

UNION INTERPARLEMENTAIRE



INTER-PARLIAMENTARY UNION

**ASSOCIATION DES SECRÉTAIRES GÉNÉRAUX DES PARLEMENTS
ASSOCIATION OF SECRETARIES GENERAL OF PARLIAMENTS**

COMMUNICATION FROM

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**FLOOR CROSSING IN THE NATIONAL ASSEMBLY (A BRIEF OVERVIEW)
& LANGUAGE POLICY DEVELOPMENT
IN PARLIAMENT OF SOUTH AFRICA**

Geneva Meeting

1st – 3 October 2003

Genève : ASGP c/o Union interparlementaire - Place du Petit Saconnex - case postale 438 - 1211 Genève 19 - SUISSE
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L'A.S.G.P. est un organisme consultatif de l'Union Interparlementaire et s'est réunie pour la première fois le 16 août 1939 à Oslo (Norvège)

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A. Floor crossing in the National Assembly : a brief overview

1. During March 2003 the Constitution of the Republic of South Africa was amended to allow, firstly, a member of the National Assembly or a provincial legislature to become a member of another party whilst retaining membership of the Assembly or that provincial legislature. The amendment allowed, secondly, an existing party to merge with another party, to subdivide into more than one party, or to subdivide into more than one party and the subdivisions to merge with another party whilst members affected by such mergers and subdivisions retain membership of the relevant Legislature. Lastly, implicit in the amendment was provision for a member to leave an existing party to form a new party. These factual situations are collectively referred to as "floor crossing" throughout this document.

2. As the National Assembly and the provincial legislatures are elected according to a system of proportional representation (as opposed to a constituency based system) membership to these legislatures is based on political party affiliation. Normally, when a member ceases to belong to the party, which originally nominated him or her, membership to the National Assembly or provincial legislatures also ceases. The amendment allows changes to party affiliation whilst retaining membership, but only during certain periods of time (1-15 November in the second and fourth year following an election) and only if the change affects ten per cent of the seats held by the party in the National Assembly or provincial legislature. However, the initial floor crossing period was exempt from these limitations and happened from 21 March until 4 April 2003.

3. When the amendment was successfully challenged in the Constitutional Court during October 2002, the Court took a negative view only of the procedure whereby the amendment was enacted. These procedural problems were corrected and floor crossing is part of the Constitution today. From an administrative perspective, it is safe to say that the first floor crossing exercise was by and large conducted successfully and the few practical problems that occurred during the implementation of the amendment, such as filling of vacancies left by members of new parties, is the subject of the annual constitutional review.

4. As a result of floor crossing in the National Assembly the majority party increased its representation from 66.5 % to 68.75 %. The official opposition also increased its representation from 9.5 % to 11.5 %. Significantly, five new parties were formed, one party lost its only seat and members of the official opposition crossed to join their umbrella party, which they in fact represented.

5. Attached is a table setting out the changes brought about by floor crossing.

B. Language Policy Development in Parliament of South Africa

1. Period 1998 - 2003

1.1 Recognising that Parliament used two of the official languages (English and Afrikaans) and that the Constitution promotes the principle of multilingualism, Parliament started using more of the official languages in its business.

1.2 Members started to use their mother tongues during debates. These were interpreted into English and Afrikaans. Hansard got to be published in the floor languages translated into English and Afrikaans.

1.3 Parliamentary Papers were and still are published in English and Afrikaans.

1.4 Later Parliament adopted English to be the language of record. Therefore, speeches were published in the floor languages translated into English. South African Sign Language (SASL) was also introduced.

1.5 Committee proceedings were and still are conducted in English.

2. Period 2003 onwards

In August 2003, Parliament adopted its language policy which provides for the incremental use of all official languages, starting with 6 languages including SASL in the 1st phase (3-5 years) to all 11 in the 2nd phase (after 5 years). In the 1st phase Nguni and Sotho groups will rotate.

This policy applies to the following parliamentary business:

- Plenaries
- Committee proceedings and reports
- Parliamentary Papers
- External communication including with the media

The Parliamentary Service is working towards starting to implement the new language policy in February 2004.

PARTIES	1999 ELECTION	%	CROSSERS	AFTER FLOOR CROSSING	%
ANC	266.00	66.50	9.00	275.00	68.75
DA	38.00	9.50	8.00	46.00	11.50
IFP	34.00	8.50	-3.00	31.00	7.75
NNP	28.00	7.00	-8.00	20.00	5.00
UDM	14.00	3.50	-9.00	4.00	1.00
ACDP	6.00	1.50	1.00	7.00	1.75
PAC	3.00	0.75	-1.00	2.00	0.50
UCDP	3.00	0.75		3.00	0.50
Freedom Front	3.00	0.75		3.00	0.75
Freedom Alliance	2.00	0.50		2.00	0.50
Afrikaner Eenheidsbeweging	1.00	0.25	-1.00	0.00	0.00
AZAPO	1.00	0.25		1.00	0.25
Minority Front	1.00	0.25		1.00	0.25
Independent Democrats*		0.00	1.00	1.00	0.25
National Action*		0.00	1.00	1.00	0.25
African Independent Movement*		0.00	1.00	1.00	0.25
Alliance for Democracy & Prosperity*		0.00	1.00	1.00	0.25
Peace and Justice Congress"		0.00	1.00	1.00	0.25
TOTAL	400			400	

* New parties