



NATIONAL ASSEMBLY OF ZAMBIA
PARLIAMENTARY PROCEDURE

6

ABSTRACT SERIES

PETITIONS

NATIONAL ASSEMBLY
RESEACH DEPARTMENT
LUSAKA

PREFACE

This Abstract is part of the Parliamentary Procedure Abstracts Series and gives in brief the procedure regarding Petitions. It is based on the Rules of Procedure and Conduct of Business provided in the Standing Orders of the National Assembly of Zambia. It is intended to serve as a quick reference guide.

However, the information contained here is not exhaustive.

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ACTING CLERK OF THE NATIONAL ASSEMBLY

INTRODUCTION

The right of petitioning Parliament is a long-established fundamental right of the citizen. Petitioning is one of the traditional forms by which citizens can make requests directly to Parliament. A Petition is a formal request signed by at least one person and placed before Parliament with the object of persuading Parliament to take some particular action. All other processes entail communicating through a parliamentary representative or a parliamentary committee. The process of presenting Petitions to the National Assembly is set out in the National Assembly Standing Orders (2021) No. 123 to 126. Petitions do require the involvement of a Member to present the petition to the House, but the Member cannot alter the terms or place his or her own interpretation on it.

WHAT ARE PETITIONS?

A Petition is basically a request for action. Any citizen or resident of Zambia, or group of citizens or residents, may petition the House to take action. For example, petitioners may ask Parliament to introduce legislation, or to repeal or change existing legislation, or to take action for a certain purpose or for the benefit of a particular people. Less commonly, a Petition from an individual citizen may seek the redress of a personal grievance, for example, the correction of an administrative error. The subject of a Petition must be a matter on which Parliament has the power to act on, that is, it must be an issue involving legislation or Government administration.

Petitions serve two principal objects, namely:

- (i) to state the merits of a public matter to which the petitioner wishes to invite the attention of the National Assembly; and
- (ii) to show and stress the degree of importance which the public is giving to the matter with a view to intensifying and focusing public opinion and ensuring that the Government may be moved to quick action in cases of genuine grievances.

SCOPE AND RIGHT OF CITIZEN TO PETITION

(1) A citizen may petition the Assembly to initiate an enactment, amendment or repeal of legislation in accordance with **Article 88(1)** of the Constitution.

(2) A citizen may also petition the Assembly on any subject matter within the jurisdiction of the Assembly.

(3) A citizen who wishes to petition the Assembly under paragraphs (1) and (2), must submit to the Office of the Clerk, during normal working hours, a type-written letter or

a completed form as set out in Appendix I of the National Assembly of Zambia Standing Orders, 2021.

(4) The letter under paragraph (3), shall-

- (a) be addressed to the Speaker;
- (b) ask the House to take action on a specified subject matter;
- (c) be signed by the petitioner;
- (d) be in the English language; and
- (e) have the full name of the petitioner, address and a day time telephone number.

(5) A Petition may be submitted electronically provided it bears a digital signature.

RULES GOVERNING THE ADMISSIBILITY OF PETITIONS

A Petition is admissible if-

- (a) it is not addressed to a Government Minister or the Vice- President;
- (b) the subject matter of the petition is not pending determination before a court of law;
- (c) the petitioner has exhausted all channels for remedial action.
- (d) it is not similar to a Petition that has already been considered by the House during that term of Parliament;
- (e) it is written in a respectful manner and in civil language; or
- (f) it does not involve expenditure from the Consolidated Fund.

PETITION TO BE LAID ON THE TABLE

- (1) On receiving the Petition, the Speaker shall, if the Speaker Considers that the Petition qualifies as a parliamentary Petition, cause it to be laid on the table; and
- (2) The Petition under paragraph (1) shall, upon being laid on the table, be referred to an appropriate committee for consideration.

REPORT ON PETITION TO BE LAID ON TABLE

(1) The report of the Committee on a Petition shall be laid on the Table for debate and, upon adoption by the House, the recommendations of the committee shall be submitted to the relevant institution for possible action.

(2) The Clerk shall, in writing, inform the petitioner of the manner in which the Petition is dealt with and the resolution of the Assembly on the matter.

CONCLUSION

Petitions are good method for participating in Parliament operations.