

**REPORT OF THE SUBCOMMITTEE ON THE REVIEW OF THE ASSEMBLY RULES**

6 October 2017

After a comprehensive review, the National Assembly adopted the Ninth Edition of the Assembly Rules on 26 May 2016. Since their adoption, however, a number of rules where identified which necessitated supplementary decisions to facilitate their implementation. Accordingly, on 6 October 2017, the Subcommittee on the Review of the National Assembly Rules (the Subcommittee) met to consider the following matters -

1. A draft decision to create a **Subcommittee to Monitor Executive Responses to Unanswered Questions**; and
2. Proposed **Guidelines for Mini-Plenary Debates.**

After due consideration, the Subcommittee proposes the following for adoption by the National Assembly Rules Committee (NARC) –

**A. System to monitor questions (Rule 136(1))**

**Introduction**

On 16 November 2016 and in accordance with Rule 136, the Rules Committee agreed to the following system to monitors questions that have been endorsed as unanswered on the Question Paper in terms of Rules 143(2), 144(5) and 146(3) –

1. The Speaker submits a written report every quarter to the Rules Committee on questions endorsed on the Question Paper as “Unanswered” in terms of the Rules, the period of time over which they have appeared as endorsed, the responsible Ministers and any communication sent or received by the Speaker in that regard.
2. The Rules Committee must set up a permanent subcommittee which must meet at least quarterly to receive and consider the Speaker's reports.
3. The subcommittee would be composed of the number of members and party representation as determined by the Rules Committee.
4. The subcommittee would be chaired by the Deputy Speaker or other designated presiding officer and also include in its membership the Leader of Government Business or a designated representative.
5. The subcommittee would receive and engage with the Speaker's report and invite relevant members of the Executive to respond on why questions to them have been endorsed as “Unanswered”.
6. The subcommittee would then report within a specified time to the Rules Committee on its findings in each case and any recommendations to address identified challenges or concerns. The subcommittee's report should specifically include information on responses it has received from the executive.
7. The Rules Committee would then consider the subcommittee's report and it would then, in accordance with Rule 136, report to the House on the outcome of the monitoring process, including any findings and recommendations with a view to strengthening effective executive accountability to the Assembly.

The following draft resolution to give effect to the rules and principles is proposed –

**DRAFT RESOLUTION**

Pursuant to the adoption of the Rules of the National Assembly (9th Edition), and specifically Rule 136(1), a **Subcommittee to Monitor Responses to Questions** **Endorsed As Unanswered** is hereby established for the duration of the Fifth Parliament, as follows:

**Composition**

The Subcommittee to Monitor Responses to Questions Endorsed As Unanswered consists of the number of members and party representation as determined by the Rules Committee but must include in its membership the Leader of Government Business or a designated representative.

**Chairperson**

The Deputy Speaker or, if the Deputy Speaker is unavailable, a House Chairperson is the

chairperson of the subcommittee.

**Functions and Powers**

1. The Subcommittee must-
2. receive and consider quarterly reports from the Speaker on questions endorsed on the Question Paper as “unanswered”;
3. engage the relevant ministers on the reasons for questions being unanswered; and
4. report to the Rules Committee on a quarterly basis, or as and when required, and such reports to include findings and any recommendations to address identified challenges or concerns.
5. The Subcommittee has the powers and responsibilities as provided for in, and must function in accordance with, National Assembly Rule 172(1).

**B. GUIDELINES FOR MINI-PLENARY DEBATES (RULES 49-56)**

**INTRODUCTION**

1. The mechanism of mini-plenaries was included in the 9th Edition of the Rules of the National Assembly when they were adopted by the House on 26 May 2016.
2. Mini-plenaries were included in the rules essentially both to allow more opportunities for the House to discuss business as well as promote debate and exchanges between members.
3. Furthermore, the mechanism was intended to provide for House business to be discussed in a relatively less structured manner when compared with plenary.

**BUSINESS FOR MINI PLENARIES**

1. In terms of the Rules, any matter may be debated in a mini-plenary.

2. The Speaker refers matters for consideration to a mini-plenary after due consideration of the views and directions of the Programme Committee. One mini-plenary could debate more than one matter.

**SPEAKERS’ LISTS**

1. The Rules prescribe that a mini-plenary does not make use of a Speaker’s List (except for debates on Budget Votes) but the Speaker must determine a global time for each debate, the time for the person in charge of any business and a time for participating members. Such determinations should take into account the views of the Programme Committee.

2. The presiding officer must, in a balanced manner, allow speakers from all parties to participate in the debate taking into account the principles of multi-party participation and proportional representation.

3. A member may participate in a debate in a mini-plenary more than once if recognised by the presiding officer. Parties can determine which of their members will participate in the debate prior to the sittings.

**CHAIRS FOR MINI-PLENARIES**

1. The Chairperson of a mini-plenary must be an elected presiding officer or another member appointed by the Speaker.
2. Upon appointment by the Speaker these chairpersons, their names and the duration of their appointment will be published in the *Announcements, Tablings and Committee Reports*.

**DECISION AND DECLARATIONS**

1. The Rules provide that no decision may be taken at the mini-plenary session – all decisions being deferred to the House.

1. Once a particular item has been discussed in a mini-plenary and is placed for decision in the House, declarations of vote will only be allowed at the discretion of the Presiding Officer. Aside from extraordinary business, declarations would not normally be permitted on such an item. Alternatively, declarations could be limited.