

# 6<sup>th</sup> DEMOCRATIC PARLIAMENT



PARLIAMENT  
OF THE REPUBLIC OF SOUTH AFRICA

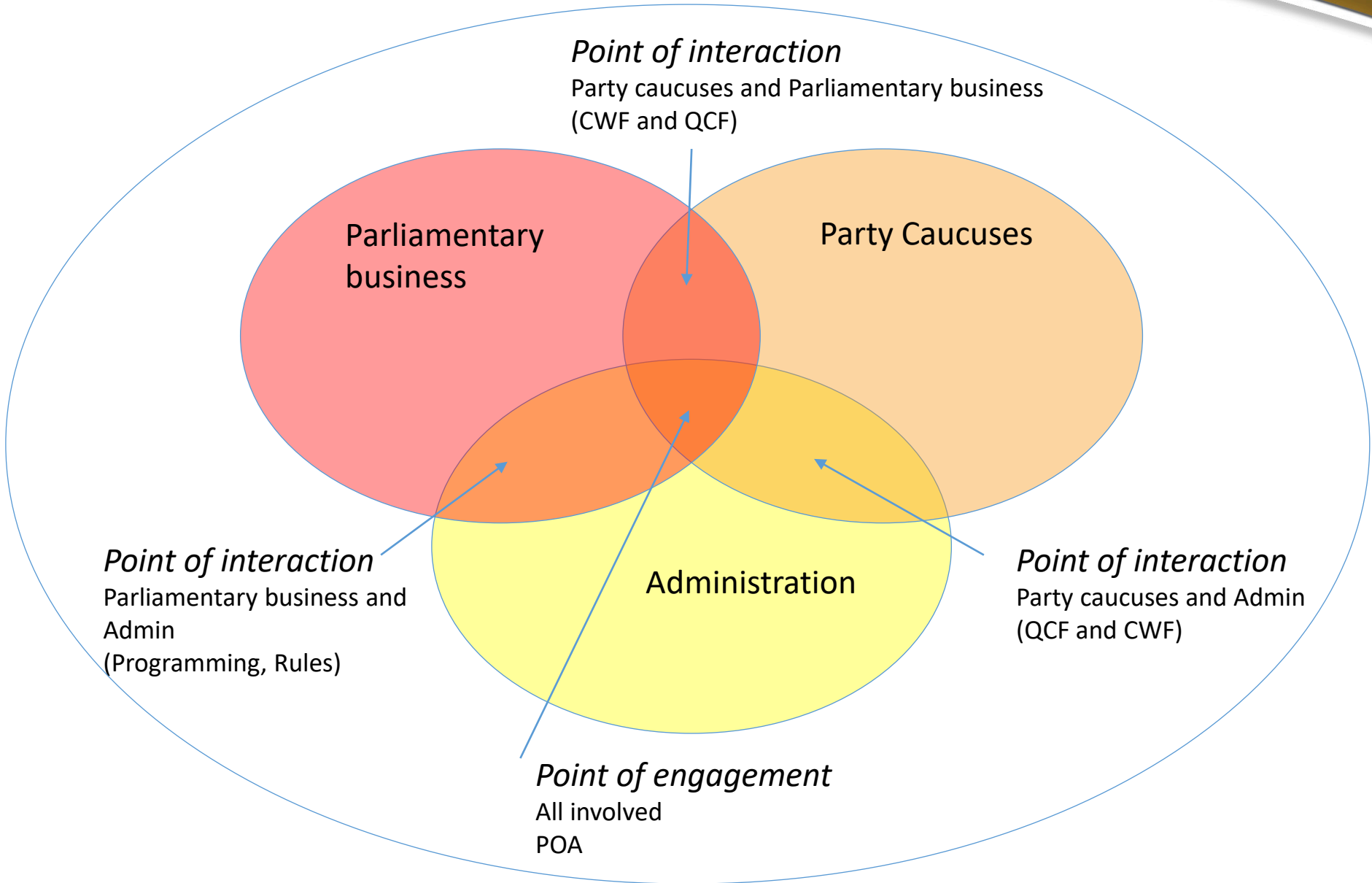
## Group 3 – Strategic planning session





# BACKGROUND

- Chapter 4 of the Constitution sets out the following in respect of Parliament:
  - Structure-Two houses and their Committees
  - Function of the Institution in the country's constitutional scheme
  - Key processes
  - Power and authority



*Point of interaction*

Party caucuses and Parliamentary business  
(CWF and QCF)

Parliamentary  
business

Party Caucuses

*Point of interaction*

Parliamentary business and  
Admin  
(Programming, Rules)

Administration

*Point of interaction*

Party caucuses and Admin  
(QCF and CWF)

*Point of engagement*

All involved  
POA

# Membership

- Section 47 of the Constitution deals with membership to the Assembly
- Every citizen who is qualified to vote for the National Assembly is eligible to be a member of the Assembly
- Exceptions:
  - ❖ Unrehabilitated insolvents.
  - ❖ People to be declared of unsound by a court of the Republic
  - ❖ Anyone sentenced to to more than 12 months imprisonment without the option of a fine
- The constitution is silent on other requirements

# Public debate about MPs Qualifications

- There is public debate about whether or not MPs should have tertiary qualifications.
- There are two opposing views, one in favour of stipulating minimum academic qualifications MPs should have and the other not in favour.

# Cont.

- Those **in favour** suggests that MPs deal with technical matters in their portfolios and that tertiary qualifications will assist them to quickly become familiar with the issues quickly.
- This will make them more effective and may improve the achievements of the legislatures.
- The **opposing views**: Qualifications may exclude the participations of citizens in democracy.

# Cont.

- Only the rich and educated will be public representatives.
- To be a public representative, a deep sense of care for others and the courage to advocate for them is what is key.
- Currently the position articulated in the Constitution holds.



# POSSIBILITY OF RPL PRACTICES

- RPL is an underutilised and undervalued process
- The need for redress is still felt among sections of our society
- Given that the MPs and MPLs are a microcosm of this society, it follows that some of them will have this need.
- MP turnover suggests that Parliament and the Legislatures are likely to have new members at the beginning of each term.
- Given the challenges of the society they represent them, some of them are more likely to be reflective of this society.

# POSSIBILITY OF RPL PRACTICES

- RPL has been implemented in the institution for MPs.
- The process was quite demanding of MPs even though the Facilitator offered a lot of support
- Our experience suggests that there is a need to get buy-in and support from, inter alia, Chief Whips
- The process should be individualised to enable the development of trust between the MPs and the other role-players such as external facilitators, the Administration, etc.
- Confidentiality is very important.