**MEDIA STATEMENT

COMMITTEE ON POWERS AND PRIVILEGES RESOLVES NOT TO PRESS CHARGES OF CONTEMPT OF PARLIAMENT

Parliament, Friday, 13 November 2020 –**The Powers and Privileges Committee resolved today not to press charges of contempt of Parliament by Members of Parliament (MPs) who allegedly disrupted the Joint Sitting of Parliament during the State of the Nation Address on 13 February 2020.

Today, the committee viewed the video footage of the proceedings of the Joint Sitting to identify MPs who allegedly disrupted the proceedings, as per the referral to the committee by the Speaker of the National Assembly (NA). The committee was assisted in its deliberations by Adv Ncumisa Mayosi, who was appointed by Parliament to advise the committee on the matter.

The committee resolved, after viewing the video recording and based on legal advice, not to continue identifying members who may have been involved in the disruption experienced during the Joint Sitting of Parliament. The committee accepted advice from legal counsel that a finding that the members involved in this incident were in contempt of Parliament has a less than reasonable prospects of succeeding.

Rule 14F of the Joint Rules of Parliament empowers a presiding officer, after having called attention to the conduct of a member who persists in irrelevance or repetition of arguments, to direct the member to discontinue his or her speech. The Speaker and the Chairperson of the National Council of Provinces (NCOP) invoked this Rule in dealing with the repetitive points of order raised, by repeatedly instructing members to desist with their arguments and take their seat.

MPs concerned discontinued their speeches and took their seats when ordered to do so. Therefore, a finding of contempt of Parliament cannot be sustained based on this conduct.

Rule 14G of the Joint Rules provides that: 'If Presiding Officer is of the opinion that a member is deliberately contravening a provision of these Rules, or that a Member is in contempt of, or is disregarding the authority of the Chair, or that a Member's conduct is grossly disorderly, he or she may order the member to withdraw immediately from the Chamber for the remainder of the sitting.'

The committee is therefore of the view that the Presiding Officers were fully within their rights to attempt to restore the order of the proceedings by invoking Rule 14G.  The fact that they did not do so, except for an occasion when they ordered Ms Nokulunga Sonti to leave the House, suggests that in their opinion, the circumstances did not warrant the invocation of Rule 14G.

The committee identified a deficiency in the Joint Rules, which in its report to the Speaker, it will recommend that it be remedied. Especially as it relates to a point of order which has previously been ruled upon by the Presiding Officer.

As for the incident where an MP threw a water bottle/s as Members of the Economic Freedom Fighters were walking out of the Chamber, the committee resolved that that member must be identified and charged. "No one is allowed to throw objects in the Chamber. If the Member belongs to the NA, the NA committee is going to deal with the Member. If he or she belongs to the NCOP, the NCOP committee will deal with the Member," said the Chairperson of the committee Mr Philly Mapulane.
 **ISSUED BY THE PARLIAMENTARY COMMUNICATION SERVICES ON BEHALF OF THE CHAIRPERSON OF POWERS AND PRIVILEGES COMMITTEE, MR PHILLY MAPULANE.**