

MINISTERS' OBLIGATIONS IN THE BUSINESS OF THE HOUSE

1. Introduction

In the Parliament of Zimbabwe, as in all other Parliaments, Ministers or members of the Executive have obligations in the business of the House. The Leader of Government Business who is ordinarily referred to as the Leader of the House is principally responsible for Government Business in Parliament. In the last Parliament, one of the Vice Presidents was designated as the Leader of Government Business and in turn delegated the functions to a Government Minister in either House.

Constitution of Zimbabwe Amendment (No.19) Act specifically provides for the office of Leader of Government Business and stipulates that the Prime Minister shall have the responsibility to discharge the functions of the Leader of Government Business in Parliament. Thus, the Leader of the House now derives his/her authority from the Constitution of Zimbabwe and the Standing Orders of Parliament. The Leader of the House is in turn expected to ensure that Ministers fulfil their obligations in the business of the House.

2. Functions Of The Leader Of Government Business

- Is a member of the Committee on Standing Rules and Orders, which is the policy making body of Parliament.
- The Leader of Government Business is a member of the Business of the House Committee and is responsible for steering and managing Government Business in the House. (N.B. Each House has its own Business of the House Committee and joint meetings may be held to coordinate the sittings and sessions of the Houses.)

- The Leader of Government Business, in consultation with the Speaker, the President of the Senate, Whips and Ministers, determines the order in which items of Government Business will be dealt with in the relevant House.
- Manages the legislative schedule of Parliament.
- Liaises with the leaders of political parties represented in Parliament regarding the scheduling of debates in both Houses, adjournment of debates and adjournment of the House.
- Ensures the attendance of Cabinet Ministers to respond to questions and motions in Parliament.
- Follows up with Ministers assurances made by the Executive in Parliament in response to Committee Reports, Members' motions and questions.
- Seeks prior approval of the Speaker or the President of the Senate for Ministerial statements to be made in the relevant House.
- Is responsible for moving procedural motions, on behalf of the Government, to facilitate the business of the House. Examples include motions to suspend provisions of Standing Orders to facilitate timeous passage of urgent bills. This ensures that, as far as possible, the passage of Government Business is not unduly delayed or disrupted.

2. Obligations of Ministers in the Business of the House

2.1 Question time

In the exercise of Parliament's oversight and representational roles, backbenchers may pose questions for oral or written answer to a Vice President or a Minister on public affairs falling under that Minister's purview or to proceedings in the House or any matter of administration for which the Vice President or Minister is responsible.

In the House of Assembly, question time takes place on Wednesdays where questions without notice are taken up to a quarter past three o'clock pm and those with notice are taken at quarter past three o'clock pm or immediately after questions without notice whenever the later is concluded before quarter past three o'clock pm. Questions without notice are restricted to matters of policy while questions with notice can be on any subject matter. Questions with notice last up to quarter past four o'clock pm.

In the Senate, question time takes place on Thursdays and all questions require notice. In light of the foregoing, Ministers have an obligation to attend sittings on Wednesdays and Thursdays to answer members' questions in the House of Assembly and Senate respectively.

Administrative Arrangements

Deadlines are set for the handing in of questions. Once received within the stipulated limits, questions are sent to Ministries before they appear on the Order Paper in order to facilitate research in response.

2.2 Bills

Bills are published in the Government Gazette at least 14 days before introduction and immediately stand referred to a portfolio committee. Portfolio Committees are expected to seek public opinion, deliberate and report to the House at Second reading stage. During this process, committees may deem it necessary to engage the Minister. It has worked well when agreements are made at this stage.

At the introduction stage, Ministers do not give notice of presentation of bill orally in the House. As soon as the bill has been printed, "Notice of Presentation" forms are sent to the Ministry. The Minister or Secretary to the Ministry should sign these forms stating the date when the bill is to be presented to the House (subject to the 14 days). On the said date the

notice will be put on the Order Paper and the Minister is expected to be in the House on that day at the beginning of business.

The bill then stands referred to the Parliamentary Legal Committee. The PLC has 21 working days within which to consider a bill and if not finished it can seek an extension from the President of the Senate or Speaker depending on which House it has originated from. The PLC may also seek to engage the Minister during its enquiry.

If a non-adverse report is received from the PLC, a bill is set down for Second Reading the following day. This is in compliance with the provisions of Standing Order No 109(HoA).

At the Second Reading stage the Minister is expected to explain the general principles of the bill and its merits. The portfolio committee may present its report immediately after and then backbench MPs make their contributions. Ministers are expected to respond to questions, concerns and issues raised by backbenchers during this stage and all the following stages (committee and third reading).

2.2 Committee enquiries

As a recommendation of the Reform Committee, the mandate of committees was expanded to include examination of government policy. Whereas committees ordinarily work with secretaries as far as operations and implementation of policy is concerned, Ministers may be invited to appear before Committees to give oral evidence on issues to do with policy.

2.3 Motions and Committee Reports

Ministers are expected to respond to the motion in reply to the President's speech and to any other motions that may be moved by backbenchers on

matters concerning their Ministries. At the conclusion of debate on a report of a Committee, the Minister under whose portfolio the matters raised in the report fall is required to provide a comprehensive response within a period specified by the Business of the House Committee. In other words, Ministers are expected to respond to all Committee reports that are presented in Parliament.

2.4 Procedural motions

In the absence of the Leader of the House, Ministers are responsible for moving procedural motions in the Houses.

3.0 CONCLUSION

Parliament business should not be treated as an aside. There is, therefore, need to reactivate the Business of the House Committee so that Parliamentary sittings are well planned taking into account the needs of the Executive, MPs, and constituencies. To facilitate better coordination between Parliament and Ministries consideration should be given for the re-establishment of the Parliamentary liaison officers. These officers need to be holders of relatively high positions in their Ministries to enable them to demand responses.