



PRACTICAL GUIDE

for Members of Parliament and Provincial Legislatures

Law-making | Oversight | Diplomacy and Protocol



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PRACTICAL GUIDE

for Members of Parliament and Provincial Legislatures

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PRACTICAL GUIDE 1 : Members and Law-making

PRACTICAL GUIDE ON LAW-MAKING

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1. PURPOSE OF THE GUIDE

The purpose of the Guide is to provide Members of Parliament and Provincial Legislatures with a quick reference guide to key principles and elements of the law making processes as well as the fundamental role of Members of Parliament and Provincial Legislatures in the law making processes.

2. DEFINITION, PURPOSE AND TYPES OF BILLS

What is a Bill?

A Bill is a proposed new law, or draft law, which has not yet been passed by Parliament or a Provincial Legislature.

What is the purpose of a Bill?

A Bill or law is a piece of legislation that has been drafted to equalise or establish standards, maintain order, resolve disputes and protect rights of citizens. Members of Parliament and Provincial Legislatures play a vital role in this process. The general purpose of a Bill is to improve or fix any problem that might emerge in a state.

When does a Bill become law?

A Bill becomes an Act or law after it has been passed by Legislature, signed into law by the President and published in the Government Gazette.

- An Act passed by a Provincial Legislature is known as provincial legislation (law).
- An Act passed by Parliament is known as national legislation.

What is an Amendment Bill?

An Amendment Bill is a Bill that proposes changes to an existing law called the Principal Act.

2.1 Who may introduce a Bill?

A Bill may be introduced by:

- a Member of the Executive (Minister or MEC) responsible for the portfolio to which the Bill relates;
- a committee, or
- an individual member.

However, only the Minister or an MEC responsible for financial matters may introduce a Money Bill.

2.2 What is a Money Bill?

A Money Bill is a Bill allocating public money for a particular purpose or imposing taxes, levies or duties. This Bill can only be introduced by the Minister of Finance or the MEC responsible for finance.

Can I introduce a Bill in any subject matter or are there restrictions?

The Constitution prescribes the areas in which Parliament, Provincial Legislatures or Municipal Councils may legislate. These legislative areas are provided for in Schedule 4 and 5 of the Constitution. In addition to the legislative areas referred to above, Parliament may also legislate on areas that are not specifically mentioned in the schedules. This is called plenary legislative authority.

What are the various types of Bills that are considered by Parliament or Provincial Legislatures and who determines the category to which the Bill falls?

The procedure of classifying Bills in Parliament is known as “**Tagging**”.

In Parliament, Bills are classified by the Speaker of the National Assembly and the Chairperson of the National Council of Provinces. Together they are referred to as **Joint Tagging Mechanism**. The classification of the Bill is important because it determines the constitutional procedure that will be followed when such a Bill is considered. The following are types of Bills:

- Bills amending the Constitution (section 74)
- Ordinary Bills not affecting provinces (section 75)
- Ordinary Bills affecting provinces and (section 76)
- Money Bills (section 77)

Note: Tagging does not apply to Provincial Bills except for Money Bills.

2.3 What is my role as a Member of Parliament or Provincial Legislature in the processing of a Bill?

The following responsibilities may be exercised by a member with respect to the development and processing of a legislation:

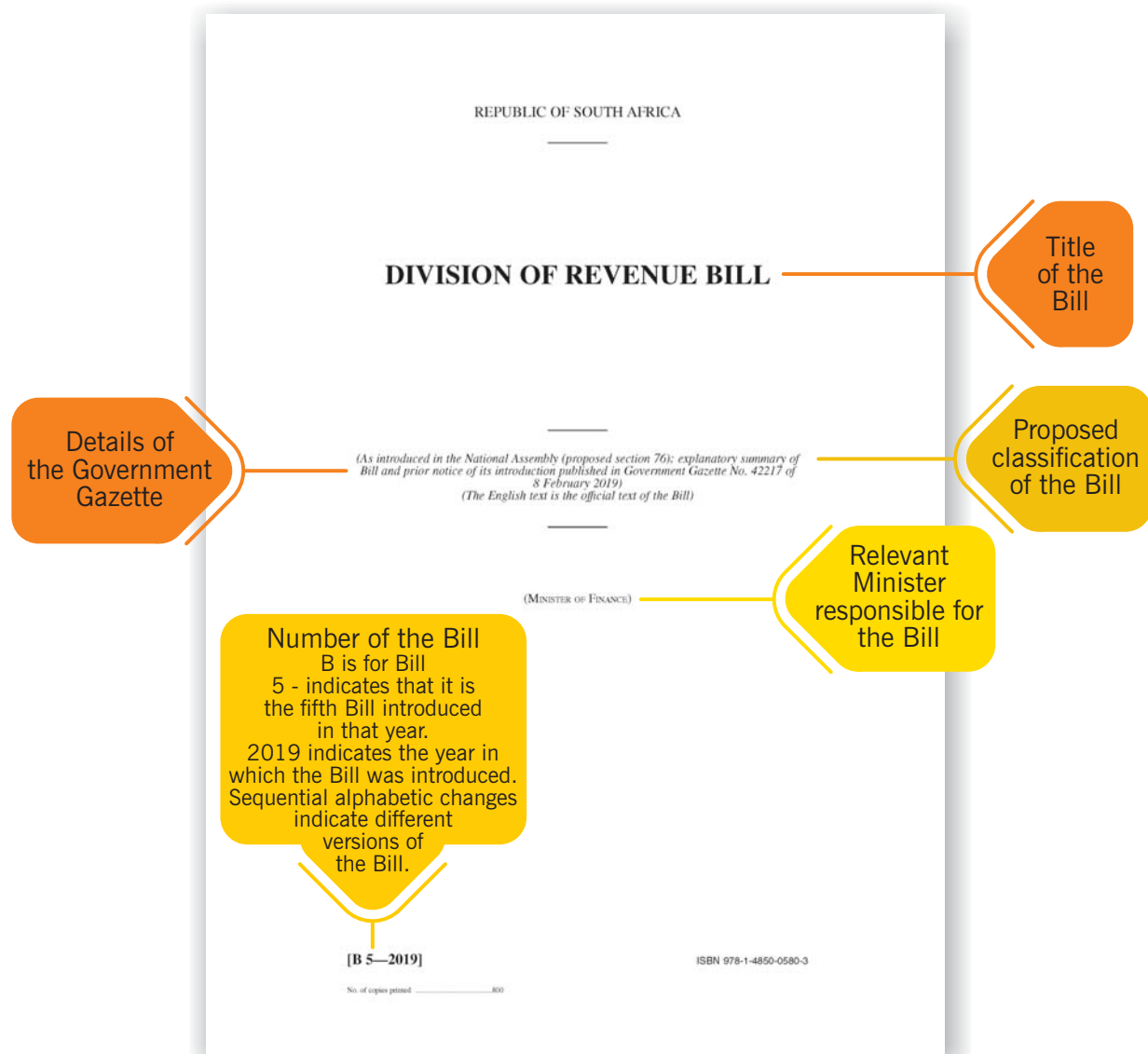
- Identify a legislative gap and therefore introduce the Bill to deal with the gap;
- Participate in the processing of the Bill at a committee stage and interrogate the related department on the policy underlining the Bill;
- Interact with the members of the public from one's constituency and solicit their views which may be canvassed during the processing of the Bill;
- Present the Bill to the public during the public involvement processes;

- Propose amendments to a Bill; and
- Participate in debates when the Bill is considered by the House.
- Monitor its implementation and use it as a tool for oversight once it becomes an Act.

2.4 Is there a prescribed format or structure of a Bill?

A Bill follows a particular format in terms of the conventions and practices of legislative drafting. An example of the format and structure of a Bill is included below:

3. STRUCTURE OF A BILL



BILL

To provide for the equitable division of revenue raised nationally among the national, provincial and local spheres of government for the 2019/20 financial year, the determination of each province's equitable share and allocations to provinces, local government and municipalities from national government's equitable share and the responsibilities of all three spheres pursuant to such division and allocations; and to provide for matters connected therewith.

Long
Title

Preamble

PREAMBLE

WHEREAS section 214(1) of the Constitution of the Republic of South Africa, 1996, requires an Act of Parliament to provide for—

- (a) the equitable division of revenue raised nationally among the national, provincial and local spheres of government;
- (b) the determination of each province's equitable share of the provincial share of that revenue; and
- (c) any other allocations to provinces, local government or municipalities from the national government's share of that revenue, and any conditions on which those allocations may be made;

WHEREAS section 7(3) of the Money Bills and Related Matters Act, 2009 (Act No. 9 of 2009), requires the introduction of the Division of Revenue Bill at the same time as the Appropriation Bill is introduced,

Enacting
provision

BE IT THEREFORE ENACTED by the Parliament of the Republic of South Africa, as follows:—

ARRANGEMENT OF SECTIONS

Sections

CHAPTER 1

5

INTERPRETATION AND OBJECTS OF ACT

1. Interpretation
2. Objects of Act

CHAPTER 2

EQUITABLE SHARE ALLOCATIONS

10

3. Equitable division of revenue raised nationally among spheres of government
4. Equitable division of provincial share among provinces
5. Equitable division of local government share among municipalities
6. Shortfalls and excess revenue

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CHAPTER 1

INTERPRETATION AND OBJECTS OF ACT

Interpretation

1. (1) In this Act, unless the context indicates otherwise, any word or expression to which a meaning has been assigned in the Public Finance Management Act or the Municipal Finance Management Act has the meaning assigned to it in the Act in question, and— 5

“**accreditation**” means accreditation of a municipality, in terms of section 10(2) of the Housing Act, 1997 (Act No. 107 of 1997), to administer national housing programmes, read with Part 3 of the National Housing Code, 2009 (Financial Interventions: Accreditation of Municipalities); 10

“**allocation**” means the equitable share allocation to the national sphere of government in Schedule 1, a province in Schedule 2 or a municipality in Schedule 3, or a conditional allocation;

“**category A, B or C municipality**” means a category A, B or C municipality envisaged in section 155(1) of the Constitution; 15

“**conditional allocation**” means an allocation to a province or municipality from the national government’s share of revenue raised nationally, envisaged in section 214(1)(c) of the Constitution, as set out in Schedule 4, 5, 6 or 7;

“**Constitution**” means the Constitution of the Republic of South Africa, 1996; 20

“**corporation for public deposits account**” means a bank account of the Provincial Revenue Fund held with the Corporation for Public Deposits, established by the Corporation for Public Deposits Act, 1984 (Act No. 46 of 1984);

“**declared disaster**” means a national, provincial or local state of disaster declared in terms of section 27, 41 or 55 of the Disaster Management Act, 2002 (Act No. 57 of 2002); 25

Definitions/
Interpretation

Shortfalls and excess revenue

6. (1) If the actual revenue raised nationally in respect of the 2019/20 financial year falls short of the anticipated revenue set out in Column A of Schedule 1, the national government bears the shortfall. 15

(2) If the actual revenue raised nationally in respect of the 2019/20 financial year exceeds the anticipated revenue set out in Column A of Schedule 1, the excess accrues to the national government, and may be used to reduce borrowing or pay debt as part of its share of revenue raised nationally. 20

(3) A portion of national government’s equitable share or excess revenue envisaged in subsection (2), may be appropriated through the applicable legislation envisaged in section 12 of the Money Bills and Related Matters Act, 2009 (Act No. 9 of 2009), to make further allocations to—

(a) national departments; or

(b) provinces or municipalities. 25

Clauses

Repeal of laws and savings

38. (1) Subject to subsection (2)—
- (a) the Division of Revenue Act, 2018 (Act No. 1 of 2018), except sections 16 and 26, is hereby repealed;
 - (b) sections 16 and 26 of the Division of Revenue Act, 2018, is hereby repealed with effect from 1 July 2019 or the date that this Act takes effect, whichever is the later date; and
 - (c) the Division of Revenue Amendment Act, 2018 (Act No. 14 of 2018), is hereby repealed.
- (2) Any repeal referred to in subsection (1), does not affect—
- (a) any duty to be performed in terms of any provision of an Act referred to in subsection (1) after the end of the 2019/20 financial year; and
 - (b) any obligation in terms of any provision of an Act referred to in subsection (1), the execution of which is outstanding.
- (3) Any framework published in terms of section 16 of the Division of Revenue Act, 2018, as amended in terms of section 16 or 26 of that Act, applies to funds of a conditional allocation approved for roll-over in terms of section 22(2) of that Act, if that conditional allocation does not continue to exist in terms of this Act.

Short title and commencement

39. This Act is called the Division of Revenue Act, 2019, and takes effect on 1 April 2019 or the date of publication in the *Gazette*, whichever is the later date.

Short title
of the Bill

Schedule
of the Bill

SCHEDULE 1

EQUITABLE DIVISION OF REVENUE RAISED NATIONALLY AMONG THE THREE SPHERES OF GOVERNMENT

Spheres of Government	Column A	Column B	
	2019/20	Forward Estimates	
		2020/21	2021/22
	R'000	R'000	R'000
National ^{1,2}	1 084 180 207	1 150 974 279	1 239 678 123
Provincial	505 553 753	542 908 577	578 645 170
Local	68 973 465	75 683 326	82 161 819
TOTAL	1 658 707 425	1 769 566 182	1 900 485 112

1. National share includes conditional allocations to provincial and local spheres, general fuel levy sharing with metropolitan municipalities, debt-service costs, the contingency reserve and provisional allocations

2. The direct charges for the provincial equitable share are netted out

MEMORANDUM ON THE OBJECTS OF THE DIVISION OF REVENUE BILL

Memorandum
of the Bill

1. BACKGROUND

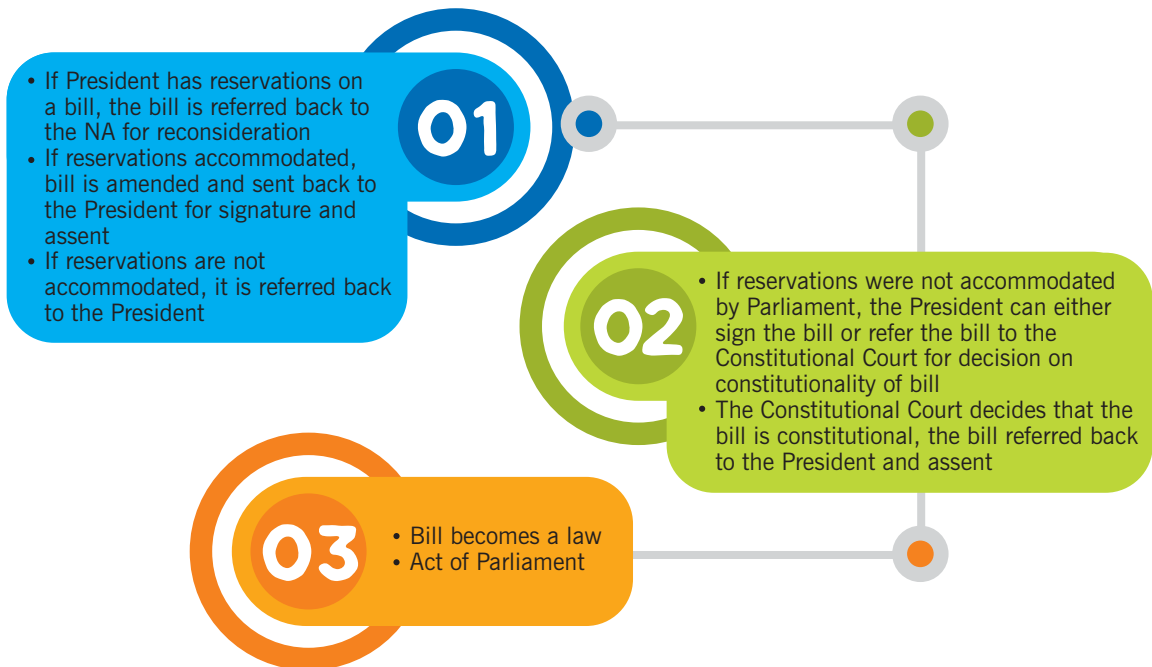
- 1.1 Section 214(1) of the Constitution of the Republic of South Africa, 1996, ("the Constitution") requires that an Act of Parliament must provide for—
- (a) the equitable division of revenue raised nationally among the national, provincial and local spheres of government;
 - (b) the determination of each province's equitable share of the provincial share of that revenue; and
 - (c) any other allocations to provinces, local government or municipalities from the national government's share of that revenue, and for any conditions on which those allocations may be made.
- 1.2 Section 10 of the Intergovernmental Fiscal Relations Act, 1997 (Act No. 97 of 1997), requires that, as part of the process of the enactment of the Act of Parliament referred to in paragraph 1.1, each year when the annual budget is introduced, the Minister of Finance must introduce in the National Assembly a Division of Revenue Bill ("the Bill") for the financial year to which that budget relates.

4. LEGISLATIVE PROCESS

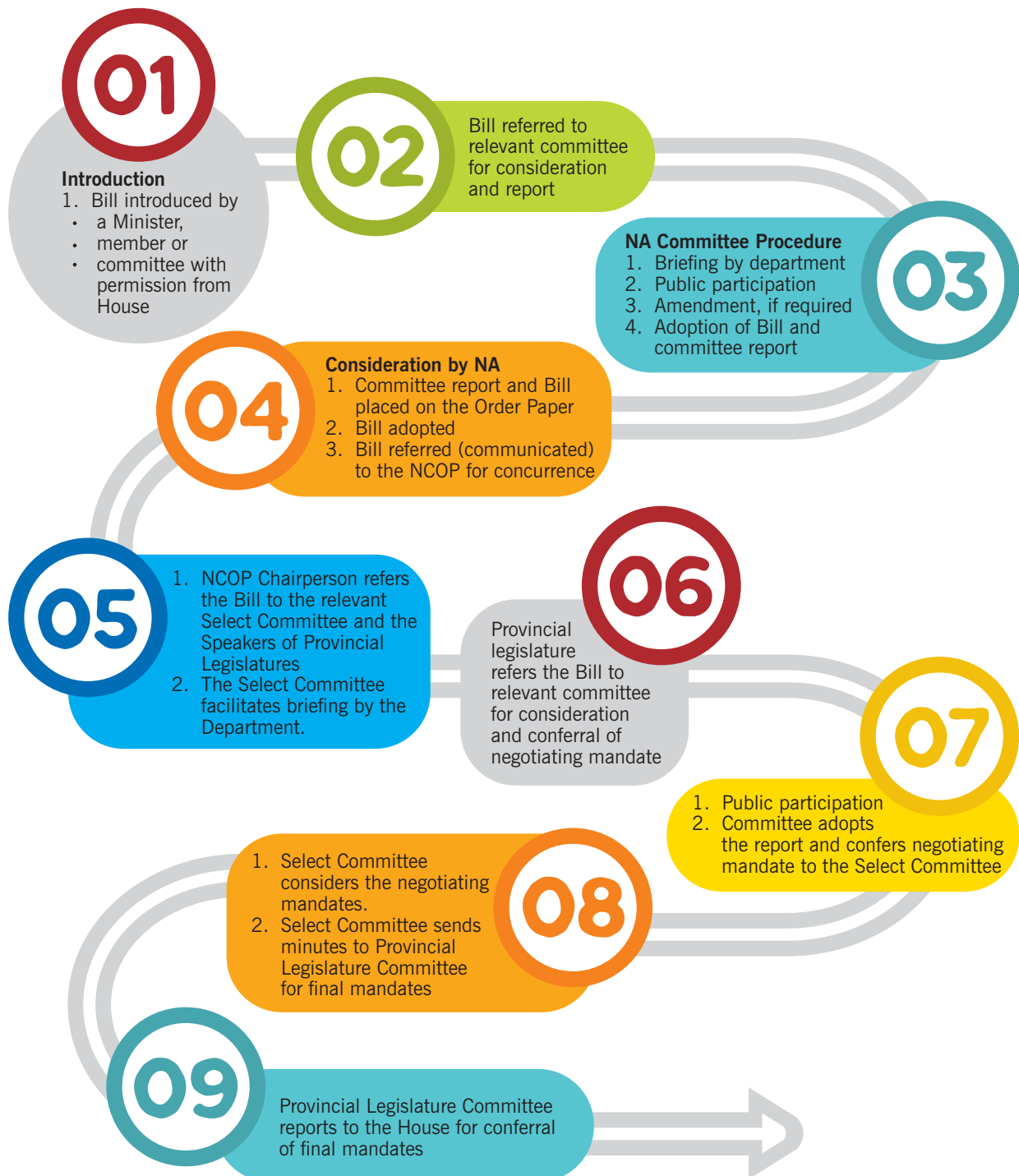
4.1 Bills not affecting provinces – section 75



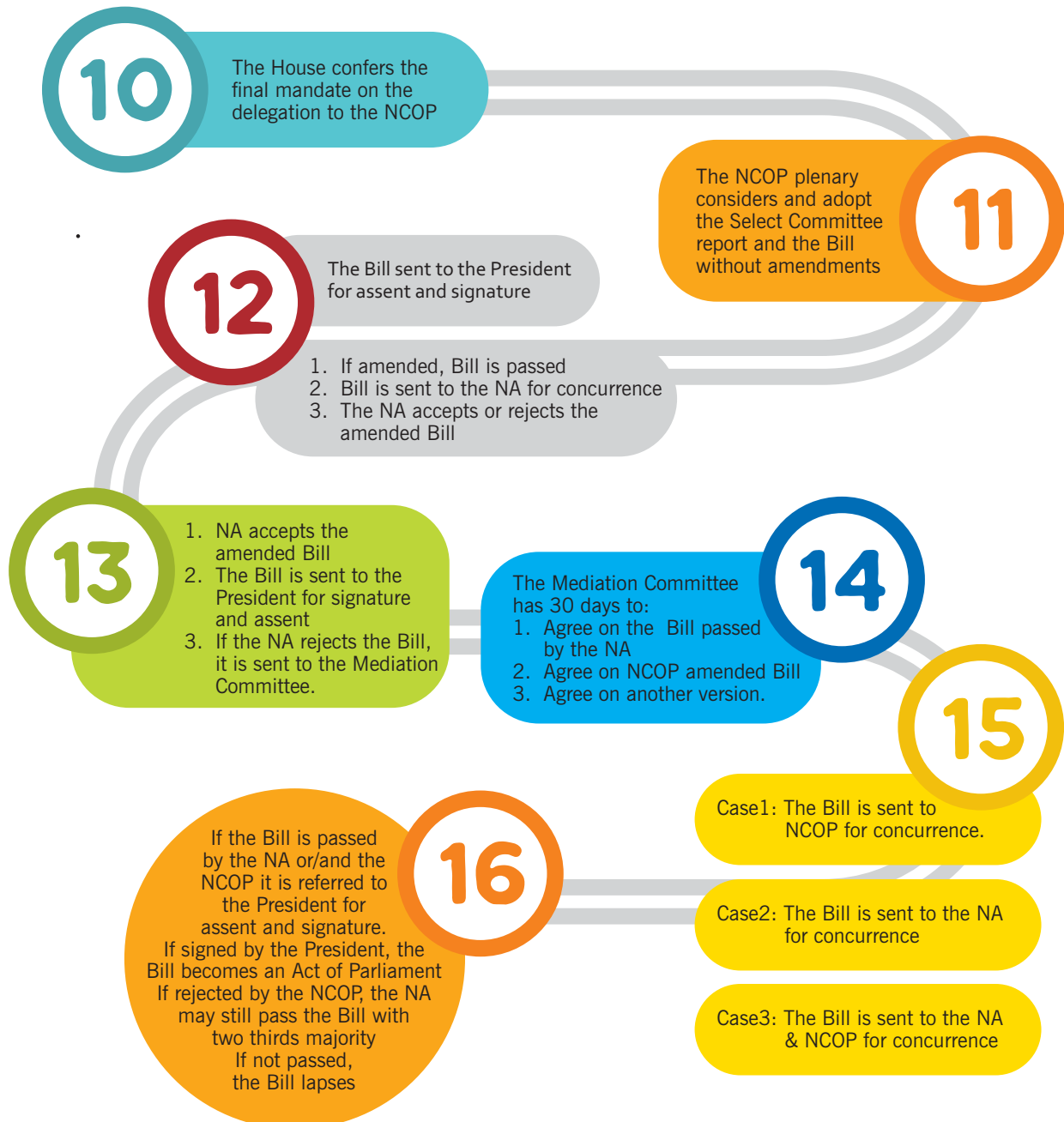
Process before the President



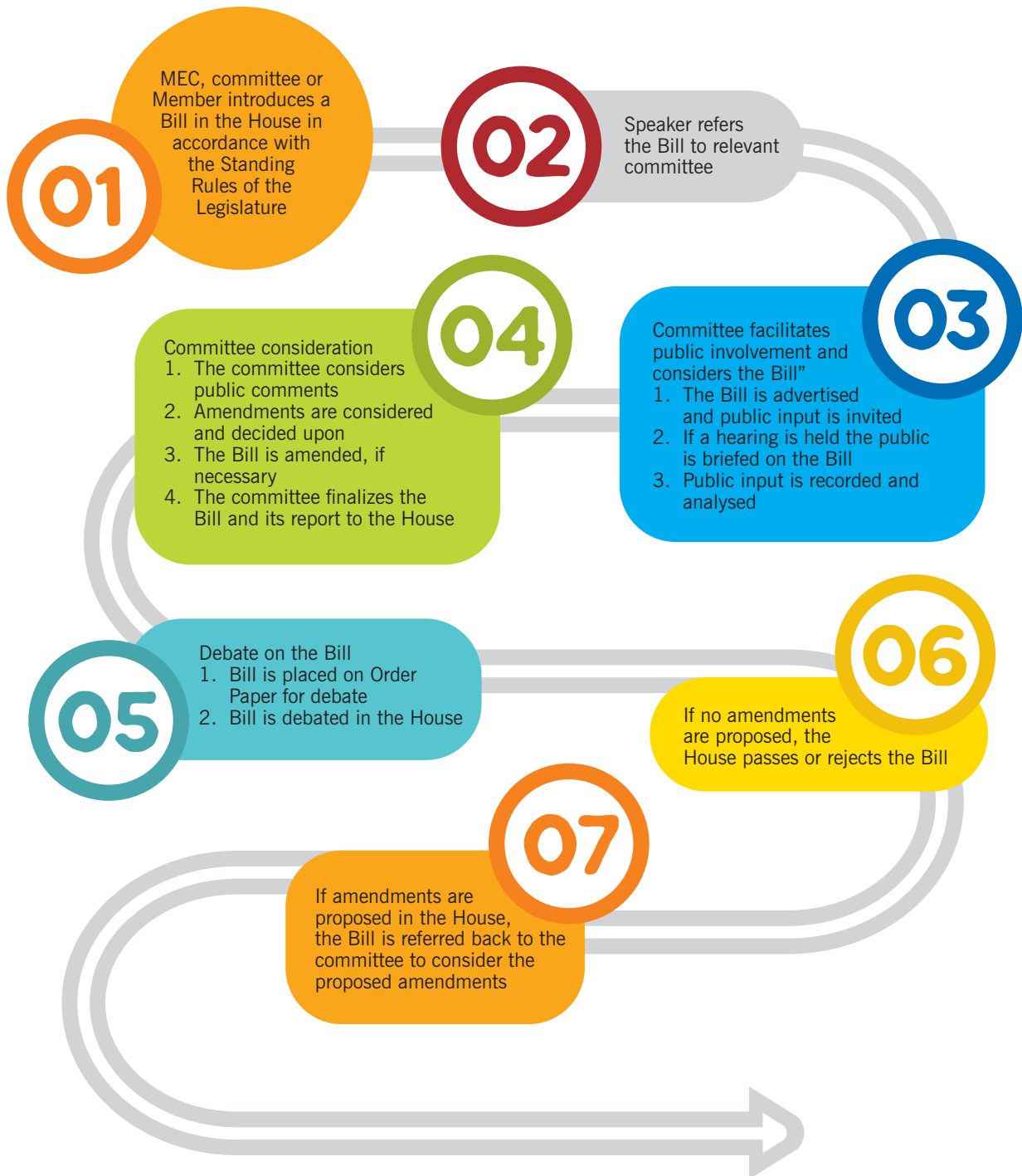
4.2 Bills Affecting Provinces – Section 76



4.2 Bills Affecting Provinces – Section 76 (continued)



4.3 General Procedure for Provincial Bills



4.3 General Procedure for Provincial Bills (continued)



5. FACILITATION OF PUBLIC INVOLVEMENT IN LAW-MAKING PROCESS

The previous graphic representation illustrates, among others, that the Constitution requires the legislative sector at all spheres to facilitate public involvement in the law making processes. The obligation is imposed on individual legislatures. The courts have handed down several judgements where it was left to the individual legislatures to determine how to facilitate public involvement in the law making process. There are many judgements in which the Constitutional Court have held that failure to facilitate public involvement results in the subsequent law being declared unconstitutional. As a result of the judgement in *Land Access Movement of South Africa and Others v Chairperson of the National Council of Provinces and Others*, the Legislative Sector developed some guidelines to be followed in determining whether the Legislature has facilitated sufficient public involvement. Although the Constitutional Court dealt mainly with Bills affecting provinces, the following guidelines apply with the necessary changes required by the context to Bills not affecting provinces.

6. PUBLIC INVOLVEMENT GUIDELINES

Bills Affecting Provinces – Section 76 Bills

- All Bills received by the National Council of Provinces must be widely advertised either on print or electronic or social media or in all those platforms.
- Bills summaries must be compiled in at least three languages spoken in a particular province.
- The National Council of Provinces must determine whether a Bill requires public hearings.
- If yes, the advertisement must indicate that public hearings will take place in the provinces.
- Permanent delegates who are members of the Select Committee to which the Bill was referred must attend the public hearings.
- All negotiating mandates must be accompanied by reports detailing comments from the public.
- Each proposed amendment by a provincial legislature must be considered in detail and decided on
- A Select Committee must ensure that all provincial legislatures submit negotiating mandates and final mandates
- All final mandates must be considered in detail and decided on.
- The Chairperson of the National Council of Provinces must consider and grant all the requests for the extension of a six week cycle (Rule 240(3)).

Provincial Legislatures

- The Chairperson of the National Council of Provinces must immediately refer a Bill to the provincial legislatures in terms of Rule 166 of the Rules.

- Provincial Legislatures must, immediately upon receipt, widely advertise the Bill for public comment and hearings
- The advertisement must indicate, in sufficient details, the date, time and venue of the hearings.
- A Provincial Legislature must advertise and conduct public hearings in areas most likely to be affected by the Bill.
- The advertisement must indicate where the Bill may be obtained and, in sufficient detail, provide any other information relevant to the hearings.
- The advertisement must give the public at least 7 working days' notice of the public hearings.
- The advertisement must give the public at least 7 working days within which to submit comments.
- The programme of a Select Committee must be determined after consultation with a relevant committee of a Provincial Legislature.
- The programme must take into consideration the importance and the complexity of a Bill.
- Where a Provincial Legislature, for any other reason, is unable to comply with a sixweek cycle (Rule 240(3)), it must request extension from the Chairperson.

7. THE ROLE OF ADMINISTRATION

Committee Section

Committee Administration must:

- (a) anticipate all Bills likely to be transmitted to the National Council of Provinces;
- (b) propose programmes for such Bills;
- (c) once transmitted, cause the Bills to be transmitted to the Provincial Legislatures;
- (d) ensure that all negotiating mandates are accompanied by reports of public hearings or submissions or any other relevant information;
- (e) ensure that a Select Committee has before it all final mandates;
- (f) compile, in sufficient detail quality minutes of the proceedings on the Bills within 3 days of the meeting;
- (g) compile quality reports on the consideration of the Bill indicating the proposed amendments, if any, agreed to or rejected by the Select Committee and the reasons for such as required by Rule 171(2)(b) of the Rules (the report that “having considered the Bill, the committee reports the Bill with or without amendment” shall no longer be sufficient);
- (h) compile quality reports that complies with all other requirements of Rules 171 and 172 of the Rules; and
- (i) to provide overall quality content support to the Select Committees on the Bills before them.

Public Education Office/Parliamentary Democracy Offices must, together with the Provincial Legislatures and after consulting Committee Administration:

- (a) design public education programme;
- (b) mobilise the public in targeted areas;
- (c) provide material at least 10 days before a public hearing; and
- (d) educate the public on the Bill through workshops and other means at least seven days before a public hearing.

Where applicable, public education programmes must be co-ordinated through the Parliamentary Democracy Office.

Procedural and Legal Services

Procedural Service must:

- (a) advise on whether, considering its importance and complexity, six weeks will be sufficient for the consideration of a Bill; and
- (b) advise on the requirements of the Mandating Procedures of Provincial Legislatures Act and the Rules.

Language Services must translate Bills and provide translation and interpretation services for public participation processes of the Legislatures.

Research Services and Information Services must provide relevant information and research support to the Committee Select Committee, Committee Administration, Public Education Section and any other relevant authority.

Bills Not Affecting Provinces – Section 75 Bills

The practice note applies with necessary alterations to Bills not affecting provinces.

NOTES

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.



PRACTICAL GUIDE 2: Members and Oversight

PRACTICAL GUIDE ON OVERSIGHT AND ACCOUNTABILITY

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1. PURPOSE OF THE GUIDE ON OVERSIGHT AND ACCOUNTABILITY

The purpose of the Guide is to provide Members of Parliament and Provincial Legislatures with a quick reference guide to key principles and elements of oversight and accountability as well as the fundamental role of Members of Parliament and Provincial Legislatures in ensuring effective oversight and accountability. The Guide also refers to facilitation of public participation in oversight.

2. THE INTER-RELATEDNESS OF OVERSIGHT, LAW-MAKING AND PUBLIC PARTICIPATION

South Africa's democracy is participatory and representative in nature, as public representatives it is important for MPs/MPLs to ensure that they make representation of the people possible. The legislature processes must also ensure that the people participate and are represented in the law making and oversight processes. Openness and accessibility of the legislature must ensure that the views of the people are heard and considered in law making and oversight. This process leads to deepened participatory democracy.



3. THE OVERSIGHT AND ACCOUNTABILITY RELATIONSHIP

The oversight and accountability relationship between the legislative sector and the executive revolves around the Constitutional responsibilities that are intended to facilitate the delivery of services to the people of South Africa, on the basis of the illustration below. The relationship is based on the achievement of the NDP by the executive and continuous assessment of government effectiveness and efficiency through the steps that are depicted below.



4. THE OVERSIGHT CYCLE

The Oversight cycle depicted below represents how a legislature conducts oversight over the work of government. The diagram highlights the different types of oversight mechanisms that are conducted during different times of the year. It is important for legislatures and committees to ensure that their plans include the oversight cycle. Legislatures and committees may have other oversight mechanisms, in addition to those that are contained in this oversight cycle.



4.1 SONA/SOPA

What is this process about?

The SONA/SOPA are important processes for oversight by a legislature. This process starts the oversight process, by setting out commitments that Government intends to achieve for the upcoming year. Country commitments and Provincial priorities, that are informed by policy priorities in Macroeconomic and development policies must be contained in the SONA/SOPA.

What is the significance for oversight?

SONA/SOPA set the tone for oversight for Legislatures. Legislatures use this process to identify matters that government will deliver in the given year. At this point portfolios are able to identify principle government policy intentions that are relevant for their oversight. The oversight role of the legislature must ensure that all the plans and budget allocations of government are aligned to the SONA/SOPA. This means that the purpose of oversight is to ensure that what is set out in the SONA/SOPA is included in department plans and budgets.

It is important for the legislature to ensure that the SONA/SOPA are aligned to policy priorities as set out in the NDP, Agenda 2063, SADC Masterplan and SDGs.

What are my MP/MPL Responsibilities?

MP/MPLs (Members) **are required to scrutinise the SONA/SOPA** to ensure that these are aligned to policy priorities. The debates on SONA/SOPA present an opportunity for Members to raise policy questions on whether the SONA/SOPA properly captures the intentions of policy priorities as set out in the NDP, Agenda 2063, SADC Masterplan and SDGs.

Members must **satisfy themselves that the alignment is achieved**, because if there is no alignment at this point, there is a higher risk that all government plans and budgets will not be aligned to policy priorities.

Members must **read the SONA/SOPA speech in comparison to policy documents** to assess the required alignment.

What are my key source documents?

The following are important source documents for Members to consider:

- **NDP; SADC Masterplan; Agenda 2063 and SDGs;**
- **Medium Term Strategic Framework (MTSF 2019 – 2024); and**
- **SONA/SOPA Speech.**

What administrative support can I expect?

Members and Committees will receive the following content support:

- Budget Information Matrix (BIMS – specific to portfolio)
- Public involvement plan for SONA/SOPA.

How do I represent the interest of people?

Members must be in constant contact with the people

4.2 SONA/SOPA Debate

What is this process about?

The SONA/SOPA debate are important processes for oversight by a legislature. This process enables legislatures and Members **to question and get clarity** of the SONA/SOPA as presented by the President/Premier.

What is the significance for oversight?

Legislatures use this process **to identify priorities that may not be contained in government plans** for the period, in view of policy priorities in the NDP, MTSF and others. The debate must assist the President/Premier **to address alignment shortcomings, in preparation for budget allocations.**

What are my MP/MPL Responsibilities?

MP/MPLs (Members) **are required to scrutinise the SONA/SOPA** and related documents and prepare for the debate. The debates on SONA/SOPA present an opportunity for Members to raise policy questions on whether the SONA/SOPA properly captures the intentions of policy priorities as set out in the NDP, Agenda 2063, SADC Masterplan and SDGs.

Members must **satisfy themselves that the alignment is achieved**, because if there is no alignment at this point, there is a higher risk that all government plans and budgets will not be aligned to policy priorities.

Members must **read the SONA/SOPA speech in comparison to policy documents** to assess the required alignment, in preparation for the debate.

What are my key source documents?

The following are important source documents for Members to consider:

- **NDP; SADC Masterplan; Agenda 2063 and SDGs;**
- **Medium Term Strategic Framework (MTSF 2019 – 2024); and**
- **SONA/SOPA Speech.**

What administrative support can I expect?

Members and Committees will receive the following content support:

- Budget Information Matrix (BIMS – specific to portfolio).
- Annual reports of previous years.
- Finance Fiscal Commission reports.
- Public involvement plan for SONA/SOPA.
- Reports from relevant institutions supporting democracy.

How do I represent the interests of the people?

MPs/MPLs should highlight community concerns that they are aware of and indicate whether they are adequately addressed in the SONA/SOPA

4.3 Tabling of strategic plans, annual performance plans and budgets of departments

What is this process about?

This process follows on the conclusion of SONA/SOPA where Departments must submit their strategic and annual performance plans to the legislature within the time specified in the PFMA.

What is the significance for oversight?

Legislatures use this process to enforce accountability over the departments for timeous submission of oversight information. **It is important for all departments to table these planning documents in time to ensure that when the budgets are processed, it is done on the basis of scrutinised plans.**

What are my MP/MPL Responsibilities?

Ordinary MPs/MPLs do not have a specific responsibility at this stage. The Speaker/Chairperson/ Presiding Officers **are required to monitor submission of these documents through their Table offices and Leader of Government Business, where applicable.**

What are my key source documents?

The following are important source documents for Members to consider:

- Tracking of submission lists;
- Announcements, Tablings and Committee Reports (ATC);

What administrative support can I expect?

Speaker/Chairperson/Presiding Officers will receive the following content support:

- **Tracking of submission lists;**
- **Announcements, Tablings and Committee Reports (ATC).**

How do I represent the interests of the people?

The timely submission of the department's planning and budget documents are critical for MPs/MPLs to adequately plan for public participation in committees when these documents are considered in the following quarter of the financial year.

4.4 Consideration of strategic plans, annual performance plans and budgets of departments

What is this process about?

This process follows on the submission and referral of these planning documents to relevant committees and takes the processes of government planning to a more practical level. Whereas the SONA/SOPA is higher level as it addresses matters of principle; strategic plans, annual performance plans and budget allocations provide detail. The process involves a detailed scrutiny of these planning documents and budgets.

What is the significance for oversight?

Legislatures use this process **to identify if priorities that are contained in SONA/SOPA** for the period, are reflected in the strategic plans and annual performance plans of departments. If this relationship or linkage between the SONA/SOPA and these plans exists, it means a department has achieved alignment. If the strategic plans and annual performance plans are not linked to the SONA/SOPA, there is a higher risk that the department will not perform towards attainment of SONA/SOPA priorities. This also means that the priorities as set out in the NDP, Medium Term Strategic Framework **MTSF** (5-year implementation plan) and other policy priorities will not be achieved. **It is important for Members to ensure that, in addition to planning for performance against what Departments exists for, Departments must also plan for implementation of all laws under their responsibility and implementation International agreements/conventions, where applicable.**

What are my MP/MPL Responsibilities?

MP/MPLs (Members) **are required to scrutinise the strategic plans and annual performance plans to assess if these plans are aligned to the SONA/SOPA and MTSF.** The assessment of these documents presents an oversight opportunity for Members and Committees to raise planning and budget allocation questions. This process should assist departments to plan and prioritise better.

Members must **satisfy themselves that the alignment is achieved**, because if there is no alignment at this point, there is a higher risk that government performance will not be aligned to policy priorities.

Members must **read the strategic plans in comparison to SONA/SOPA and MTSF** to assess the required alignment appropriate allocation of budget.

What are my key source documents?

The following are important source documents for Members to consider:

- **NDP; SADC Masterplan; Agenda 2063 and SDGs;**
- **Medium Term Strategic Framework (MTSF 2019 – 2024);**
- **SONA/SOPA Speech; and**
- **Strategic Plans and Annual Performance Plans of departments.**

What administrative support can I expect?

Members and Committees will receive the following content support:

- Budget Information Matrix (BIMS – specific to portfolio);
- Analysis of Strategic Plans, Annual Performance Plans and Budget allocations;
- Committee draft report on Budget Votes of departments;
- Public Participation and communication plans.

How do I represent the interests of the people?

- MPS/MPLs must develop and implement a public involvement plan, to ensure that the people participate meaningfully in this process, through the committees;
- MPs/MPLs must bring views of the people on matters related to the plans of government, and motivate for committee consideration of these matters and possible inclusion in committee reports.

4.5 Tabling and consideration of Budgets

What is this process about?

The **Minister/MEC** responsible for Finance **tables the National/Provincial Appropriation Bill** before the Legislature at the outset of every financial year (during the fourth quarter). At the provincial legislature, the first committee to deal with the Budget Statement is the **Finance Committee**, which conducts budget hearings with departments and formulates a report to the House.

The Finance Committee **scrutinizes government's proposed budget** for evidence of **prudent financial management standards**, consistency between the budget and desirable **policy priority objectives** and effective interdepartmental co-ordination.

Portfolio committees consider the **detail of the departmental budgets (Budget Votes)**, and formulate comprehensive reports to the House for debate. The process at Portfolio Committee level entails **detailed discussions** on the policy **priorities to be achieved, in relation to the planned outputs, to determine appropriate allocation of budget.**

The budget is debated and **approved/passed by the House** - the passing of the Appropriation Bill.

What is the significance for oversight?

Legislatures use this process **to ensure appropriate allocation of financial resources to fund agreed to strategic plans and annual performance plans. If priorities that are contained in strategic plans and annual performance plans** for the period are not allocated budget, the risk is higher that they will not be achieved. This process scrutinises the quality of budgets to ensure appropriate allocation of resources.

What are my MPs/MPLs Responsibilities?

MP/MPLs (Members) **are required to scrutinise the proposed budgets against strategic plans and annual performance plans to ensure that budgets are aligned to the MTSF, Strategic plans and annual performance plans.** The assessment of these documents presents an oversight opportunity for Members to raise planning and budget allocation questions, to ensure alignment.

Members must **satisfy themselves that the alignment is achieved.** If there is no alignment at this point, there is a higher risk that government performance will not be aligned to policy priorities.

Members must **read the strategic plans together with SONA/SOPA and MTSF** to assess the required alignment appropriate allocation of budget.

What are my key source documents?

The following are important source documents for Members to consider:

- **NDP; SADC Masterplan; Agenda 2063 and SDGs;**
- **Medium Term Strategic Framework (MTSF 2019 – 2024);**
- **SONA/SOPA Speech;**
- **Strategic Plans and Annual Performance Plans of departments; and**
- **Appropriation Bill.**
- **Financial and Fiscal Commission reports**

What administrative support can I expect?

Members and Committees will receive the following content support:

- **Budget Information Matrix (BIMS – specific to portfolio);**
- **Analysis of Strategic Plans and Annual Performance Plans and implementation plans;**

- Analysis of budgets, including budget votes;
- Public participation and communications plans.

How do I represent the interests of the people?

- MPs/MPLs must develop and implement a public involvement plan, to ensure that the people participate in the budget process;
- MPs/MPLs may highlight matters raised by the people in deliberation at committees and debate in the House.

4.6 Consideration of Quarterly performance reports

What is this process about?

Consideration of quarterly reports of departments is a process where legislatures **continuously scrutinise** the performance of departments **over the four quarters (three monthly)**. The process assesses the performance of departments against annual performance plans and allocated budgets. The focus is on ensuring that departments perform against planned quarterly targets, as set out in annual performance plans.

What is the significance for oversight?

To **ensure scrutiny of government performance against quarterly plans and in accordance with allocated budget for programmes and projects**. This enables legislatures to establish if the set government priorities are achieved as planned and budgeted in each quarter of the financial year. This ensures proactive oversight where performance within a quarter is important for the overall achievement of annual plans. This process assists government to perform at a time when performance was planned. The benefit is that the legislature has an opportunity of flagging areas of possible non-performance at an early stage and propose necessary corrective measures.

What are my MP/MPL responsibilities?

MP/MPLs (Members) **are required to scrutinise the quarterly reports to assess if reported government performance is aligned to the annual performance plans**. Scrutiny of quarterly reports presents an oversight opportunity for Members and Committees to continuously assess effectiveness and efficiency of government performance during the course of the financial year.

Members must **satisfy themselves that the reported quarterly performance by departments is against quarterly plans and in line with allocated budgets**. Non-performance in a particular quarter may indicate a risk of not achieving policy priorities over the year and MTSF.

Members must **read the quarterly reports together with annual performance plans and budget allocations** to assess the required performance against allocated budgets.

What are my key source documents?

The following are important source documents for Members to consider:

- **NDP; SADC Masterplan; Agenda 2063 and SDGs;**
- **Medium Term Strategic Framework (MTSF 2019 – 2024);**
- **SONA/SOPA Speech;**
- **Strategic Plans and Annual Performance Plans of departments;**
- **Budget votes analysis;**
- **Committee reports; and**
- **Quarterly reports.**

What administrative support can I expect?

Members and Committees will receive the following content support:

- Budget Information Matrix (BIMS – specific to portfolio);
- Analysis of quarterly report;
- Committee draft report on quarterly performance.
- Public participation and communications plan.

How do I represent the interests of the people?

- MPS/MPLs must develop and implement a public involvement plan, to ensure that the people participate meaningfully in this process, through the committees;
- MPs/MPLs must bring views of the people on matters related to the plans of government, and motivate for committee consideration of these matters and possible inclusion in committee reports.

4.7 Consideration of Annual Reports and Financial Statements

What is this process about?

Consideration of annual reports and financial statements of departments is a process where legislatures scrutinise the performance of departments over a financial year. The process assesses the performance of departments against strategic plans, annual performance plans and allocated budgets.

What is the significance for oversight?

The significance for oversight is to ensure scrutiny of government **audited** performance against plans and in accordance with allocated budget for programmes and projects of the previous financial year. This enables legislatures to establish if the set government priorities are achieved as planned and budgeted. At this point in the oversight cycle legislatures are in a better position to establish the **desired relationship between priorities, inputs and outputs**. In the medium to longer term the assessment will also establish achievement of **outcomes**. Simultaneous scrutiny of financial

statements assists the process of oversight to go beyond service delivery to include **financial management**.

What are my MP/MPL Responsibilities?

MP/MPLs (Members) **are required to scrutinise the annual reports and financial statements to assess if reported government performance is aligned to the MTSF, strategic plans and annual performance plans**. Scrutiny of annual reports and financial statements present an oversight opportunity for Members and Committees to do an **assessment on effectiveness and efficiency of government performance**.

Members must **satisfy themselves that the reported performance by departments is against plans and in line with allocated budgets**, because if there is no planned performance at this stage, there is a higher risk that government performance will not achieve policy priorities over the MTSF.

Members must **read the annual reports in comparison to SONA/SOPA, MTSF, strategic and annual performance plans, budget votes** to assess the required performance against allocated budgets.

What are the key Source Document(s)?

The following are important source documents for Members to consider:

- **NDP; SADC Masterplan; Agenda 2063 and SDGs;**
- **Medium Term Strategic Framework (MTSF 2019 – 2024);**
- **SONA/SOPA Speech;**
- **Strategic Plans and Annual Performance Plans of departments;**
- **Budget votes analyses;**
- **Auditor General reports;**
- **Committee reports on previous quarterly performance of departments; and**
- **Annual reports with financial statements;**

What administrative support can I expect?

Members and Committees will receive the following content support:

- Budget Information Matrix (BIMS – specific to portfolio);
- Analysis of annual report and financial statements;
- Any other independent verification of performance information, including from institutions supporting democracy;
- Committee draft report on annual performance;
- Public participation and communication plans.

4.8 Facilitation of Focused Intervention Studies (Oversight visits)

What is this process about?

Committees are encouraged to conduct focused intervention studies, at least twice a year, to verify performance of departments and to verify oversight information related to budget allocations and annual performance. The first FIS must be conducted after the budget process and the second one after the annual report process. Committees may include oversight visits as part of the FIS, depending on the requirements of the selected topic of Focused Intervention Study.

What is the significance for oversight?

This process enables committees to focus on matters that may not have been conclusively addressed during the budget and annual report processes. The processes enable committees to conduct site visits to verify performance information that is contained in performance reports of departments or raised by members of the public on service delivery matters. This process is significant for oversight as it provides an opportunity for committees to go beyond what is reported by departments.

What are my MP/MPL Responsibilities?

MP/MPLs are required to scrutinise the budget and annual report processes and identify possible areas of further investigation through FIS.

MPs/MPLs are required to participate in oversight visit when they are scheduled as part of the FIS.

What are the key Source Document(s)?

The following are important source documents for Members to consider:

- **Budget votes analyses;**
- **Auditor General reports;**
- **Available relevant research documents; and**
- **Committee reports on Budget and Annual Report Processes.**

What administrative support can I expect?

Members and Committees will receive the following content support:

- Budget Information Matrix (BIMS – specific to portfolio);
- Analyses of budget and annual report processes and possible FIS topics;
- Any other independent verification of performance information, including from institutions supporting democracy;
- Public participation and communication plans.

How do I represent the interests of the people?

- MPS/MPLs must develop and implement a public involvement plan, to ensure that the people participate meaningfully in this process, through the committees;
- MPs/MPLs must bring views of the people on matters related to the budget and annual reports processes for possible consideration as FIS topics.

4.9 Consideration of Budget Adjustments

What is this process about?

This process relates to adjustment of the original budget to make provision for unforeseen policy shift and any other unforeseen requirements of Government. The Minister/MEC may table an adjustments budget in the House as and when necessary. An adjustments budget may only provide for:

- adjustments required due to significant and unforeseeable economic and financial events affecting the fiscal targets set by the annual budget;
- unforeseeable and unavoidable expenditure recommended by the executive or any committee of members to whom this task has been assigned;
- money to be appropriated for expenditure already announced by the Minister/MEC during the tabling of the annual budget;
- the shifting of funds between and within votes or to follow the transfer of functions
- the utilisation of savings under a main division of a vote for the defrayment of excess expenditure under another main division of the same vote
- the roll-over of unspent funds from the preceding financial year.

What is the significance for oversight?

This process ensures that allocation of funds to government departments for unforeseen requirements remains within the control of the legislature. Within a financial year in October, expenditure that was not provided for in the original budget is approved by legislature. Such authorisation is contained in the relevant Adjustments Appropriation Act and Division of Revenue Amendment Act.

What are my MP/MPL responsibilities?

MP/MPLs (Members) **are required to scrutinise the quarterly reports to assess if reported government performance is aligned to the annual performance plans.** Scrutiny of quarterly reports present an oversight opportunity for Members and Committees to continuously assess effectiveness and efficiency of government performance during the course of the financial year.

- Members must **satisfy themselves that the reported quarterly performance by departments is against quarterly plans and in line with allocated budgets.** Non-performance in a particular quarter may indicate a risk of not achieving policy priorities over the year and MTSF.

Members must **read the quarterly reports together with annual performance plans and budget allocations** to assess the required performance against allocated budgets.

What are my key source documents?

The following are important source documents for Members to consider:

- **NDP; SADC Masterplan; Agenda 2063 and SDGs;**
- **Medium Term Strategic Framework (MTSF 2019 – 2024);**
- **Strategic Plans and Annual Performance Plans of departments;**
- **Budget votes analysis;**
- **Committee reports;**
- **Adjusted Appropriations;**
- **Adjusted Fiscal Framework (Medium Term Budget Policy Statement); and**
- **Adjusted Division of Revenue (National)**

What administrative support can I expect?

Members and Committees will receive the following content support:

- Budget Information Matrix (BIMS – specific to portfolio);
- Analysis of Adjusted Appropriations;
- Analysis of Adjusted Fiscal Framework (MTBPS);
- Analysis of Adjusted Division of Revenue;
- Committee draft report(s) on Budgets Adjustment processes; and
- Public participation and communications plan.

How do I represent the interests of the people?

- MPS/MPLs must develop and implement a public involvement plan, to ensure that the people participate meaningfully in this process, through the committees;
- MPs/MPLs must bring views of the people on matters relevant to adjustments, and motivate for committee consideration of these matters and possible inclusion in committee reports.

5. ACCOUNTABILITY IN THE HOUSE

5.1 Questions

What is this process about?

The procedure for putting questions to the Executive are one of the ways in which Parliament holds the Executive to account. Questions may be put for oral and written reply to the President, the Deputy President and Cabinet Ministers on matters for which they are responsible. The objective of questions is to obtain information and press for action.

The President may be asked questions about matters of national or international importance. These may include matters for which the Government is responsible, excluding matters for which a line Minister is directly responsible. Questions for oral reply relating to the Presidency must be directed to the Deputy President or the Minister in the Presidency.

The Premier may be asked questions about matters of provincial or international importance.

What is the significance for oversight?

This process enables Members to play their oversight role by posing these question to relevant portfolios. When Members of the Executive respond to those questions, in turn they are actually accounting to the legislature and the citizens at large on these matters.

It is important that question time be used to enable provinces to engage with the national Executive. Question time provides permanent delegates with the opportunity to question members of the Executive on issues of service delivery, policy and other executive action on behalf of their political parties and provinces.

What are my MP/MPL Responsibilities?

MP/MPLs are the ones that prepare and table questions and may ask follow questions related to that specific question.

What are the key Source Document(s)?

The following are important source documents for Members to consider:

- **Standing Rules of the House**
- **Budget votes analyses;**
- **Auditor General reports;**
- **Available relevant research documents; and**
- **Committee reports on Budget and Annual Report Processes.**
- **Processes.**

What administrative support can I expect?

Members and Committees will receive the following content support:

- Induction of Members on how to prepare and table Questions
- Assistance in compliance with the Rules and checking relevance
- Committee Reports to empower Members to look at specific areas where they can hold the Executive accountable – in playing their Oversight role

How do I represent the interests of the people?

- MPS/MPLs must exercise their powers to table Questions on matters of public importance and on issues that are of concern to their constituencies.

5.2 Motions

What is this process about?

Motions are to enable Members to table opinions that might include congratulatory remarks, messages of condolences and any other matter that might be of importance in the House, and these are normally called Motions without Notice.

The other type of Motions are Notices of Motion which might include matters relating to governance and they are debated in the House, for example a Member might move that in the next sitting the House debates the issue of corporal punishment in schools.

What is the significance for oversight?

The Notice of Motions are those motions that assist in holding the Executive accountable since the relevant Minister/MEC would be in the House and expected to respond to the debate and also answer follow up questions that members might pose to him/her.

What are my MP/MPL Responsibilities?

MP/MPLs are the ones that prepare and table the Motions and may ask follow questions in the House related to that specific Motion.

What are the key Source Document(s)?

The following are important source documents for Members to consider:

- **Standing Rules of the House**
- **Budget votes analyses;**
- **Auditor General reports;**
- **Available relevant research documents; and**
- **Committee reports on Budget and Annual Report Processes.**

What administrative support can I expect?

Members and Committees will receive the following content support:

- Induction of members on how to prepare and table Motions
- Assistance in compliance with the Rules
- Committee Reports to empower Members to look at specific areas where they can hold the Executive accountable – in playing their Oversight role

How do I represent the interests of the people?

- MPS/MPLs must exercise their powers to table Motions in the House on matters of public importance and on issues that of concern to their constituencies.

5.3 Statements

What is this process about?

Members' Statements: is the process where Members may make statements on any matter in the House, to which a Member of the Executive or Minister must respond. This provides Members an opportunity to raise topical issues for immediate response.

Statements by the Executive: A Member of the Executive may make a factual or policy statement relating to government policy on any executive action or other similar matter of which a Legislature should be informed. This allows for a snap debate on the matter at hand.

What is the significance for oversight?

Statements assist in holding the Executive accountable since facts or policy statements that are being tabled in the House have to deal with governance and the performance of a particular Ministry, thus it is also another oversight mechanism

What are my MP/MPL Responsibilities?

MP/MPLs are the ones that prepare and table the Statements and also the members of the Executive have a responsibility to table factual or policy statements related to governance.

What are the key Source Document(s)?

The following are important source documents for Members to consider:

- **Standing Rules of the House**
- **Budget votes analyses;**
- **Auditor General reports;**
- **Available relevant research documents; and**
- **Committee reports on Budget and Annual Report Processes.**

What administrative support can I expect?

Members and Committees will receive the following content support:

- Induction of members on how to prepare and table statements
- Assistance in compliance with the Rules
- Committee Reports to empower Members to look at specific areas where they can hold the Executive accountable – in playing their Oversight role

How do I represent the interests of the people?

- MPS/MPLs must exercise their powers to table statements in the House on matters of public importance and on issues that of concern to their constituencies. As for Members of the Executive, they make factual and policy statements.

5.4 Debates

What is this process about?

A Debate is a process that enables Members to deliberate on issues tabled before the House emanating from committee reports, questions, motions, statements and matters of public importance. A Member who opens the debate is in turn responsible to close the debate, unless the Rules indicate otherwise.

What is the significance for oversight?

Debates are mechanisms used to hold the Executive accountable by calling the attention of the House to present a matter for discussion. Some debates may not require the House to take a decision on a matter; whereas some are provoking the Executive to take action on a specific matter as well as fulfilling the Oversight function of the legislature.

What are my MP/MPL Responsibilities?

MP/MPLs are the ones that prepare, sponsor and participate in the debate.

What are the key Source Document(s)?

The following are important source documents for Members to consider:

- **Standing Rules of the House**
- **Budget votes analyses;**
- **Auditor General reports;**
- **Available relevant research documents; and**
- **Committee reports on Budget and Annual Report Processes.**

What administrative support can I expect?

Members and Committees will receive the following content support:

- Induction of Members on how to prepare and sponsor Debates
- Assistance in compliance with the Rules
- Committee Reports to empower Members to look at specific areas where they can hold the Executive accountable – in playing their Oversight role

How do I represent the interests of the people?

MPS/MPLs must exercise their powers to sponsor and participate in Debates in the House on matters of public importance and on issues that of concern to their constituencies.

NOTES

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PRACTICAL GUIDE 3:

Parliamentary Diplomacy and Protocol

PARLIAMENTARY DIPLOMACY AND PROTOCOL

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1. PURPOSE OF THE GUIDE

The purpose of the Guide is to provide Members of Parliament and Provincial Legislatures with a quick reference guide to key principles and elements of parliamentary diplomacy as well as protocol and etiquette, which is fundamental to the role of Members in the local and international parliamentary environment.

2. PARLIAMENTARY DIPLOMACY

2.1 What is parliamentary diplomacy?

'Parliamentary diplomacy' may be described as a dialogue with other parliaments about their role in democracy, governance and accountability.

Traditionally, the role of Parliament and Provincial Legislatures related to the international environment involves ratifying international agreements and treaties signed by the Executive as well as monitoring the implementation thereof.

2.2 Who are involved?

National Parliament and the nine Provincial Legislatures of South Africa (under the banner of the South African Legislative Sector) participate in international relations. As the national institution, Parliament formally represents the Legislative Sector in international relations and engagements. Where Parliament and the nine Provincial Legislatures participate in unison in multilateral platforms, the SA Legislative Sector delegation is led by Parliament.

3. WHY DO WE PARTICIPATE INTERNATIONALLY?

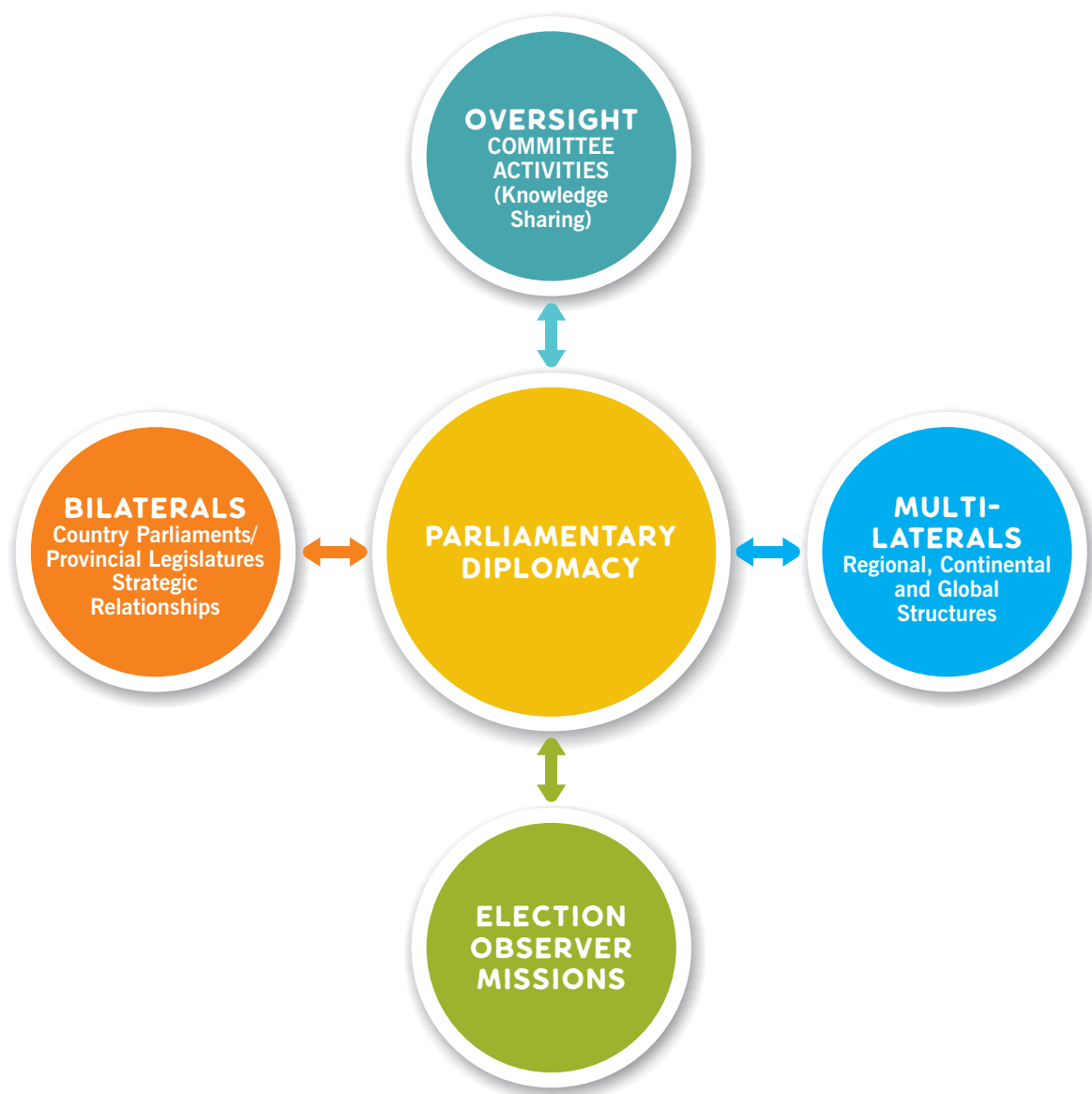
Parliament and Provincial Legislatures participate at international level and collaborate with the international parliamentary community to pursue South Africa's national interest as guided by the country's foreign policy and legislative sector-specific interests.

The policy priorities for South Africa's foreign policy are as follows:

- Consolidation of the African Agenda
- Strengthening South-South Co-operation
- Strengthening North-South Co-operation
- Participation in the global system of governance

4. ELEMENTS OF PARLIAMENTARY DIPLOMACY

Parliamentary diplomacy finds expression through bilateral engagements, multilateral engagements, inter-parliamentary engagements like twinning or friendship agreements aimed at co-operating on specific issues, political dialogue in conflict situations, election monitoring and observer missions, participation in development fora, and technical co-operation aimed at building institutional capacity.



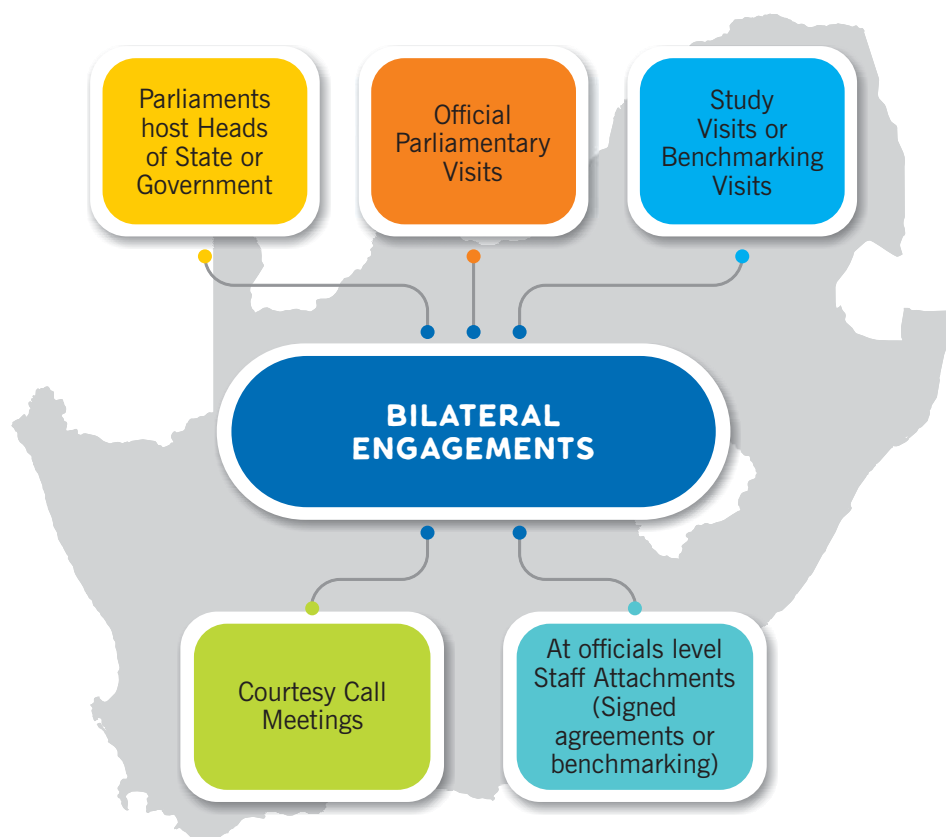
4.1 Bilateral engagements

4.1.1 Purpose and significance

The purpose of bilateral relations is to build strategic relations of purpose, lobby support for the South African policy or strategic positions, and speak with one voice on matters of common interest that will benefit the continent and developing countries. These may also be used to build the institutional capacities of Parliament and Provincial Legislatures.

4.1.2 What are bilateral engagements?

- These entail official visits, courtesy call meetings and study or exchange visits by Members of Parliament, committees, and officials. It further includes attachments or exchange programmes with other parliaments, regional legislatures or parliamentary organisations.
- Bilateral foreign engagements may take place locally (incoming visits) or internationally (outgoing visits).
- Bilateral engagements further afford Members an opportunity to be updated about bilateral agreements signed between the National Executive and foreign governments.
- The mechanisms generally used to formalise bilateral relations are Memoranda of Understanding.



4.1.3 Bilateral activities

Listed below are a range of bilateral engagements that form part of the programme of bilateral activities by Parliament and Provincial Legislatures:

- From time to time Parliament hosts Heads of State or Government who may also request to address a House sitting.
- Official parliamentary visits led by Presiding Officers.
- Study visits or benchmarking visits led by Presiding Officers and Chairpersons of Parliamentary or Legislature Committees.
- Courtesy call meetings led by Presiding Officers and Chairpersons of Parliamentary or Legislature Committees.
- At administrative or technical level, staff attachments or benchmarking visits. These are sometimes led by the Secretary to Parliament or a Provincial Legislature aimed at implementing signed agreements or benchmarking to implement the strategic priorities of the institution.

4.1.4 What is my responsibility as a Member?

- Members are expected to engage with foreign counterparts to discuss matters of common interest.
 - To this end, Members should understand the objectives of each bilateral activity to prepare for and engage in discussion with their foreign counterparts.
- Members may be expected to travel to various countries for official visits to accompany Presiding Officers and engage as per identified programme.
- Members will also be expected to join the Presiding Officers in hosting foreign delegates.
- Members may be nominated to engage with diplomats and visiting foreign dignitaries.

4.2 Multilateral engagements

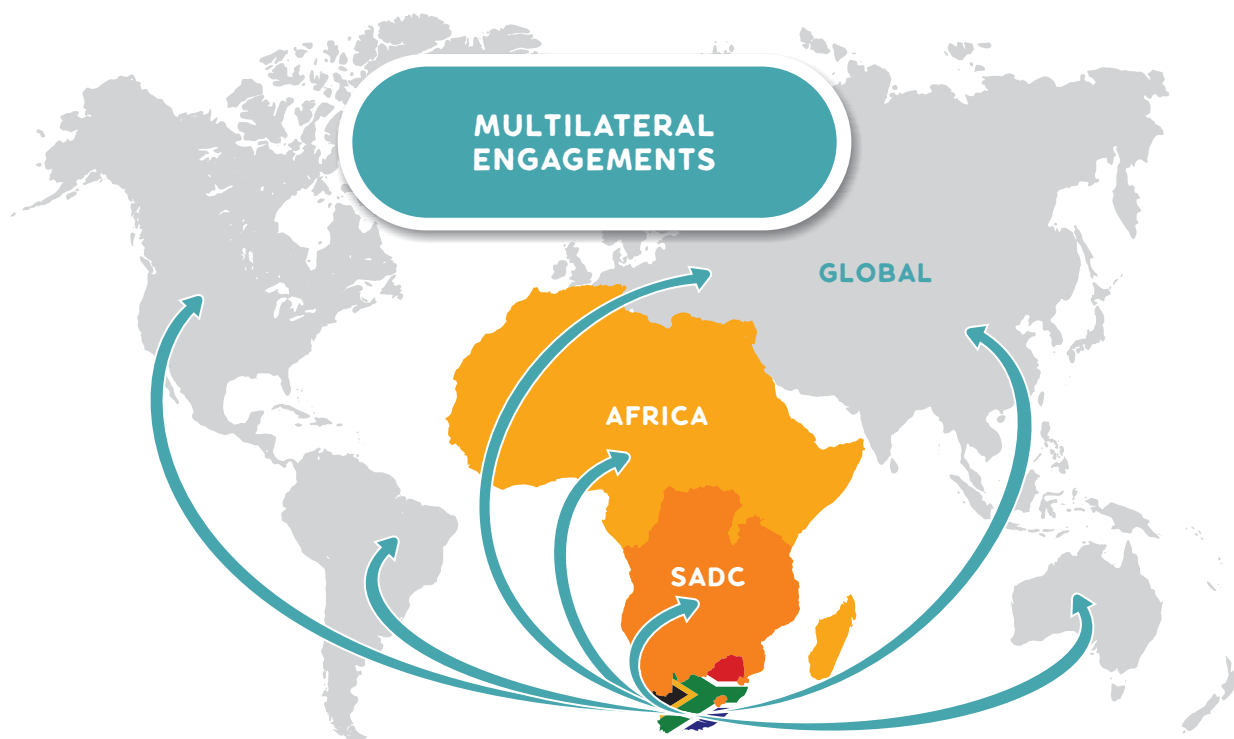
4.2.1 Purpose and significance

Multilateral relations and engagements are aimed at exchanging best practice methods to improve the mechanisms, systems and methods to sharpen the role of parliaments in the changing global space.

These strategic partnerships create platforms for parliamentary debates, dialogues and opportunities for global strategic co-operation, thereby advancing South Africa's foreign objectives on a global stage. Engagement with parliaments of developing countries are also critical in the pursuit of South Africa's growth and development. Some address challenges of underdevelopment and specific regional, continental or global challenges through partnerships and alignment.

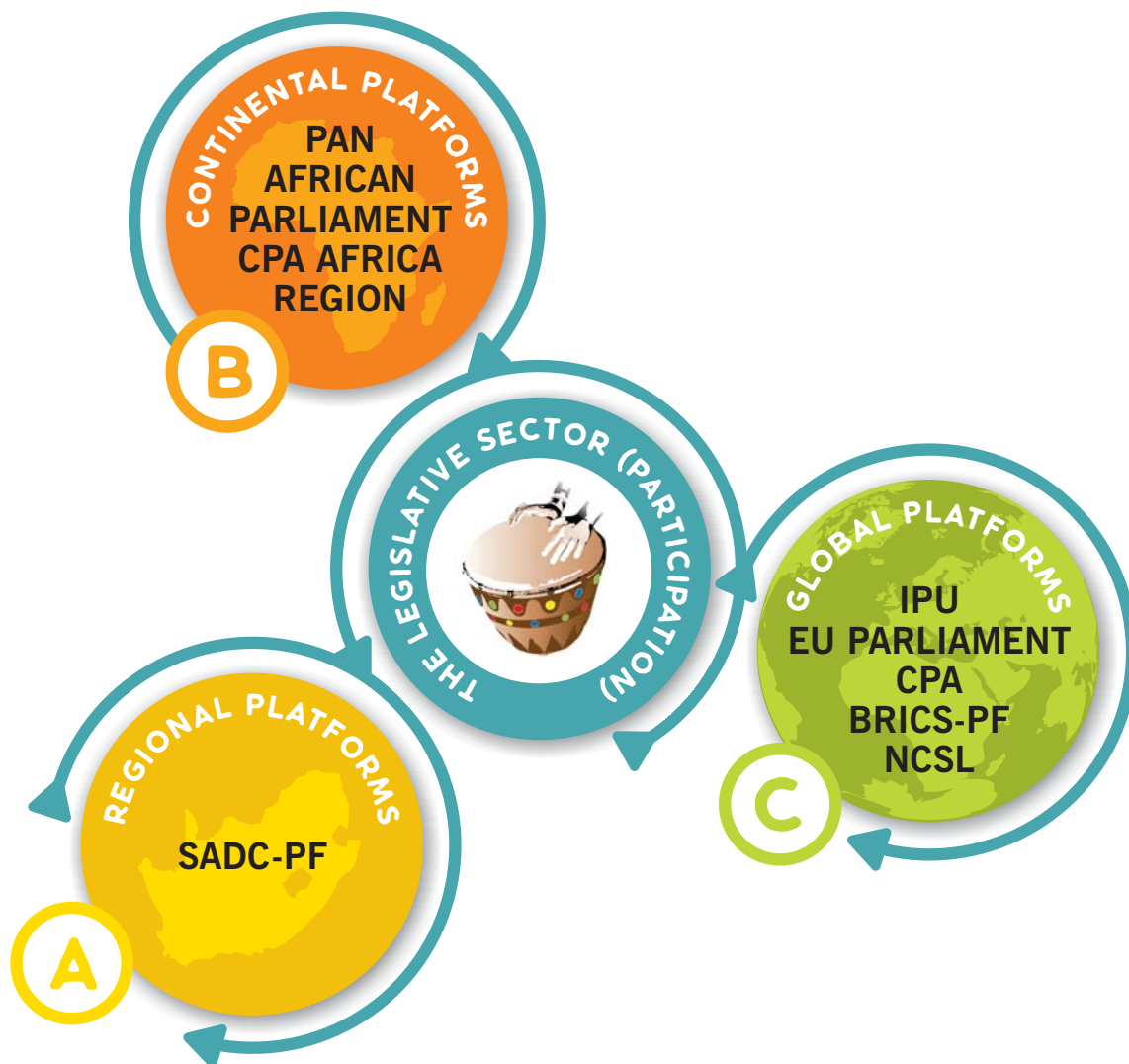
4.2.2 What are multilateral engagements?

- Multilateral relations find expression through engagements and partnerships that involve more than two international parliaments or legislatures.
- These could take the form of platforms for parliamentary debate and dialogue on regional, continental and global co-operation.
- The mechanism generally used to facilitate multilateral relations are memberships or affiliations with multilateral parliamentary bodies or organisations.
- These engagements take place at Southern African level (regional), African level (continental) and international level (globally).



4.2.3 Multilateral activities

Listed below are a range of multilateral engagements that form part of the programme of multilateral activities by Parliament and Provincial Legislatures. These are categorised by regional, continental and global platforms.



A. Regional platforms

Body	Membership/ Makeup	Purpose	Objectives	Key Developments or Interventions
Southern African Development Community Parliamentary Forum (SADC-PF)	<p>The SADC Parliamentary Forum is a regional organisation of 14 Parliaments of the Southern Africa Region.</p> <p>It has a plenary assembly, executive committee with sub-committees and a standing committee, i.e. the Women's Parliamentary</p>	The role is to serve as the voice of Parliamentarians on regional matters, and to promote regional cooperation and integration through parliamentary involvement.	<p>Promotion of human rights, gender equality, good governance, democracy and transparency, promotion of peace, security and stability.</p> <p>Attain 50/50% representation of women in the SADC National Parliaments and promoting effective participation of women.</p>	A process is underway to transform the SADC-PF into a Regional Parliament to promote people-centred democracy in the region.

B. Continental platforms

Body	Membership/ Makeup	Purpose	Objectives	Key Developments or Interventions
Pan-African Parliament (PAP)	<p>The Pan-African Parliament (PAP) is an organ of the African Union (AU).</p> <p>It is at present composed of 229 Members of Parliament representing 52 African countries.</p>	To ensure the full participation of African peoples in the development and economic integration of the continent and serve as a platform for people from all African states to be involved in discussions and decision-making on the problems and challenges facing the continent. The Parliament has its seat in Midrand, South Africa.	To provide a common platform for African peoples to represent, and to act as a voice of the people of Africa presenting their opinions, their concerns and aspirations, and thus effectively hold the governing institutions of the AU accountable in the implementation of policies and programmes as well as in the allocation and use of public resources for promoting just, equitable and sustainable development for all the peoples of Africa.	<p>Transformation of the PAP into a continental parliament with full legislative powers.</p> <p>The PAP holds four statutory meetings in any given calendar year. 2 Plenary sessions where all MPs meet at plenary to discuss activities from the various committees and other pertinent issues. Committee meetings where members meet within the various thematic committees to discuss relevant matters.</p>

C. Global platforms

Body	Membership/ Makeup	Purpose	Objectives	Key Developments or Interventions
Inter-Parliamentary Union (IPU)	The IPU has 179 Member Parliaments and 12 Associate Members.	<p>The IPU aims to protect and build global democracy through political dialogue and concrete action.</p> <p>It has been working to establish democracy, peace and cooperation among peoples since 1889.</p>	<p>To strengthen the basic tenets of democracy—human rights, equality and the rule of law— for improved lives of citizens.</p> <p>To promote, protect and strengthen democracy around the world.</p> <p>To build fair and inclusive societies.</p> <p>To build strong national parliaments that can deliver on issues like health, sustainable development, peace and security.</p>	<p>Interventions towards:</p> <ul style="list-style-type: none"> • Strong Parliaments • Gender equality • Protecting human rights • Sustainable development • Peace and security • Global governance and democracy • Youth participation and empowerment.
Commonwealth Parliamentary Association	<p>National, provincial, state and territorial parliaments and legislatures of Commonwealth countries.</p> <p>Sub-structure: Commonwealth Women Parliamentarians.</p>	<p>To support good governance, democracy and human rights.</p> <p>To strengthen the participation of women in government and society.</p>	<p>Promotion of knowledge and understanding about parliamentary democracy, respect for rule of law and individual rights and freedoms.</p> <p>Connects, develops, promotes and supports Parliamentarians and officials.</p> <p>Increase female representation in Parliament and mainstreaming of gender consideration in CPA programmes.</p>	<p>Transformation of the organisation into an international organisation with diplomatic status.</p> <p>SA parliament and the 9 Provincial legislatures are members and attend as one delegation. National Parliament is the delegation leader.</p> <p>Ensure participation and involvement of women in socio-economic development.</p>

Body	Membership/ Makeup	Purpose	Objectives	Key Developments or Interventions
BRICS Forum of Parliamentarians	BRICS comprises of the five major emerging national economies: Brazil, Russia, India, China and South Africa.	<p>Increase strategic cooperation among emerging market economies of the South and advance the interests of the developing countries in support of the African Agenda.</p> <p>To help foster a more inclusive, just and a better world.</p>	<p>Strengthening of solidarity, economic development, interdependence among the developing countries in an effort to address common socio-economic challenges related to poverty, education, health, population, environment concerns, women and children rights, etc</p> <p>To be at the forefront of economic partnerships, peace keeping efforts, engendered transformation and in ensure better health status of the people of the BRICS countries.</p>	<p>To formalise collaboration of the parliaments of the BRICS countries through the establishment of the BRICS Parliamentary Forum.</p> <p>Strengthen South-South relations and cooperation.</p>
European Union and Parliament of RSA		Promoting the African and South Agenda through high level political dialogue.	Critical link in engagement with the North to build a developmental state.	Regional intergration, nuclear energy, human rights and international trade agreements. Annual inter-parliamentary meetings.
African, Caribbean and Pacific – European Union Joint Parliamentary Assembly (ACP-EU)	Partnership agreement between members of African, Caribbean and Pacific group of states and the EU.	Representatives meet regularly to promote the interdependence of the North and South.	Promotion of trade and market access.	
Association of Senates, Shoora and Equivalent Councils in Africa and the Arab World (ASSECAA)	Arab, African and Islamic parliaments.	Strengthen parliamentary bicameral systems.	Bridge for cooperation for Africa and the Arab world.	The NCOP is an associate member. The Presiding Officers of the NCOP lead the parliamentary delegation.

Body	Membership/ Makeup	Purpose	Objectives	Key Developments or Interventions
National Conference of State Legislatures (NSCL)	Bipartisan organisation, established by the 50 legislatures in the United States of America.	Effective advocate for the interest of state legislatures before Congress and federal agencies.	Improve quality and effectiveness of legislatures, promote policy innovation and communication and to ensure that state legislatures have cohesive voice.	Provincial legislatures attend the annual NSCL Legislative Summit International Programme designed to support the exchange of ideas between legislatures. Provides research, technical assistance and opportunities for policy makers on state issues.
United Nations Commission on the Status of Women	Representatives from member states, United Nations entities, as well as non-governmental organisations.	Global intergovernmental body exclusively dedicated to the promotion of gender equality and the empowerment of women.	Promote women's rights, documenting the reality of women's lives throughout the world, and shaping global standards on gender equality and the empowerment of women.	SA Parliament is a regular participant.
Global Legislators Organisations (GLOBE International)	International organisation comprised of Parliamentarians from 80 countries.	Partner to United Nations Programmes and legislative bodies.	Develop and oversee the implementation of laws in pursuit of sustainable development.	GLOBE Climate Legislation Initiative (as at 2015, 66 countries will be included).
India, Brazil and South Africa Dialogue Forum (IBSA-Forum)	Trilateral development initiative. Formalised through the adoption of the "Brasilia Declaration".	To promote South-South dialogue, co-operation and common positions on issues of international importance.		Regular consultations at Senior Official (Focal Point), Ministerial (Trilateral Joint Commission) and Heads of State and/or Government (Summit) levels, but also facilitates interaction amongst academics, business and other members of civil society.

4.2.4 What is my responsibility as a Member?

- During multilateral engagements Members are expected to debate in plenary sessions as required and participate in committee meetings or work sessions.
- The Members of each delegation may be expected to exercise their votes as outlined in the statutes of each organisation.
- Members may also participate in election monitoring at the request of a multilateral institution (SADC-PF, PAP) or as part of the South African delegation led by the Department of International Relations and Co-operation (Dirco).
- During multilateral engagements Members have an obligation to ensure that country reports outlining the status and progress made in the domestication of international treaties, conventions and agreements are presented. Such information is consolidated through various Portfolio and Select Committees of Parliament.

5. PROTOCOL AND ETIQUETTE

5.1 What is protocol and etiquette about?

Protocol means “the official procedure or system of rules governing affairs of state or diplomatic occasions” (Oxford dictionary). It is a system of rules that explain the correct conduct and procedures to be followed in formal situations. At international level, it indicates what constitutes acceptable behaviour in official circumstances and formalises official channels of communication and conducting state affairs between the governments of different countries.

Etiquette encompasses the body of manners and forms prescribed by custom, usage or authority. It is accepted as correct behaviour when people deal with one another. Etiquette preserves respect for the rights and dignities of others. In short, it represents good manners.

5.2 Why protocol and etiquette?

Protocol facilitates the upholding of relations, interaction and communication between states, their representatives and officials. Accordingly, breaches of protocol (whether deliberate or unintentional) have implications for the governments concerned. The absence of protocol may lead to misunderstanding and disagreement that might result in confusion and conflict. Protocol further assists with reputation management and is a timeless form of international diplomatic culture that remains in place globally.

Given the diversity amongst the people of the world, there is a need for a common understanding of what constitutes acceptable behaviour in an official context, i.e. etiquette. Etiquette is underpinned by understanding, respect and courtesy.

It is important to be alert to the religious influences, traditions, customs and norms of other countries in order to cultivate relationships and to avoid unnecessarily causing offense.

6. KEY ELEMENTS OF PROTOCOL AND ETIQUETTE – WHAT SHOULD I KNOW?

6.1 Etiquette and decorum

Etiquette relates mainly to the conduct or behaviour and manners of the individual – in social interaction, over the telephone, at banquets, and accordingly there are rules governing social etiquette, business etiquette, telephone etiquette and table etiquette.

The minimum ethical standards of behaviour that the South African people have a right to expect of their elected representatives are that they would in their daily conduct uphold propriety, integrity and ethical values.

- **Gifts** – The exchange of gifts usually forms an integral part of any official engagement, as it is a visible sign of the friendship or relationship between the giver and the receiver. A gift must always reflect the culture of the giver and be procured locally.
- **Attire** – In terms of appropriate dress code for parliamentary business, South Africa recognises diversity, and therefore Members of Parliament and Provincial Legislatures are allowed to wear their religious or traditional attire in Parliament. For state and official occasions, Office Bearers and guests are bound to an appropriate dress code, which is determined by the type of function. Formal dress in the Republic of South Africa has become customarily identified with a lounge suit or dark suit for men, day or evening dress for ladies, or formal traditional attire.
- **Cultural & religious sensitivities** – Domestically and internationally, respect for people's different religious beliefs, traditions and cultures are important so as not to give offence. It is important to develop and demonstrate an understanding of different religions and the most prominent sensitivities within religions, both locally and abroad. Culture encases the following: values, norms, beliefs, language, knowledge, perceptions and traditions. This includes behaviour, habits and etiquette rules, dress and cuisine. The ability to adapt to other cultures and different groups of people is thus paramount for parliamentary representatives.

- **Official functions and seating arrangements** – One should be cognisant of the importance of proper seating arrangements at official functions and that the order of precedence comes into effect on such occasions. Failure to observe the order of precedence can create diplomatic rows or embarrassment.
- **Dining etiquette** – Members should also familiarise themselves with the use of different types of dishes, glasses, and cutlery placed at formal luncheons. If in doubt, wait for the host or hostess to see what he or she uses.
- **Business etiquette** (communication, time management) – Within a place of business, business etiquette involves treating co-workers and employers with respect and courtesy in a way that creates a pleasant work environment for everyone. The nature and tone of communication through various channels are particularly important whilst managing time and timeliness is required. For instance, in the Middle East, Latin America, India, and China adherence to meeting times are not strict – therefore be punctual and be prepared to wait. Conversely, punctuality is a sign of professionalism in Hong Kong, Japan, Singapore, the United Kingdom, etc.

6.2 Protocol

The following elements determine the applicable protocol principals:

- The environment dictates the Protocol.
- Who is hosting? The protocol of the host is paramount. Also, the host takes center-stage, which is not always a reflection of their precedence.
- The most important object/person is always to the left of the spectator.
- If more than two objects or people, the focus changes to the middle. Then the rule left right from the spectator's point of view, etc. is followed

7. FORMS OF ADDRESS

Members of Parliament and Provincial Legislatures need to be acquainted with the appropriate use of the official forms of address in the Republic of South Africa and should be able to distinguish between a “form of address” and a title.

For instance, the full title of the British monarch is “Her Majesty Queen Elizabeth the Second of Great Britain and Northern Ireland” in the third person, and “Your Majesty” in the first person, but the form of address used for the sovereign is “Ma'am”.

There are many variations in the forms of address in different countries, but generally the following spoken forms of address are used in South Africa and in diplomatic circles:

President/Deputy President	Mr/Madam President/Deputy President or Mr/Mrs Surname, then Sir or Madam
Foreign President/Deputy President	Your Excellency
Prime Minister	Your Excellency or Mr/Madam Prime Minister
Chancellor	Your Excellency or Mr/Madam Chancellor
King/Queen	Your Majesty (British Monarch - "Ma'am")
Prince/Princess, Duke/Duchess	Your Royal Highness
The Pope	Your Holiness
Cardinals	Your Eminence
Speaker/Deputy Speaker	Mr/Madam (Deputy) Speaker then Sir/Madam
Chairperson/Deputy Chairperson of the National Council of Provinces	Mr/Madam (Deputy) Chairperson or Mr/Mrs/Ms/Miss Surname then Sir/Madam
Cabinet Minister & Deputy Minister	Mr/Madam Minister then Sir/Madam
Premier	Mr/Mrs/Miss/Ms Premier or Sir/Madam
House Chairperson	Mr/Madam House Chairperson then Sir/Madam
Chief Whip	Mr/Madam Chief Whip then Sir/Madam
Chairperson of a Standing/Portfolio/Select Committee	Mr/Madam Chairperson then Sir/Madam
Member of Parliament/Legislature	Mr/Ms/Mrs Surname then Sir/Madam
Member of the Executive Council	Mr/Mrs/Miss/Ms Surname then Sir/Madam or Councillor
Chief Justice/Deputy Chief Justice and Judge of the Supreme Court of Appeal	Outside Court: Justice/Sir/Madam Inside Court: Judge/Sir/Madam or Your Worship
Chief Magistrate or Magistrate	Inside court: Your Worship, or if referring to him or her, His/Her Worship
Ambassador and High Commissioner of foreign country in South Africa	Your Excellency or Mr/Madam(e) Ambassador or Sir/Madam(e)
Consul-General or Consul	Mr/Madam(e) Consul-General and then Sir/Madam(e)
Chief of the Army, Navy, Air Force and Medical Services	General/Admiral then Sir/Madam
The Mayor of the Metropolitan, District or Local Municipality	Mr/Madam Mayor then Sir/Madam or Councillor
Secretary to Parliament or Provincial Legislature	Mr/Mrs Surname or Mr/Madam Secretary
Moderator (Protestant churches)	Reverend Surname
Archbishop of the Anglican Church	Your Grace
Chief Rabbi	Chief Rabbi Surname
Imam	Sheikh or Sir

7.1 A note on introductions

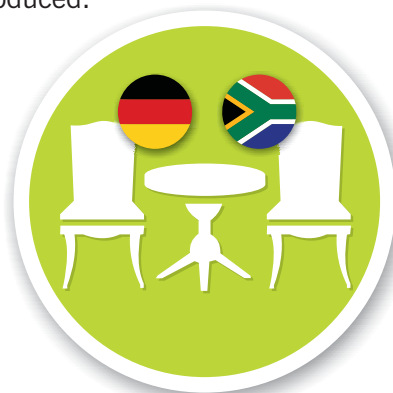
The purpose of an introduction is to allow one person to get to know another. In introducing one person to another, it is good to give some background on the person involved. For example: "Mr Frolick, may I introduce Ms Gonzales, the Commercial Attaché of the Embassy of Spain in Cape Town? Mr Frolick is the House Chairperson of the National Assembly for Committees, Oversight and ICT in the South African Parliament".

"The name of the most important person is mentioned first, followed by the words "may I present" or "may I introduce" and then the name of the lesser-ranking person, adding where appropriate some words to give an indication of the background of the person being introduced.

8. OFFICIAL ENGAGEMENTS AND SEATING

Bilateral engagements:

The seat or place of honour is given to guest along with the placement of the guest flag – to the left from the spectator's point of view. Table flags indicate seating arrangements.



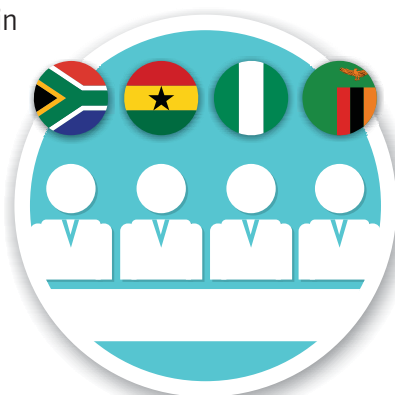
Bilateral Roundtable seating:

Heads of delegations at head. Visiting delegation seated on left-hand side, in order of precedence from closest to farthest from head of delegation.



Conferences or multilateral engagements:

Flags are arranged from the flag of the host, on the farthest left side from the spectator's viewpoint, usually followed by the organisation's flag, and the rest of the member countries in alphabetical order (English alphabet).



9. OFFICIAL ENGAGEMENTS – TYPES AND COURTESIES

Official engagements are categorised in terms of incoming visits and outgoing visits. Certain courtesies may be extended depending on the nature of the visit.

9.1 Incoming visits

Incoming visits may be classified in terms of the following categories:

- State Visits (receiving of Heads of State by Parliament)
- Official Visits (receiving of former Heads of State, Heads of Government and Royalty who are not Heads of State, Presiding Officers of Foreign National Legislatures and parliamentary delegations)
- Working Visits/Study Visits (receiving of parliamentary delegations attending parliamentary conferences, seminars, study groups and election observation missions)
- Special Visits (receiving of Parliamentary and other dignitaries for a special accession, e.g. State of the Nation Address, Election of the President, Election of the Speaker, Envoys, Emissary Missions)
- Private Visits (receiving of dignitaries conducting a private visit to South Africa who express a request to call on the Presiding Officers or request a conducted tour of Parliament)

9.2 Outgoing visits

Outgoing visits may be classified in terms of the following categories:

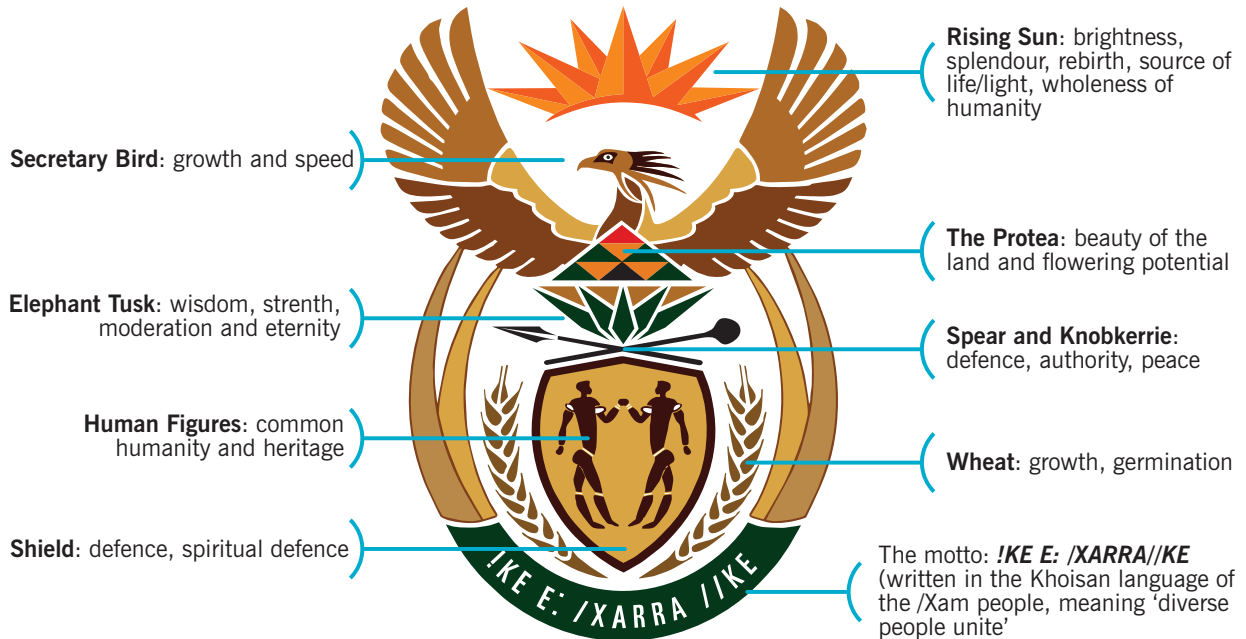
- Official Visits (outgoing visits by the Presiding Officers and Parliamentary Committees)
- Working Visits/Study Visits
- Private Visits
- Special Visits

10. NATIONAL SYMBOLS

Members of Parliament and Provincial Legislatures should be keenly aware of the national symbols, and the rules pertaining to their use.

The **primary national symbols** are the National Coat of Arms, National Flag and the National Anthem (Nkosi sikelel' iAfrika).

National Coat of Arms



National Flag



National Anthem

Nkosi sikelel' iAfrika
 Maluphakanyisw' uphondo lwayo,
 Yizwa imithandazo yethu,
 Nkosi sikelela, thina lusapho lwayo.

Morena boloka setjhaba sa heso,
 O fedise dintwa le matshwenyeho,
 O se boloke, O se boloke setjhaba sa heso,
 Setjhaba sa, South Afrika, South Afrika.

Uit die blou van onse hemel,
 Uit die diepte van ons see,
 Oor ons ewige gebergtes,
 Waar die kranse antwoord gee,

Sounds the call to come together,
 And united we shall stand,
 Let us live and strive for freedom
 In South Africa, our land.

The **secondary national symbols** are as listed below:



National Bird: Blue Crane



National Flower: Giant/King Protea



National Animal: Springbok



National Tree: Real Yellowwood



National Fish: Galjoen

11. CEREMONIES

Ceremonies of state are formal occasions where the relevant state representatives and their guests convene to fulfil a specific objective according to a ceremonial order of proceedings based on state ceremonial practice or ritual. The latter usually subscribes to international standards and the general protocol definition of procedures, which are considered to constitute acceptable behaviour or conduct in official circumstances, while simultaneously reflecting national traditions and customs.

11.1 The ceremonies of state in the Republic of South Africa are listed below:

- The inauguration ceremony of the Head of State of the Republic
- The investiture ceremony with National Orders
- Funeral ceremony of state dignitary
- The receiving ceremony for visiting Heads of State
- The ceremony for the presentation of letters of credence by Heads of Diplomatic Missions accredited to the RSA to the President of the Republic of South Africa
- The swearing-in ceremonies of certain Office Bearers

11.2 Ceremonies of state involving Parliament and Provincial Legislatures

- State of the Nation Address by the President of the Republic of South Africa
- State of the Province Address by the Premiers of the Provinces and Opening Ceremony of Provincial Legislatures
- Opening Ceremony of the National House of Traditional Leaders
- Receiving Ceremonies for visiting heads of state and visiting presiding officers of foreign national legislatures

12. THE NATIONAL OFFICIAL TABLE OF PRECEDENCE

The Table of Precedence determines the arrangement of office bearers according to their order of seniority and ensures objective assessment of seniority of office bearers. Most countries develop an official Table of Precedence as a guide to determining the seniority accorded to different dignitaries and office bearers at official functions. It is a reflection of the seniority accorded to different office bearers, groups and positions in a given society.

Precedence is assigned to specified categories, according to the office they hold (such as officers of state), or by virtue of their status (such as members of a royal family, or traditional leaders).

13. KEY SOURCES OF INFORMATION AND HELP

13.1 Key source documents

13.1.1 Bilateral Relations

- Country to country bilateral agreements.
- Existing signed or draft memoranda of understanding.
- Relevant records of debates on the country concerned.
- Delegation reports of previous engagements.

13.1.2 Multilateral Relations

- Statutes or Constitution, Strategic Plans and Rules of Procedure of respective multilateral organisations.
- Foreign policy provisions captured in the White Paper on South Africa's Foreign Policy.
- International Treaties, Conventions and Agreements.
- Delegation Reports and Resolutions of previous meetings.

13.1.3 Protocol and Etiquette

- Vienna Convention on Diplomatic Relations
- National Official Table of Precedence of South Africa
- Diplomatic Immunities and Privileges Act, 1989 and Act 37 of 2001
- Office of the President of the Republic of South Africa, 1997 "A protocol manual for the Republic of South Africa"
- Code of Conduct of institution

13.2 Support for Members

Members may expect the following administrative and technical support when participating in bilateral, multilateral and other foreign engagements:

- Briefing meetings in preparation for engagements.
- Content or briefing documents will be provided in line with the agenda or thematic area of each activity (meetings, seminars, plenaries, conferences, etc).
- Protocol and ceremonial arrangements and guidance.
- Administrative and logistical arrangements and support.
- Members may be accompanied by officials to provide support during the activity and assist with the development of delegation reports and capturing of key resolutions.



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Tel: +27 (0)21-403 8809/2554 | Fax: +27 (0)21-403 3652
E-mail: salegislativesector@parliament.gov.za
www.sals.gov.za



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