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20 September 2022

Hon. DE Dlakude, MP
Chairperson
Sub-Committee on the Review of the National Assembly Rules

Email: phahndiek@parliament.gov.za

Dear Chairperson,

RE: Proposal to Establish Oversight Committee on the Presidency

Your correspondence of 16 September refers.

This is a matter that I have raised on several occasions, the last being at a meeting of the NA Rules committee held on 2 September 2022. Hereunder please find my brief proposal on the matter for due consideration by the Sub-Committee on Rules.

Our Constitution prescribes that mandatory oversight of the executive is established by parliament.

For ease of reference, I direct you to the provisions of the Constitution [1996] regarding oversight and accountability by parliament over the executive.

1. **Constitution of the Republic of South Africa [1996]**
   Section 42(3)(b) [1]
   Section 55(2)(a) and (b) [2]

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[1] The National Assembly is elected to represent the people and to ensure government by the people under the Constitution. It does this by choosing the President, by providing a national forum for public consideration of issues, by passing legislation and by scrutinizing and overseeing executive action

Section 56 [3]
Section 57(2)(a) and (b) [4]

The current Rules of the National Assembly [NA] call for strict adherence in accordance with Constitutional prescripts NA Rule 3(3).
The establishment of committees other than those referred to in NA Rule 150(1)(a) and (b) is contained in NA Rule 150(2).

At a Provincial Level, the Premier is held to account and oversight for budget spending in terms of established Committees of the Legislature.

As per the Estimates of National Expenditure [ENE] which is an integral part of the annual budgeting process, Vote 1 – The Presidency does not currently have any kind of parliamentary oversight as is afforded the other executive portfolios, namely ENE Budget Votes 2 – 41[5].

In support of parliament having comprehensive oversight of all government spending as is mandated by the Constitution [1996] I request that this matter kindly be tabled and considered by the Sub-committee on the Review of the National Assembly Rules.

Yours Faithfully

Hon. Narend Singh, MP

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[2] The National Assembly must provide for mechanisms -
a. to ensure that all executive organs of state in the national sphere of government are accountable to it; and
b. to maintain oversight of -
i. the exercise of national executive authority, including the implementation of legislation; and
ii. any organ of state.

[3] The National Assembly or any of its committees may -
a. summon any person to appear before it to give evidence on oath or affirmation, or to produce documents;
b. require any person or institution to report to it;
c. compel, in terms of national legislation or the rules and orders, any person or institution to comply with a summons or requirement in terms of paragraph (a) or (b); and
d. receive petitions, representations or submissions from any interested persons or institutions.

[4] 1. The National Assembly may -
a. determine and control its internal arrangements, proceedings and procedures; and
b. make rules and orders concerning its business, with due regard to representative and participatory democracy, accountability, transparency and public involvement.
2. The rules and orders of the National Assembly must provide for -
a. the establishment, composition, powers, functions, procedures and duration of its committees;
b. the participation in the proceedings of the Assembly and its committees of minority parties represented in the Assembly, in a manner consistent with democracy;
[5] "Estimates of National Expenditure – Budget 2022" National Treasury