

ADVISORY PAPER NO. 7 - COMMITTEE CHAIRS

Recommendation of the Needs Assessment Report

The Chairpersons should not change every year, since they are the persons who must ensure the direction and energy of their committees (page 29)

1. The Constitution (of 2003) at article 119B establishes Sectoral Committees and these are discussed in Advisory Paper No. 8. Subsection (2) of that section states that the “*Chairperson and Deputy Chairperson of each Parliamentary Sectoral Committee shall be elected from the opposite sides of the National Assembly*” and Resolution 19 of the Assembly provides that “*the Chairperson and Deputy Chairperson of each Sectoral Committee shall be elected from opposite sides of the National Assembly and would alternate annually with two (2) Sectoral Committees each to be chaired by the Government and Opposition respectively*”.
2. All the Committees of the Assembly roughly reflect the proportion of Government to Opposition Members in their numbers (see Standing Order 72 (1), as for example, the Sectoral Committees are comprised of 7 Members; 4 from the Government and 3 from the Opposition.
3. In the majority of cases the Committee Chair is rightly limited to a **casting vote** only (see Standing Order 74 (3)), mirroring the voting power of the Speaker in the Assembly itself.

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4. Thus in the case of the Public Accounts Committee and the two Sectoral Committees chaired by Opposition Members, the voting power of the Opposition is reduced.

5. A Chair elected for a period longer than a year gives a certain stability to the Committee and the overall Committee process (see paragraph 107, page 27 of the Needs Assessment).

6. There are a number of options available to the Assembly in relation to the appointment of Chairs:

- a) maintain the status quo contrary to the recommendation;
- b) omit "*annually*" and substitute a different period such as for example "*2½ years;*"
- c) omit the provision requiring the Chair to alternate and appoint chairs for the life of the committee;
and
- d) have committees elect only Government Members as their Chairs and, by convention, Opposition Members as their Deputy Chairs (this still accords with the constitutional provision).

7. In any case there is no Standing Order regarding the election of Committee Chairs and Deputy Chairs except in the case of a Special Select Committee in Standing Order 71 (2).

Standing Order 74 (3) provides for a Chairman to have a casting vote only. This provision has been transferred to the following proposed Standing Order so that there is no ambiguity about the Chair's vote in Committee:

CHAIR AND DEPUTY CHAIR

71A Chair and Deputy Chair

- 1) Before the start of business, a Committee shall elect a Member as its Chair. The Chair shall have a casting vote only.**
- 2) A Committee shall also elect a Deputy Chair who shall act as Chair of the Committee whenever the Chair is not present at a Meeting. If neither the Chair nor the Deputy Chair is present at a Meeting, the Members present shall elect another Member to act as Chair at the Meeting.**
- 3) The Chair and Deputy Chair of each Sectoral Committee shall be elected from opposite sides of the National Assembly and would alternate every 2½ years with two Sectoral Committees each to be chaired by the Government and Opposition respectively.**

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8. It is also the practice of the National Assembly to have the Speaker preside at the first Meeting of every Committee. This is an unnecessary burden on the Speaker and is not a reflection of what takes place in the Assembly in the election of the Speaker himself. The procedures in Committee should reflect as near as possible those of the Assembly and thus it should be the responsibility of the Clerk to the Committee to chair the Committee at its first meeting until a Chair is elected.

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