

# Parliament's Implementation Plan<sup>10</sup>

*Below is the list of the recommendations in the Zondo Report that pertain to Parliament, as listed in Parliament's Implementation Plan*

This plan proposes the manner in which Parliament could process the Zondo Commission Report and the President's response to the Commission's recommendations. The plan is structured along four focus areas: Recommendations on parliamentary oversight and accountability, Parliamentary oversight of the President's [Executive] response plan, Monitoring Parliament's implementation plan and Parliamentary reforms to strengthen exercising Parliament's Constitutional mandate.

## 1. RECOMMENDATIONS ON PARLIAMENTARY OVERSIGHT AND ACCOUNTABILITY

While the Commission made various references to the extent, timeliness and effectiveness, of Parliamentary oversight pertaining to allegations of State Capture, it advanced sixteen (16) recommendations relating specifically to Parliament. In the main, these pertained to Parliament's oversight and accountability mandate. These included Parliament's consideration of:

- The establishment of a committee to oversee the President and the Presidency
- Enhancing the capacity of Members of Parliament to hold

the Executive Accountable, through introduction of a constituency-based electoral system

- Protecting Members of Parliament from losing Party membership and their seats in Parliament, by law
- Improved reporting of the Joint Standing Committee on Intelligence at the end of term of each Parliament
- Adequate resourcing for parliamentary oversight, including enhancing research and technical assistance to committees and the establishment of an Oversight and Advisory Section
- Improved attendance and

reporting of the Executive at parliamentary committees, including appropriate consequence management

- A system to track and monitor performance of the Executive on resolutions of [the Houses of Parliament] where corrective action is proposed
- The principle of "amendatory accountability" and possible legislation or amendment to Parliament's rules in this regard
- Appointment of Chairpersons of committees to include more Members of opposition parties
- Amendment to Parliament's rules regarding appointments by Parliament. **NA**



**PARLIAMENT**  
OF THE REPUBLIC OF SOUTH AFRICA

Parliament: Following up on our commitments to the people

**CONSIDERATION OF THE REPORT OF THE JUDICIAL COMMISSION OF INQUIRY INTO ALLEGATIONS OF STATE CAPTURE, CORRUPTION AND FRAUD IN THE PUBLIC SECTOR INCLUDING ORGANS OF STATE AND THE PRESIDENT'S RESPONSE TO THE COMMISSION'S RECOMMENDATIONS**

**Parliament's Implementation Plan**

**03 NOVEMBER 2022**



# Insights on the Committee system

*An extract from the PMG Report<sup>11</sup>*

The committees of Parliament are the primary forum for robust oversight and accountability. In our review last year, we touched on some institutional weaknesses that frustrate effective oversight and how these can be addressed. Some of these points are worth repeating in this section (Doyle, et al., 2022: 14).

While there are certain recommendations that only particular committees can deal with (e.g. electoral reform), there are a number of recommendations that all committees should really be implementing.

In March 2023, during a discussion on the fiscal framework and revenue proposals by the two finance committees, ANC MP Yunus Carrim suggested that each parliamentary committee should be allocated responsibilities to ensure the implementation of the Zondo Commission recommendations. In our review last year, we recommended that each committee must be workshopped on the Zondo Commission recommendations and we wish to repeat that call (Doyle, et al., 2022).

When considering the recommendations in totality, there are some complex “big issue” recommendations but also a number of “small quick wins” committees that could begin putting into practice, independently.

An example of such “low-hanging fruit” is the tracking system. Over the years, MPs have lamented in committee meetings a lack of a tracking system to follow up on recommendations and resolutions. While having a standardised, global system in the institution is ideal, there is nothing stopping individual committees from developing their own system. Another creative way of ensuring recommendations and resolutions are acted on is to programme follow-up meetings each term.

Another good start for committees is for them to look at their own resourcing requirements, as Zondo made recommendations on this. As the Sixth Parliament draws to a close, this is an opportune time for committees to

consider their resourcing over the past four years and make recommendations for the institution to consider for the Seventh Parliament. Such an exercise would be useful to reveal critical deficiencies in resourcing and the reoccurring issues across committees.

To improve their effectiveness and strengthen oversight, we recommend more committees look into dedicated subcommittees, especially when the committees oversee a large number of entities or the department they oversee has two distinct mandates. So far, we have only seen the Portfolio Committee on Justice and Correctional Services try to somewhat carve out oversight on the Correctional Services component by dedicating Fridays for focused meetings. This is after the Committee in the Fifth Parliament noted that the Correctional Services portfolio suffered when the Justice and Correctional Services ministries were combined in 2014.

Additionally, we highlighted that committee meetings are too often dominated by lengthy presentations and insufficient time is left for robust discussion – form over substance. It would seem at times that the executive exploits this and presentations can run into hundreds of slides with an overload of information.

While useful and not without value, slides and documentation can easily be provided before a meeting. Ideally, Members should arrive prepared, a high-level summary can be provided by the department or entity accounting in the meeting but emphasis is placed on allowing as much time as possible for robust questioning. If entrenched and carried over to the Seventh Parliament, such practices could strengthen committee oversight.

We maintain that oversight will be strengthened if committees forge relationships with civil society organisations working within their portfolios. Especially given that resources are constrained for committees, soliciting

input from civil society and making use of credible media exposés when conducting oversight meetings will broaden and expand the material committees can draw from when conducting oversight. Committees are busy, generally well-oiled machines when conducting regular and routine oversight meetings such as annual and quarterly reports, but it is not in these activities that the “big issues” rear their heads. It is often in media-driven, breaking news cases that the true test of oversight is revealed. The State Capture Commission has demonstrated this.

## REFERENCES

- Doyle, M., Rault-Smith, J. and Alli, R. 2022. “WHERE WAS PARLIAMENT?” A PMG review of parliamentary oversight in light of State Capture and the Zondo Report. Parliamentary Monitoring Group. August. Available at [https://static.pmg.org.za/PMG\\_Zondo\\_Report.pdf](https://static.pmg.org.za/PMG_Zondo_Report.pdf)
- Ndlovu, S. (2023) A PMG Review of Parliament’s Processing of the State Capture Commission Report. Parliamentary Monitoring Group. June. Available at <https://bit.ly/3ravauE>
- Parliament of RSA, 2022. Consideration of the Report of the Judicial Commission of Inquiry into Allegations of State Capture, Corruption and Fraud in the Public Sector including Organs of State and the President’s Response to the Commission’s Recommendations: Parliament’s implementation plan, November. Available at <https://pmg.org.za/committee-meeting/36109/>
- RSA, 2022. Judicial Commission of Inquiry into Allegations of State Capture, Corruption and Fraud in the Public Sector Including Organs of State Report: Part VI Vol 2 Parliamentary Oversight. Chairperson: Justice R.M.M Zondo Chief Justice of the Republic of South Africa, 22 June. Available at <https://www.statecapture.org.za>

## ENDNOTES

- 1 [https://static.pmg.org.za/PMG\\_Zondo\\_Report.pdf](https://static.pmg.org.za/PMG_Zondo_Report.pdf)
- 2 <https://bit.ly/3ravauE>
- 3 <https://pmg.org.za/committee-meeting/36109/>
- 4 Rules of the National Assembly | PMG
- 5 [https://static.pmg.org.za/230421Annexure\\_E\\_PBO\\_Briefing\\_on\\_Vote\\_1\\_Presidency\\_Oversight\\_-\\_November\\_2022.pdf](https://static.pmg.org.za/230421Annexure_E_PBO_Briefing_on_Vote_1_Presidency_Oversight_-_November_2022.pdf)
- 6 Establishment of Committee & Clustering of Ministers for Questions; Subcommittee Report | PMG
- 7 <https://cutt.ly/GwrrmFPE>
- 8 <https://pmg.org.za/page/LegacyReports>
- 9 [https://www.ndi.org/sites/default/files/1215\\_sancoprole22001\\_5.pdf](https://www.ndi.org/sites/default/files/1215_sancoprole22001_5.pdf)
- 10 <https://pmg.org.za/committee-meeting/36109/>
- 11 <https://bit.ly/3ravauE> **NA**