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The Hon. Adv. MT Masutha MP
Chairman
Sub-Committee on Review of the National Assembly Rules
Parliament
Via email mmasutha@parliament.gov.za
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Dear Mr Chairman,

During the last meeting of the Sub-Committee of the Rules Committee on the Review of the National Assembly Rules, my letter to the Speaker relating to Private Member's Bills was tabled for discussion and deliberation. Because I indicated that the matter had been presented as a legal and constitutional issue and not a political one, the Committee correctly ruled that further deliberations by the Committee should be assisted by a legal opinion to verify the legal correctness of the argument I put forward.

In reaction to such ruling, and to bring the matter forward, the IFP Parliamentary Caucus commissioned a legal opinion from an independent and reputable Senior Counsel with relevant experience, skills and track record in constitutional matters.

The attached opinion of Advocate Anton Katz, SC corroborates that the relevant Rules are unconstitutional to the extent that they prevent the right of a Member of Parliament to introduce a Bill in the National Assembly or in the relevant Committee without the prior approval of a parliamentary majority constituted in any given Committee.

Therefore, I request that deliberations on this matter be placed on the agenda for urgent consideration at the next meeting of the Rules Committee or that of its Sub-Committee on Review of the National Assembly Rules.

Very truly yours,

Mario GR Oriani-Ambrosini, MP

Cape Town, 20 October 2009

CC. The Hon. Max Vuyisile Sisulu, MP
Speaker of the National Assembly
In his capacity of Chairman of the National Assembly's Rules Committee