTS,  
 TABLINGS AND  
 COMMITTEE REPORTS**

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MONDAY, 20 APRIL 2020

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**ANNOUNCEMENTS**

**National Council of Provinces**

## **The Chairperson**

### **1. RULES OF VIRTUAL MEETINGS AND SITTINGS**

#### **1. GENERAL**

- (a) Pursuant to rule 2(1) of the Rules, the Chairperson of the Council has made the Rules which shall apply to virtual meetings of Committees, the Sitting of the House and voting by Delegates.
- (b) For the purposes of these Rules, “virtual meetings or sittings” mean meetings or sittings conducted by any form of technology.
- (c) In terms of rule 2(2) these Rules shall remain in force until the Rules Committee decides thereon.
- (d) These rules are supplementary to the Rules of the Council.
- (e) These Rules shall be referred to as Rules of Virtual Meetings and Sittings.

#### **2. APPLICATION OF THE RULES**

These Rules apply to virtual -

- (a) meetings of committees;
- (b) sittings of the House;
- (c) briefings of provincial legislatures by Permanent Delegates on bills or any matter affecting provinces;
- (d) the consideration of mandates or any matter affecting provinces; and
- (e) facilitation of public involvement.

#### **3. NOTICE AND DOCUMENTS**

- (a) All meetings of Committees or Sittings of the House shall be in accordance of the Programme of the Council (the Programme).
- (b) For the purposes of a -
  - (i) Sitting of the House, the Programme shall be sufficient notice of such a Sitting; and
  - (ii) Committee meeting, the chairperson of that Select Committee shall be responsible for the issuing of all notices of the meeting.
- (c) All documents relating to Committee meetings and Sittings of the House shall be distributed by any electronic means to which Members have access.

#### **4. QUORUM**

The quorum requirements for Committee meetings or Sitzings of the House shall be those as determined by the Constitution and the Rules Council.

#### **5. VOTING**

- (a) In a Select Committee meeting or a Sitting of the House Delegates shall be entitled to cast their votes either electronically or by voice.
- (b) For the purposes of voting -
  - (i) in a Sitting of the House, the Secretary of the Council shall maintain a system that is capable of verifying the votes of delegates cast either electronically or by voice; and
  - (ii) in a Select Committee meeting, the officers responsible for supporting the Select Committee shall maintain a system that is capable of verifying the votes of delegates cast either electronically or by voice

#### **6. BRIEFING BY DEPARTMENTS OR ANY ENTITY**

- (a) Departments may brief a Select Committees on any matter by electronic means determined by the Select Committees.
- (b) Where a matter affects provinces, Members of the relevant committee of a provincial legislature may access the briefing of the Select Committee by the department or any other entity appearing before the Select Committee.
- (c) The Chairperson of the relevant Select Committee must inform a provincial legislature where a matter affects provinces or any other entity or members of the public of the date and time of the meeting at least three days or within a reasonable time before the meeting.
- (d) The place of the briefing shall be deemed to be the National Council of Provinces.
- (e) Where members of the relevant committee of the provincial legislature had access to the initial briefing, a briefing by the Permanent Delegates shall not be necessary.
- (f) The Rules of the Council shall apply to the briefing.

#### **7. RULES APPLICABLE TO BRIEFINGS BY PERMANENT DELEGATES**

In the event that the relevant provincial legislature committee could not access the briefing as provided for in 6(b) above, the following Rules shall apply:

- (a) Each Permanent Delegate shall be afforded an opportunity to brief his or her provincial legislature on a Bill or any matter affecting provinces which is before the Council at the time appointed for such briefing.
- (b) The place of the briefing shall be deemed to be the provincial legislature.
- (c) The Rules of that provincial legislature shall apply.

### **7.1 Chairperson**

- (a) The meeting shall be chaired by the chairperson of the relevant committee of that provincial legislature.
- (b) The chairperson shall have the powers of the chairperson of a committee as provided for in the Rules of that provincial legislature.

### **7.2 Minutes and Records**

- (a) The provincial legislature must maintain the minutes and records of the proceedings.
- (b) The minutes referred to in (a) above shall constitute the records of that provincial legislature.

## **8. CONFERRAL OF NEGOTIATING AND FINAL MANDATE**

- (a) Subject to the provisions of the Mandating Procedures of Provincial Legislatures Act, the relevant committee of each provincial legislature shall, in terms of the processes determined by that provincial legislature confer on its Delegates the authority to either negotiate or vote on the matter that serves before the relevant Select Committee of the Council.
- (b) The authority so conferred shall be communicated to the relevant Delegate and the Secretary to the Council by electronic means to which a Delegate and the Secretary to the Council have access.
- (c) The chairperson of the relevant Select Committee of the Council shall call upon a Delegate of each of the provinces to state the negotiating or final position of a province on a matter before the Select Committee.
- (d) Production of an electronic copy of such authority shall be a prima facie proof of the conferral of such authority, unless the contrary is proved.
- (e) The venue of the meeting shall be deemed to be the National Council of Provinces.
- (f) For the purposes of voting -
  - (i) in a Sitting of the House, the Secretary of the Council shall maintain a system that is capable of verifying the votes of delegates cast either electronically or by voice; and

- (ii) in a Select Committee meeting, the officers responsible for supporting the Select Committee shall maintain a system that is capable of verifying the votes of delegates cast either electronically or by voice.

## **9. POWERS, PRIVILEGES AND IMMUNITIES**

Delegates have the same powers, privileges and immunities which they ordinarily enjoy in Committees and House proceedings.

## **10. FACILITATION OF PUBLIC INVOLVEMENT**

Subject to section 72(1)(a) of the Constitution, a Select Committee must facilitate public involvement on matters before it by electronic means determined by the Select Committee.

### **ANNEXURE A**

#### **TECHNICAL SUPPORT**

- (a) Each legislature is responsible for technical support at its site.
- (b) A legislature that initiates a meeting must co-ordinate that meeting.
- (c) The technical support teams must be given at least 3 days' notice of the meeting.
- (d) The technical support team must perform pre-conference testing at least a day before the meeting.
- (e) The technical support team must be available at all times during the briefing.

*NB During meetings the system should be treated as "live" even though no images appear on the screen.*

## **TABLINGS**

### **National Assembly and National Council of Provinces**

#### **1. The Speaker and the Chairperson**

- (a) Monthly Financial Statements of Parliament – March 2020, tabled in terms of section 54(1) of the Financial Management of Parliament and Provincial Legislatures Act, 2009 (Act No 10 of 2009).