

Part 5: Rules Committee

158. Establishment

There is a Rules Committee.

159. Composition

The Rules Committee consists of –

- (a) the Speaker;
- (b) the Deputy Speaker;
- (c) the House Chairpersons; and
- (d) no more than 50 other members appointed by the Speaker.

[Rule 159 substituted, 2 November 2006]

160. Chairperson

- (1) The Speaker is the chairperson of the Rules Committee.
- (2) If the Speaker is not available the Deputy Speaker performs the functions of the Speaker.

161. Functions and powers

- (1) The Rules Committee may —
 - (a) develop, formulate and adopt policy concerning the exclusive business of the Assembly in respect of [—] the proceedings, procedures, Rules, orders and practices concerning the business of the Assembly
 - [(i) the management, administration and functioning of the Assembly;**
 - [(ii) the financial management and policy of the Assembly, including the sources of funding, the budget, income and expenditure of the Assembly;**
 - [(iii) the proceedings, procedures, Rules, orders and practices concerning the business of the Assembly; or**
 - [(iv) the provision of facilities and other support for Assembly members;]**
 - [(b) make recommendations to the Assembly concerning the Assembly's annual budget;]**
 - [(c)] (b) monitor and oversee the implementation of policy on all matters referred to in paragraph (a);**
 - [(d)] (c) make recommendations to the Joint Rules Committee on any matter falling within the functions and powers of the Committee;**
 - [(e)] (d) lay down guidelines and issue directives [, and formulate regulations] regarding any aspect of policy referred to in this Rule;**

[Rule 161(1)(e) substituted, 7 March 2000]

- [(f)] (e) appoint committees or subcommittees to assist it with the performance of any of its functions or the exercise of any of its powers;**
- [(g)] (f) recommend to the Assembly Rules and orders concerning the business of the Assembly; and**
- [(h)] (g) perform any other functions assigned to it by legislation, the other provisions of these Rules or resolutions of the Assembly.**

- (2) The Committee may deal with a matter falling within its functions and powers —
 - (a) on its own initiative; or
 - (b) when referred to it for consideration and report by —
 - (i) the Assembly; or
 - (ii) the Speaker.

162. Implementation of policy

[Heading substituted, 7 March 2000]

- (1) The responsibility for the implementation of policy determined by the Rules Committee vests in the Speaker subject to the decisions of the Rules Committee and resolutions of the Assembly.

[Rule 162(1) substituted, 7 March 2000]

- (2) The Speaker, with the concurrence of the Rules Committee, may appoint task teams to assist the Speaker in executing the responsibility mentioned in Subrule (1).

163. Policy matters requiring decision during recess

- (1) If during a recess a matter of policy arises that requires a Rules Committee decision but cannot await finalisation when the session resumes, the Speaker may convene a meeting of those of the following office-bearers who are available to decide on the matter:

- (a) the Speaker;
- (b) the Deputy Speaker;
- (c) the House Chairpersons;
- (d) the Chief Whip;
- (e) the Deputy Chief Whip of the majority party;
- (f) the chairperson of the relevant Subcommittee of the Rules Committee under whose jurisdiction the matter in question falls;
- (g) the most senior whip of each of the other parties in the Assembly or alternate of such whip; and
- (h) a committee chairperson designated by the Committee of Chairpersons.

[Rule 163(1) substituted, 2 November 2006]

- (2)
 - (a) A majority of the members listed in Subrule (1) constitutes a quorum.
 - (b) The matter before a meeting convened in terms of Subrule (1), is decided when there is agreement on the question among the majority of the members present.
- (3) A decision taken in terms of this Rule must be published in the ATC within 3 days after the Assembly reconvenes after the recess.

164. Decisions

A question before the Rules Committee is decided when there is a quorum present and there is agreement on the question among the majority of the members of the Committee.

165. Subcommittees

- (1) The Rules Committee has the following subcommittees:
[[a) The Subcommittee on the National Assembly Budget;
(b) The Subcommittee on Support for Members;]
[[c)] (a) The Subcommittee on Review of the Assembly Rules; and
[[d) The Subcommittee on Internal Arrangements;
(e) The Subcommittee on International Relations;
(f) The Subcommittee on Delegated Legislation;
(g) The Subcommittee on Powers and Privileges of Parliament; and]
[[h)] (b) Any other subcommittees appointed in terms of Rule 161(1)(f).
- (2) When the Rules Committee appoints the members of a subcommittee the Committee —
(a) is not restricted to the members of the Rules Committee; and
(b) may appoint any Assembly member.
- (3) A subcommittee of the Rules Committee may take a matter to a Joint Subcommittee of the Joint Rules Committee only if authorised by the Rules Committee.
- [[4) A subcommittee of the Rules Committee may not issue directives relating to any aspect of the control and management of the administration of the Assembly.]

[Subrule (4) added, 7 March 2000]

[*Note: Rules 166-171 are deleted.*]

[Subcommittee on the National Assembly Budget

166. Composition

The Subcommittee on the National Assembly Budget consists of eight Assembly members appointed in such a way that —

- (a) the majority party in the Assembly has three members;
- (b) the three largest minority parties in the Assembly have one member each; and
- (c) two of the other minority parties in the Assembly have one member each.

[*Rule 166 substituted, 2 Sept 1999*]

167. Chairperson

The Rules Committee must appoint one of the members of the Subcommittee as the chairperson of the Subcommittee.

168. Functions and powers

The Subcommittee may —

- (a) make recommendations to the Rules Committee on the development, formulation and adoption of policy regarding —
 - (i) the financial management of the Assembly;
 - (ii) the sources of funding, resources, income and expenditure of the Assembly; and
 - (iii) the preparation to the Assembly's annual budget;
- (b) monitor and oversee the implementation of policy on the matters referred to in paragraph (a) and make recommendations in this regard to the Rules Committee; and
- (c) perform any other function and exercise any other power assigned to it by the Rules Committee.

Subcommittee on Support for Assembly Members

169. Composition

The Subcommittee on Support for Assembly Members consists of —

- (a) three members from the majority party in the Assembly;
- (b) one member from each of the three largest minority parties in the Assembly; and
- (c) one member from each of two of the other minority parties in the Assembly.

[*Rule 169 substituted, 2 Sept 1999 and 6 Sept 1999*]

170. Chairperson

The Subcommittee must appoint one of the members of the subcommittee as Chairperson of the subcommittee.

[*Rule 170 substituted, 6 Sept 1999*]

171. Functions and powers

(1) The Subcommittee may —

- (a) make recommendations to the Rules Committee on the development, formulation and adoption of policy regarding the provisions of facilities and other support for Assembly members, including training of members;
- (b) monitor and oversee the implementation of policy on the matters referred to in paragraph (a) and make recommendations in this regard to the Rules Committee; and
- (c) perform any other function and exercise any other power assigned to it by the Rules Committee.

(2) The Subcommittee must consult the Subcommittee on the National Assembly Budget on any of its recommendations that has financial implications for the Assembly.

- (3) If the Subcommittee on the National Assembly Budget disagrees with the recommendation, the Subcommittee must report the disagreement to the Rules Committee.]

Subcommittee on Review of the National Assembly Rules

172. Composition

The Subcommittee on Review of the National Assembly Rules consists of eight Assembly members appointed in such a way that —

- (a) the majority party in the Assembly has three members;
- (b) the three largest minority parties in the Assembly have one member each; and
- (c) two of the other minority parties in the Assembly have one member each.

[Rule 172 substituted, 2 Sept 1999]

173. Chairperson

The Rules Committee must appoint one of the members of the Subcommittee as the chairperson of the Subcommittee.

174. Functions and powers

The Subcommittee may —

- (a) make recommendations to the Rules Committee regarding —
 - (i) the proceedings, procedures, Rules, orders and practices of the Assembly; and
 - (ii) the development, formulation or adoption of policy on a matter mentioned in subparagraph (i); and
- (b) perform any other function and exercise any other power assigned to it by the Rules Committee.

[Note: Rules 175-186 are deleted.]

[Subcommittee on Internal Arrangements

175. Composition

The Subcommittee on Internal Arrangements consists of —

- (a) the Deputy Speaker;
- (b) five members from the majority party in the Assembly;
- (c) one member from each of the three largest minority parties in the Assembly; and
- (d) one member from each of three of the other minority parties in the Assembly.

[Rule 175 substituted, 2 Sept 1999 and 6 Sept 1999]

176. Chairperson

The Deputy Speaker is the chairperson of the subcommittee.

177. Functions and powers

The Subcommittee may —

- (a) make recommendations to the Rules Committee on the development, formulation and adoption of policy regarding the administration and management of the Assembly, including —
 - (i) staff;
 - (ii) infrastructure;
 - (iii) household services and catering;
 - (iv) human resource development and training;
 - (v) information systems and the library; and
 - (vi) public relations and public education;
- (b) monitor and oversee the implementation of policy on the matters referred to in paragraph (a) and make recommendations in this regard to the Rules Committee; and

- (c) perform any other function and exercise any other power assigned to it by the Rules Committee.

Subcommittee on International Relations

178. Composition

The Subcommittee on International Relations consists of –

- (a) the Speaker and the Deputy Speaker;
- (b) the House Chairperson designated by the Speaker;
- (c) three members of the majority party in the Assembly;
- (d) one member from each of the three largest minority parties in the Assembly;
- (e) one member from each of two of the other minority parties in the Assembly;
- (f) one member from the Portfolio Committee on Foreign Affairs designated by the committee; and
- (g) three chairpersons of Assembly committees designated by the Committee of Chairpersons.

[Rule 178 substituted, 2 Sept 1999]

[Rule 178 substituted, 2 November 2006]

179. Chairperson

The Speaker is the chairperson of the Subcommittee.

180. Functions and powers

The Subcommittee may –

- (a) make recommendations to the Rules Committee on the development, formulation and adoption of policy regarding Parliament's international relations, including –
 - (i) relations with other Parliaments and international organisations;
 - (ii) membership of international parliamentary organisations;
 - (iii) visits abroad by parliamentary groups; and
 - (iv) the hosting and receiving of delegations from abroad;
- (b) monitor and oversee the implementation of policy on the matters referred to in paragraph (a) and make recommendations in this regard to the Rules Committee; and
- (c) perform any other function and exercise any other power assigned to it by the Rules Committee.

Subcommittee on Delegated Legislation

181. Composition

The Subcommittee on Delegated Legislation consists of eight Assembly members appointed in such a way that –

- (a) the majority party in the Assembly has three members;
- (b) the three largest minority parties in the Assembly have one member each; and
- (c) two of the other minority parties in the Assembly have one member each.

[Rule 181 substituted, 2 Sept 1999]

182. Chairperson

The Rules Committee must appoint one of the members of the Subcommittee as the chairperson of the Subcommittee.

183. Functions and powers

The Subcommittee must –

- (a) investigate and make recommendations to the Rules Committee on possible mechanisms that could be used by legislators to maintain oversight of the exercise of

legislative powers delegated to the executive; and
(b) perform any other function and exercise any other power assigned to it by the Rules Committee.

Subcommittee on Powers and Privileges of Parliament

184. Composition

The Subcommittee on Powers and Privileges of Parliament consists of —

- (a) the Speaker;
- (b) three members of the majority party in the Assembly;
- (c) one member from each of the three largest minority parties in the Assembly; and
- (d) one member from each of two of the other minority parties in the Assembly.

[Rule 184 substituted, 2 Sept 1999]

185. Chairperson

The Speaker is the chairperson of the Subcommittee.

186. Functions and powers

The Subcommittee —

- (a) must review existing legislation, the common law and practice relating to parliamentary powers and privileges;
 - (b) may make recommendations to the Rules Committee to transform the existing law and practice on parliamentary powers and privileges; and
 - (c) perform any other function and exercise any other power assigned to it by the Rules Committee.]
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