



Memorandum

[For Consideration]

To: Task Team on Review of Rules (NA)
From: Michael H Plaatjies
Date: 10 April 2015

Proposed Amendment to Rule 109(3) and Rule 115(2) of the National Assembly

Rule 109(3):

1. The current Rule as it stands is broad and has the possibility of an unintended interpretation.
2. In order to avoid the unintended consequence which may have the effect of including all questions that would ordinarily not have been arrived at during the allotted question time (see Question 244, Question Paper No 6, 29 October 2014 and Question Paper No 7, 5 November 2014) it is suggested that the Rule is amended to fulfill its intended effect with regard to questions called and not replied to during the allotted question time as follows:

(3) If a Minister is absent on a day when questions relating to the relevant cluster to be answered **are called** and those questions are not answered by another Cabinet Member or by the Deputy Minister concerned, the Speaker may, if requested to do so by the member in whose name a question to that Minister stands, and after consultation with the Leader of Government Business, direct that –

- (a) **such** questions to that Minister be placed on the Question Paper for the first question session for Ministers following that day; and
- (b) an additional 30 minutes be added to the question time for that session.

Rule 115(2)

1. The Rule as proposed reads as follows:
 - (2) Subject to a direction by the Speaker under Rule 109(3), a question that stands over in terms of Subrule (1) [**or Rule 114(2)**] must be –
 - (a) placed on the Question Paper for reply on the next question day on which the person to whom it is addressed is scheduled to reply to questions; and
 - (b) published in the order they were called the previous question day at the end of the Question Paper[, **but may be prioritised in terms of Rule 108(7)**] in accordance with Rule 109(3)(a) and (b).
3. In doing so regard would be had for the prioritized questions of the relevant cluster for that question day and with which such questions now stand.
4. It also ensures that the questions are dealt with in the additional 30 minutes that are added to the session.
5. At the end of the additional 30 minutes, questions that were not reached after they were placed in terms of Rule 109(3), are replied to in accordance with Rule 114(1) and (2).