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NATIONAL ASSEMBLY OF ZAMBIA
PARLIAMENTARY PROCEDURE

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ABSTRACT SERIES

TABLING OF DOCUMENTS IN PARLIAMENT

NATIONAL ASSEMBLY
RESEARCH DEPARTMENT

PREFACE

This parliamentary Abstract series describes the Tabling of Documents in Parliament. The information is based on the provisions contained in the Constitution of Zambia, various Acts of Parliament, and Rules of Procedure set out in the Standing Orders.

However, it should be noted that the information contained herein is not exhaustive.

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INTRODUCTION

The term 'tabled' literally means that a document has been laid on the Table of the House. The tabling of a document in Parliament effects the publication of that document and the protection of parliamentary privilege. Documents that are tabled in Parliament include reports from Parliamentary Committees, annual reports of Ministries, Government Departments or bodies that receive Government funding. Documents laid on the Table are processed by the Journals and Table Office Department before they are published or otherwise distributed. Publishing documents before they are laid on the Table of the House is considered discourteous to the House.

THE PURPOSE OF TABLING DOCUMENTS/REPORTS IN PARLIAMENT

According to Standing Order 137, a document is tabled in order to supply authoritative facts and information to the House to enable Members to effectively participate in debate. Further, a document may be tabled at anytime whether the House is in session or on recess. Once a document is 'tabled', it becomes a permanent record of the House and accessible to both Members and the public. Therefore, tabling of documents/reports in Parliament enhances the effectiveness of Parliament in ensuring accountability by the Executive.

PROCEDURE OF LAYING PAPERS ON THE TABLE OF THE HOUSE

The procedure followed in the tabling of documents on the Table of the House is provided for under Standing Orders 138 to 147 as outlined below.

Standing Order 138: Tabling of Document by Minister

- (1) A Minister may, on behalf of Government, table a document at any time.
- (2) Where a Minister quotes from a document in the House, which has not been presented to the House, the Minister shall table the document unless the document is classified and the Minister indicates that the disclosure is not in the public interest.
- (3) Where a Minister tables a confidential document, the document shall only be accessible to Members.
- (4) A Member shall neither divulge the contents of a confidential document nor make copies thereof for third parties.

Standing Order 139: Tabling of Public Document by Backbencher

- (1) A Backbencher may table a public document provided it is an original document.

- (2) A Backbencher shall not table a copy of a public document unless the copy has been certified as a true copy of the original document by the relevant head of Government Ministry, Department or Agency that has custody of the original document.

Standing Order 140: Tabling of Private Document by Backbencher

- (1) A Backbencher who wishes to table a private document shall seek prior permission of the Speaker.
- (2) In seeking permission under paragraph (1), the Backbencher shall submit a copy of such document to the Speaker at least twelve hours in advance, to enable the Speaker examine it.
- (3) A Member who has prior permission to table a document under paragraph (2), shall table it immediately after he or she has finished debating.

Standing Order 141: Admissibility rules for tabling a Private Document by Backbencher

- (1) In deciding whether or not to grant permission to a Backbencher to table a private document, the Speaker shall take into consideration the following:
 - (a) that the subject matter contained in the document is in some way connected with Business that is currently or will soon come before the House;
 - (b) that the document is important to form part of the Journals of the House;
 - (c) that the document does not contain anything contrary to public interest or morality;
 - (d) that by tabling the document, the House will not be turned into a forum for expressing views which may lower its integrity, decorum or authority; and
 - (e) that the document is authentic.
- (2) The Speaker may refuse to grant permission to table a document on any ground, including the following:
 - (a) that the document is a private correspondence;
 - (b) that the authenticity of the document cannot be easily established;

- (c) that the document is a statement of figures prepared by the Member or contains his or her views and the Member cannot vouch for the authenticity of the contents;
 - (d) that the document is easily available for reference by any Member; or
 - (e) that the Member seeks to lay the document unrelated or irrelevant to the Business before the House.
- (3) Where the Speaker grants permission for a document to be tabled, the Member shall provide an authenticated copy of the document, which shall be recorded in the Daily Parliamentary debates and also in the Votes and Proceedings of the House.
- (4) Where the Speaker refuses to grant permission for a document to be tabled, the document shall be returned to the Member concerned with reasons for the Speaker's refusal attached.
- (5) A private document is considered authentic if it meets one of the following criteria:
- (a) the document is original; or
 - (b) the document is certified as a true copy of the original by a Commissioner for Oaths.

Standing Order 142: Tabling of Government and Quasi-Government Reports

- (1) A Ministry, Department or a body that receives Government funding, shall submit an annual report on the operations of the Ministry, Department or body for the year preceding the financial year.
- (2) The annual report under paragraph (1), shall be tabled in the House within fourteen days of the start of a new Session of the Assembly.
- (3) The Vice-President or a Minister under whose jurisdiction the Ministry, Department or body falls shall sign the letter requesting the Clerk to table the annual report.
- (4) An annual report shall contain the following information:
 - (a) the structure or organisation of the Ministry, Department, statutory corporation or organisation, showing clearly the principal officers;

- (b) major programmes, strategies and extent of execution which clearly indicate the effectiveness of the Ministry, Department or organisation in executing development programmes;
 - (c) major constraints to the execution of the programmes;
 - (d) proposed solutions to the challenges faced in the preceding year; and
 - (e) an audited financial statement.
- (5) For the purposes of tabling, a Government Ministry, Department or statutory corporation or organisation shall submit a minimum of ten copies of the annual report to the National Assembly, and in the case of Presidential and Budget Speeches not less than twenty copies.
- (6) An institution submitting an annual report shall also submit a soft copy of the report to the Office of the Clerk.
- (7) An annual report shall become a public document only after being tabled.

Standing Order 143: Tabling of Auditor-General's Report

- (1) When the Auditor-General submits a report under Article 212 of the Constitution, the Speaker shall, within forty-eight hours of its receipt, cause it to be tabled.
- (2) Upon being tabled, the report under paragraph (1) of this Standing Order, shall stand referred to the appropriate Committee for examination.
- (3) The Committee to which the report of the Auditor General is referred shall submit a report on its findings to the House.
- (4) A report of the Auditor-General not falling under Article 212 of the Constitution shall be tabled on the authority of the Vice-President.
- (5) The Auditor-General shall not publish a report prior to its submission to the Assembly, for tabling.

Standing Order 144: Tabling of Committee Report and uploading on website

- (1) A Committee chairperson or, in the absence of the Committee Chairperson, the Committee Vice-Chairperson, or in the absence of both the Committee Chairperson and Vice-Chairperson, a Member of the Committee, may cause a report of his or her Committee to be laid on the table.

- (2) In causing the report to be tabled under paragraph(1), the Committee Chairperson, the Vice-Chairperson or, the Member, as acting Committee Chairperson, shall submit the report together with an accompanying letter signed by him or her, to the Clerk requesting the Clerk to table the report.
- (3) The Clerk shall upload a Committee report onto the official Parliament website once it is tabled.
- (4) A Committee report that has been tabled may be placed on the Order Paper for debate on a date determined by the Speaker.
- (5) The Committee Chairperson or, in the absence of the Committee Chairperson, the Committee Vice-Chairperson, or in the absence of both the Committee Chairperson and Vice-Chairperson, any Member of the Committee may move or second the motion, to adopt the report of the Committee.

Standing Order 145: Amendment to Committee Report

- (1) A Member may at any time after a Committee report has been laid on the Table of the House, propose an amendment to the report.
- (2) A Member who wishes to propose an amendment under paragraph (1), shall, not less than twenty-four hours before the date set for debate of the Committee report, submit a type-written and signed notice of amendment to the Office of the Clerk.
- (3) Upon the Motion to adopt the Committee's report being moved and seconded, the Speaker shall call upon the Member proposing the amendment to give reasons for the proposal.
- (4) A Member proposing the amendment or contributing to the debate on the proposed amendment shall not speak for more than five minutes.
- (5) The House may adopt the Committee report under paragraph (4) subject to the amendment.
- (6) The Clerk shall submit the amended Committee report to the Speaker for approval before submitting the Report to the Executive for action.
- (7) A Member shall not propose an amendment to a report of a Committee to which he or she is a Member.
- (8) The amount of time allocated for consideration of all proposed amendments to each report shall not exceed thirty minutes.

Standing Order 146: Report of Parliamentary Delegation

- (1) A leader of a parliamentary delegation or a Member of the delegation on behalf of the leader of the delegation shall table a report on the activities of the international conference the delegation attended abroad.
- (2) If the House is then sitting, the report shall be laid on the Table within ten days of the delegation's return from abroad.
- (3) If the House is on recess, the report shall be laid on the Table within ten days of the resumption of sitting of the House next following the delegation's return from abroad.
- (4) The leader of the delegation or a Member of the delegation, on behalf of the leader of the delegation, shall sign the report under paragraph (1).
- (5) On a day determined by the Speaker, the leader of the delegation or a Member of the delegation, on behalf of the leader of the delegation, shall by motion, present an executive summary of the report, highlighting the key recommendations contained in the report.
- (6) Upon the report being adopted, the Speaker shall refer the recommendations in the report to an appropriate Committee for follow up action.
- (7) For purposes of this Standing Order- 'abroad' includes an international conference held in, or hosted by, Zambia; and 'international conference' means a conference organised by international organisation to which the Assembly pays subscription fees.

Standing Order 147: Public Access to Tabled Document

The public has access to, and if necessary, may take extracts from or copies of all Tabled documents except confidential documents whose access is restricted to Members.

CONCLUSION

Tabling of documents in the House is an important undertaking in conforming to the principles of democracy. From the above, it is clear that the primary object of tabling any paper in Parliament is to account to Parliament. The tabling of such papers is accordingly an important link in the process of ensuring accountability and openness of government.