



# KEYSTAGE 3 FACT SHEETS

PARLIAMENTARY EDUCATION  
INFORMATION PACK



PEOPLE'S MAJLIS SECRETARIAT 2024

# DUTIES OF THE STATE VS DUTIES OF THE CITIZENS



## WHAT ARE THE DUTIES OF THE STATE IN MALDIVES?

The State's responsibility is to uphold the Constitution's provisions and to protect and promote the freedoms and rights outlined in it. It is the duty of the State:

- To protect and preserve the natural environment, biodiversity, resources, and beauty of the country for the benefit of present and future generations.
- To ensure every individual is equal before and under the law and has the right to equal protection and equal benefit of the law.
- To guarantee the social and economic rights, progressively realizing them through reasonable measures within its capacity and resources. These measures include providing nutritious food and clean water; housing and clothing; high standards of healthcare; a healthy environment; equal access to communication, media, transportation, and natural resources, and essential services like sewage and electricity systems for all.
- To ensure every Citizen is entitled with all the basic human rights stated in the Constitution such as right to privacy, right to education, right to vote, freedom of expression, etc.

As stated in the Constitution, the exercise and enjoyment of fundamental rights and freedoms is inseparable from the performance of responsibilities and duties. The rights of citizens empower them to actively participate in democratic processes, while their responsibilities involve contributing positively to their communities and adhering to ethical and legal standards. The combination of rights and responsibilities forms the foundation for an engaged and responsible citizenship.

## WHAT ARE THE RESPONSIBILITIES OF CITIZENS OF MALDIVES?



Following are some of the responsibilities of every citizen:

- to uphold and defend the rights and freedoms of others
- to encourage tolerance, respect, and friendship among all individuals and groups
- to contribute to the community's advancement and well-being
- to advance the Maldives' sovereignty, unity, security, integrity, and dignity
- to respect the Constitution and the rule of law

- to advance democratic values and practices in a way that aligns with Islamic tenets
- to safeguard and uphold the State religion of Islam, culture, language, and heritage of the nation
- to preserve and protect the country's natural environment.
- to respect the national flag, state emblem and the national anthem

## **WHAT ARE SOME INTERNATIONAL CONVENTIONS THAT MALDIVES HAS SIGNED IN AGREEMENT WITH PROTECTING FUNDAMENTAL RIGHTS OF INDIVIDUALS?**

Apart from the rights and freedoms envisioned in the constitution, Maldives also has signed on various declarations and conventions from UN and other organizations.

The following are some of the major conventions signed and ratified by our country:

- The Convention on the Elimination of all forms of Racial Discrimination (ICERD)
- The International Covenant on Civil and Political Rights (ICCPR)
- The International Covenant on Economic, Social and Cultural Rights (ICESCR)
- The Convention on the Elimination of all forms of Discrimination against Women (CEDAW)
- The Convention against Torture and other Cruel, Inhumane or Degrading Treatment or Punishment (CAT)
- The Convention on the rights of the Child (CRC)
- The Convention on the rights of Persons with Disabilities (CRPD)



# FUNDAMENTAL RIGHTS AND FREEDOM

## WHAT ARE RIGHTS?

Rights are fundamental entitlements or privileges that individuals possess by virtue of being human. These rights are typically protected and recognized by laws, ethical principles, or social norms.

## FUNDAMENTAL RIGHTS AND FREEDOM IN THE CONSTITUTION OF MALDIVES

Chapter 2 of the Constitution of Maldives enumerates the essential rights and freedoms for every citizen.

The constitution guarantees rights and freedoms that are not contrary to the tenets of Islam.

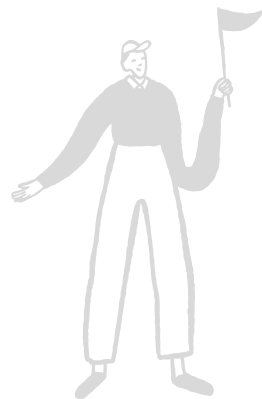
Everyone is entitled to the rights and freedoms included in this Chapter without discrimination of any kind, including race, national origin, color, sex, age, mental or physical disability, political or other opinion, property, birth or other status, or native island.

Special assistance or protection to disadvantaged individuals or groups, or to groups requiring special social assistance, as provided in law shall not be deemed to be discrimination.

Let's look at some of the fundamental rights ensured by the Constitution of Maldives.

## INDIVIDUAL RIGHTS AND FREEDOMS

- **Freedom from restraint** - One is free to engage in any conduct or activity that is not expressly prohibited by Islamic Shari'ah or by law.
- **Equality** - Everyone is equal before and under the law and has the right to equal protection and equal benefit of the law.
- **Privacy** - Everyone has the right to respect their private and family life.
- **Freedom of expression** - Everyone has the right to freedom of thought and the freedom to communicate opinions and expression in a manner that is not contrary to any tenet of Islam.
- **Right to life** - Everyone has the right to life, liberty and security.



## SOCIAL AND ECONOMIC RIGHTS



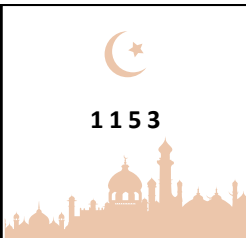


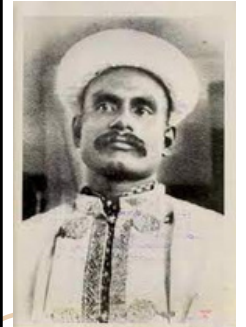
- **Economic and social rights** - Everyone has the right to nutritious food and clean water, clothing and housing, better health care, a healthy and ecologically balanced environment, equal access to means of communication, the establishment of an adequate sewage system, and the establishment of electricity.
- **Freedom from acquiring and imparting knowledge** - Everyone has the right and freedom to acquire and impart knowledge, information and learning.
- **Special protection to children, young, elderly, and disadvantaged people** - Children and young people, elderly and disadvantaged people are entitled to special protection and special assistance from the family, the community and the State.




## CIVIL AND POLITICAL RIGHTS

- **Right to vote** - Every individual above eighteen years of age, has the right to vote in elections, and in public referendums.
- **Freedom of Assembly and Association:** The right to gather and associate with others for peaceful purposes.



# CHRONOLOGICAL HISTORY OF MALDIVES PARLIAMENT AND CONSTITUTION

YEAR	EVENTS
Prior to 1153	Ancient Maldives laws, customs and practices heavily influenced by traditions of pre Islamic practices
 <p>1153</p>	<ul style="list-style-type: none"> <li>• <b>Maldives converts to Islam</b></li> <li>• Hereditary King among members of royal family</li> <li>• Maldives governed by King and in accordance with Shariah law and old age customs</li> <li>• King consulted with his noble-men but he was the final decision maker in all matters</li> </ul>
<p>1880s</p> 	<ul style="list-style-type: none"> <li>• Political rivalry among powerful political families intensifies.</li> <li>• Disputes between locals and <b>foreign merchants (Borah)</b> begin.</li> <li>• The King sought assistance from Britain to deal with challenges he was facing.</li> <li>• Maldives signs a protectorate treaty with Britain.</li> </ul>
<p>1920s</p> 	<ul style="list-style-type: none"> <li>• Political rivalry within influential and powerful families continues.</li> <li>• Power and influence of Prime Minister</li> <li>• Hereditary system of monarchy was threatened as the legal capacity of <b>Crown Prince Hassan Izzuddin</b>, son of Sultan Mohamed Shamsudheen(III) , was questioned by some within ruling family</li> <li>• Foreign educated youth returned to Maldives and initiated the conversation of reform.</li> </ul>
<p>1931</p> 	<p>Following a recommendation made by Sir Bernard Bourdillon (Acting British Governor of Ceylon) on 19th March 1931, <b>Sultan Mohamed Shamsudheen (III)</b> established a Constituent Assembly to formulate a constitution appropriate to the Maldives.</p> <p>Constituent Assembly set up two sub-committees:</p> <ol style="list-style-type: none"> <li>1. Subcommittee 1: assigned to collect and compile age-old customs.</li> <li>2. Subcommittee 2: assigned to translate a draft constitution provided by the British through the Maldivian ambassador in Sri Lanka.</li> </ol>

YEAR	EVENTS
<b>1932</b> 	The first <b>Constitution</b> of Maldives ratified on 22 December 1932. With the constitution, the first parliament was also established.
<b>1933</b> 	First constitution of Maldives gets <b>abolished</b> . Reasons: Lack of awareness among public officials on the enforcement of laws, resistance to constitutional rule from senior public officials, laws formulated without prior analysis on implications, some laws were created to stop customs and norms that were already in practice.
<b>1934</b> 	Constitution <b>ratified</b> with amendments to the first one.
<b>1951</b>	First Political Party formed. “Rayyithunge Muthagaddim Party” 
<b>1953</b> 	Changed from <b>Monarchy to a Republic</b> after a public referendum. Mohamed Ameen Didi as First President. Government <b>switches back to a Monarchy in 1954</b>
<b>1965</b>	<b>Independence</b> from Britain 
 <b>1968</b> 	<b>Referendum voted</b> and Second Republic formed
<b>2004</b> 	<b>Political reforms</b> begins The constitution also underwent amendments to reflect good governance, democratic values, and practices
<b>2008</b> 	<b>Constitution</b> ratified on 7 August 2008 This constitution guaranteed fundamental rights and freedoms to everyone such as civil, political, economic, and social rights. This constitution was based on the principle of separation of powers and made provision for creation of an independent judiciary and introduced a multiparty system.
<b>2009</b> 	With these changes, the <b>election</b> for a new Parliament was held on 9th May 2009. The 17th sitting of Parliament, sworn in on 28th May 2009, consisted of MPs representing different political parties.

# SEPARATION OF POWERS: THE THREE BRANCHES OF THE STATE

## WHAT IS SEPARATION OF POWERS?

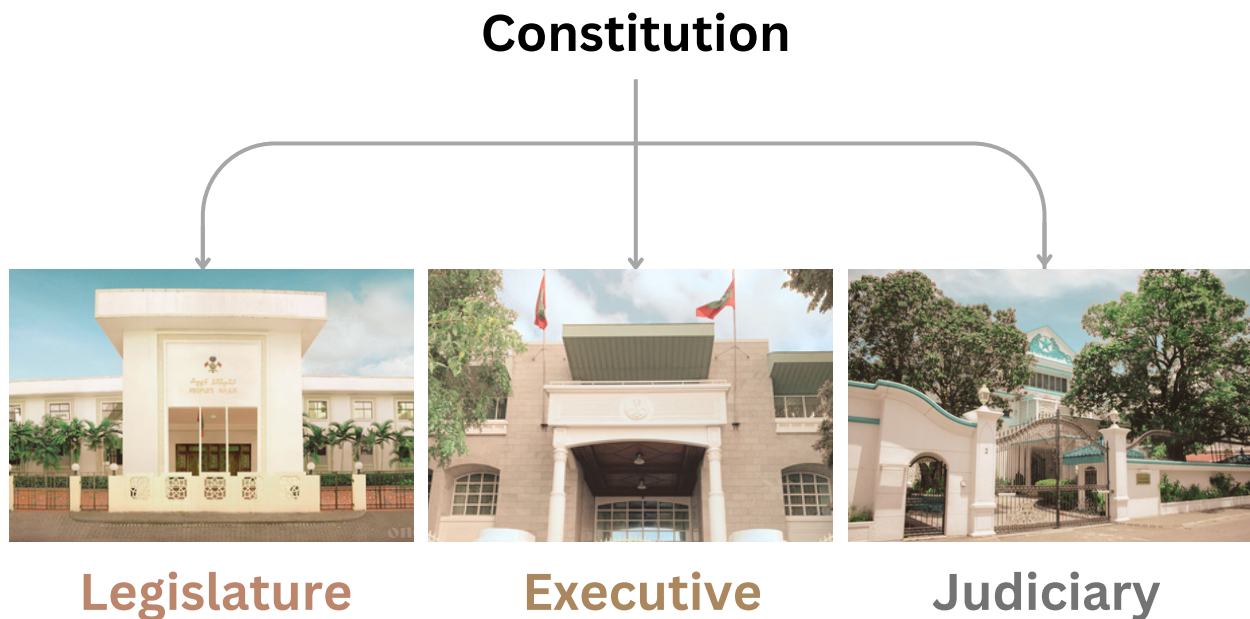
- It is a key feature of a democratic government.
- It means to divide the state into 3 branches: **Executive, Legislature and Judiciary**.
- Each branch has the power to fulfill its responsibilities. Each branch can check the power of the other branch. Power is shared among three branches and no single branch is more powerful than the other.

## WHY IS SEPARATION OF POWERS IMPORTANT?

Separation of powers is important because it provides a system of checks and balances. This means each branch checks the exercise of power by the other branch and is accountable to each other. By doing this, abuse of power by one single branch is prevented.

## SEPARATION OF POWER IN MALDIVES

The constitution of Maldives lays down the powers and responsibilities of three branches. These are:





# LEGISLATURE

The Constitution vests legislative authority of Maldives to the Parliament. The Parliament consist of Members of Parliament (MPs) who are elected through a parliamentary election.



## WHAT ARE THE POWERS OF THE LEGISLATURE?

Some of the powers listed for People's Parliament in chapter 3 of the Constitution include;

- amendment of the Constitution in accordance with the terms provided.
- adoption of laws pertaining to any subject, or the revision or repeal of any legislation, provided that it does not conflict with any Islamic principles.
- the oversight of the exercise of executive authority, making sure the executive is responsible for the use of its powers, and taking the necessary actions to guarantee the same.
- approval of the annual budget and any supplementary budget.
- holding of public referendums on issues of public importance.
- performance of all duties otherwise expressly required by this Constitution and by law.
- the determination of matters relating to Independent Commissions and Independent Offices in accordance with law.



## EXECUTIVE

The 4th Chapter of the Constitution of Maldives establishes the executive. The executive power is vested in the President. The President of Maldives is the head of state, the government, and the Commander in Chief of the Armed Forces.

## WHAT ARE THE POWERS OF THE EXECUTIVE?

- to formulate fundamental policies of the state;
- to appoint, dismiss, and accept resignations from Cabinet members and other such officials necessary for the proper functioning of the duties of the president's office;
- to establish, manage, and supervise the nation's foreign policy;
- to manage political ties with other countries and international organizations;
- to proclaim situations of emergency in compliance with the Constitution's provisions;
- to appoint members of diplomatic missions to foreign countries and international organizations in consultation with the Parliament;
- to appoint the Chief Justice, and Judges of the Supreme Court; after consulting the Judicial Service Commission and confirmation of appointees by the Parliament;
- to carry out executive functions as authorized by the Constitution and laws.

## JUDICIARY

The Judiciary is established by the 6th chapter of the Constitution.



Judicial power is vested in the Supreme Court, the High Courts and such trial courts as established by law. It is composed of all the courts as well as all the judges and magistrates. The Supreme Court is the highest authority for the administration of justice in the Maldives.

The Judges are independent, and subject only to the Constitution and the law.

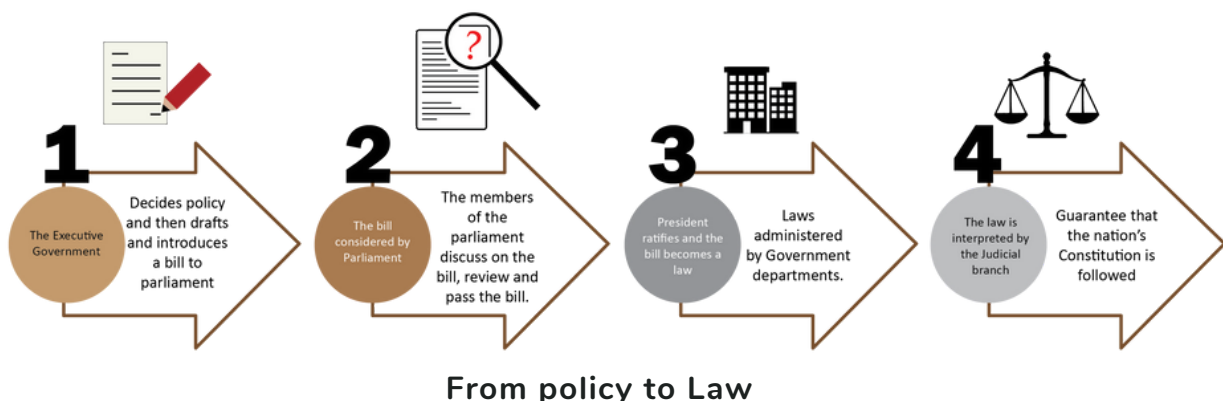
In the performance of their judicial functions, Judges must apply the Constitution and the law impartially and without fear, favor, or prejudice.

## WHAT ARE THE POWERS OF JUDICIARY?

- The Judiciary operates independently, free from undue influence or interference from the executive or legislative branches of government. This independence is crucial for ensuring fair and impartial decision-making.
- The judiciary is responsible for resolving legal disputes brought before the courts. This includes interpreting laws, reviewing evidence, and making decisions based on the merits of each case.
- The judiciary has the power to determine the constitutionality of laws or actions of any person or body performing a public function:
  - **Declaration of Invalidity:** If a court finds that a law or action goes against the country's Constitution, it can say that part of the law or action is not valid because it doesn't follow the rules in the Constitution.
  - **Fixing the Problem:** The court can make any order that is just and equitable to fix the problem. It might order compensation to people who were harmed by the invalid law or action. It could also delay the decision for a bit, giving time to fix the issue and make things right.
  - **Limiting the Impact:** The court can decide how far back in time its decision applies. This means the court can say that its decision doesn't affect things that happened a long time ago, reducing the impact on past events.
- The judiciary interprets laws and legal provisions to ensure consistent and fair application. This includes resolving ambiguities in laws and providing guidance on legal principles.

## HOW DOES THE MALDIVIAN CONSTITUTION ENSURE THE BALANCE OF POWER AMONG THESE THREE ORGANS OF THE STATE?

To ensure that no individual or group of individuals has unlimited control, the division of powers provides each branch of the State with independent authority as well as distinct tasks. This is ensured by the Maldivian constitution by putting in place various mechanisms like the example below.



## **MECHANISMS THROUGH WHICH THE PARLIAMENT CHECKS THE POWER OF THE EXECUTIVE:**

- The executive is prohibited from using any public funds or property, imposing taxes, acquiring funds or property through loans or grants, or providing any kind of sovereign guarantee, unless specifically authorized by a law passed by the People's Parliament.
- The Presidential appointees has to be approved by the Parliament
- Each member of the People's Parliament is entitled to enquire about a Cabinet member's fulfillment of duties, either in writing or verbally, using the format prescribed by the People's Parliament.
- The President and Vice President can be removed from office by the Parliament by a resolution, on the grounds of direct violation of a tenet of Islam, Constitution or law, serious misconduct and inability to perform the responsibilities of the office of President or Vice President.

## **MECHANISMS THROUGH WHICH THE PARLIAMENT CHECKS THE POWER OF THE JUDICIARY:**

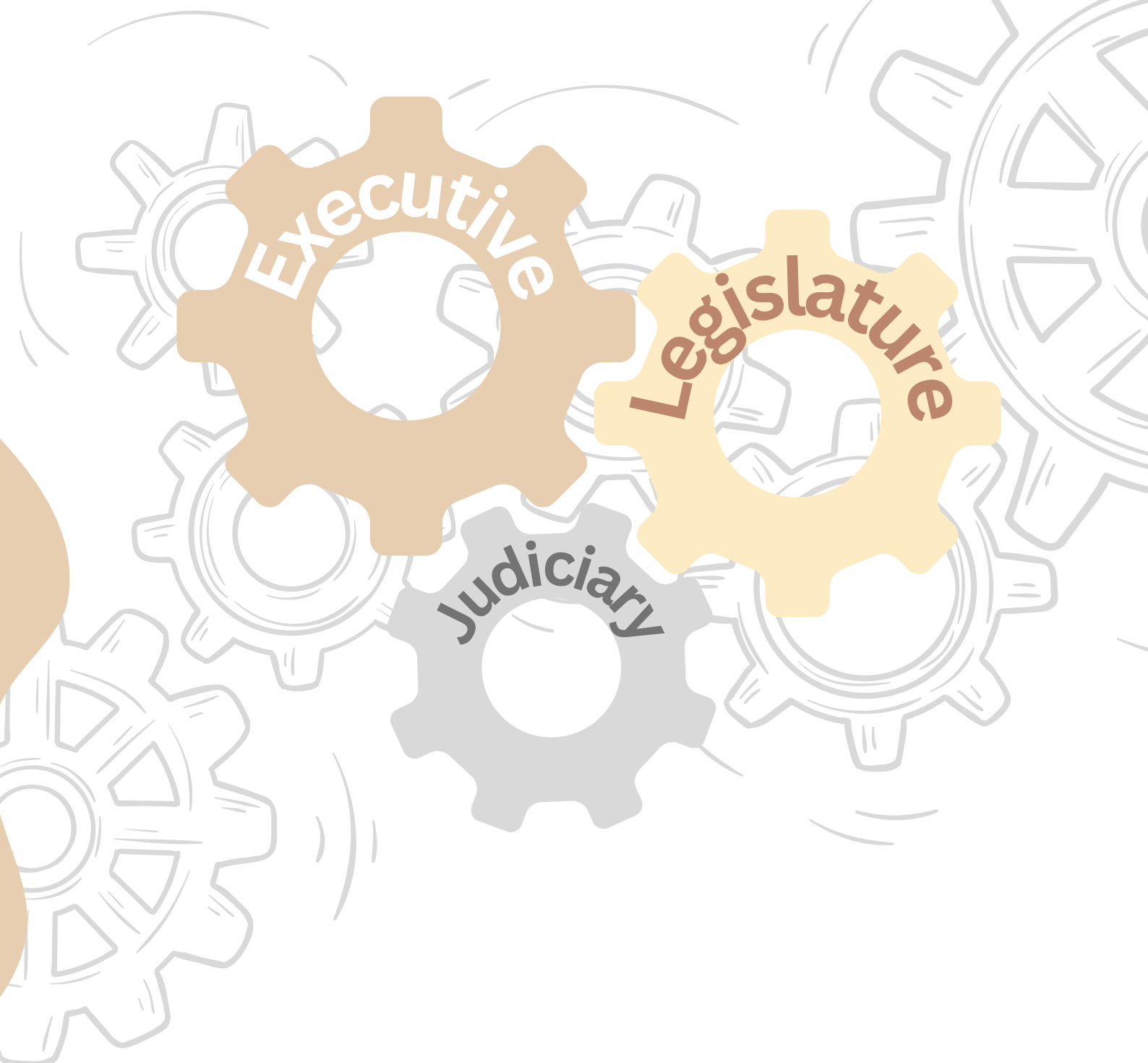
- Passing laws concerning the administration of the courts, the trial and appellate jurisdiction of the courts and trial procedures
- Salary and allowances of judges is determined the Parliament
- A judge cannot be removed from office except in cases of proven misconduct or incompetence. In such instances, the Judicial Service Commission would submit a resolution to the parliament advocating for the judge's removal. This resolution becomes effective upon receiving a  $\frac{2}{3}$  majority vote from the members of the People's Parliament in favor of the removal.

## **MECHANISMS THROUGH WHICH THE JUDICIARY CHECKS THE POWER OF PARLIAMENT AND EXECUTIVE:**

- The Supreme Court and the High Court have the jurisdiction to enquire into the rule on the constitutional validity of any statute or part enacted by the Parliament.
- Any question concerning the qualifications or removal, or vacating of seats, of a member of the Parliament will be determined by the Supreme Court
- The Supreme Court, sitting together in session, shall have sole and final jurisdiction to determine all disputes concerning the qualification or disqualification, election, status, of a presidential candidate or running mate or removal of the President by the Parliament.

## **MECHANISMS THROUGH WHICH THE EXECUTIVE CHECKS THE POWER OF THE PARLIAMENT AND JUDICIARY:**

- The President appoints justices to the Supreme Court with the consultation of JSC and subject to Parliament approval
- The requirement for presidential assent for Bills is for the check and balances between Executive and Parliament
- Executive nominates judges to SC (subject to Parliament approval)



# FUNCTIONS OF PARLIAMENT

## LEGISLATION:

The legislative function of a parliament is one of its primary and most important roles. The parliament is responsible for creating, amending, and repealing laws. This function reflects the will of the people through their elected representatives. It ensures that laws are created and modified in a transparent and accountable manner.



- **Lawmaking:** Parliament is the primary institution responsible for reviewing, debating, and enacting laws. Members of parliament propose bills which are thoroughly debated, consulted with stakeholders, and voted on before becoming law.
- **Amendment of Existing Laws:** Parliament can also amend existing laws to reflect changing circumstances. In times of crisis or emergency, parliament may pass emergency legislation to address urgent issues.
- **Repeal of Outdated Laws:** Parliament can repeal or abolish laws that are no longer relevant.
- **Treaties and Conventions:** Treaties and Conventions entered by the Executive with foreign states and international organizations must be approved by the Parliament. Such treaties will come into force only in accordance with the decision of the Parliament. Relevant laws will be enacted, amended and repealed by the Parliament in compliance with the treaties/conventions approved by the Parliament.



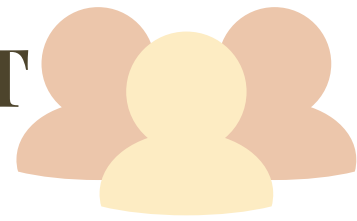
## OVERSIGHT OF THE EXECUTIVE:

Oversight refers to the parliament's responsibility to monitor and scrutinize the actions, policies, and performance of the executive branch of government to ensure that they are acting in the best interests of the country and in accordance with the law.



- Questioning Cabinet Ministers and members of the government: Members of parliament are given authority to question government officials relating to the performance of the obligations and responsibilities of such persons. These questions can be either oral or written.
- Budget Scrutiny: One of the critical oversight functions of parliament is reviewing and approving the government's annual budget. Parliament assesses how public funds are allocated and spent to ensure they are used efficiently and effectively.
- Conducting Inquiries
- Reviewing petitions, and other Issues submitted by public and institutions
- Visiting state institutions
- No-confidence motion / Removal from office (President and Vice President, Judges, Members of the cabinet, members of independent institutions as per law)
- Reviewing and interviewing Presidential nominees for key appointments, such as cabinet ministers, judges, and other high-ranking officials.

# MEMBERS OF PARLIAMENT



## WHO IS A MEMBER OF PARLIAMENT OR MP?

A Member of Parliament (MP) is an individual who has been elected by the people to represent a specific geographic area, known as a constituency in the parliament.

## WHO CAN BECOME AN MP?

The conditions required to become an MP are the following:

- is a citizen of the Maldives
- is not a citizen of a foreign country
- is a Muslim and a follower of a Sunni school of Islam
- has attained the age of eighteen years
- is of sound mind.



A person who has obtained Maldivian citizenship and has Maldivian residence is qualified to be a member of Parliament five years after obtaining citizenship.

## WHO CANNOT BE AN MP?

1. Someone who has a decreed debt which is not being paid as provided in the judgement
2. Someone who has been convicted of a criminal offence and is serving a sentence of more than twelve months
3. Someone who has been convicted of a criminal offence and sentenced to a term of more than twelve months, unless a period of three years has elapsed since his release, or pardon for the offence for which he was sentenced
4. Someone who is a member of the Judiciary.

## HOW IS THE NUMBER OF MPS DETERMINED?

The constitution of Maldives states that there are **21 administrative divisions** in Maldives. That is, **20 atolls and Male**. To determine the number of constituencies for parliamentary election, the population of each administrative division must be considered.

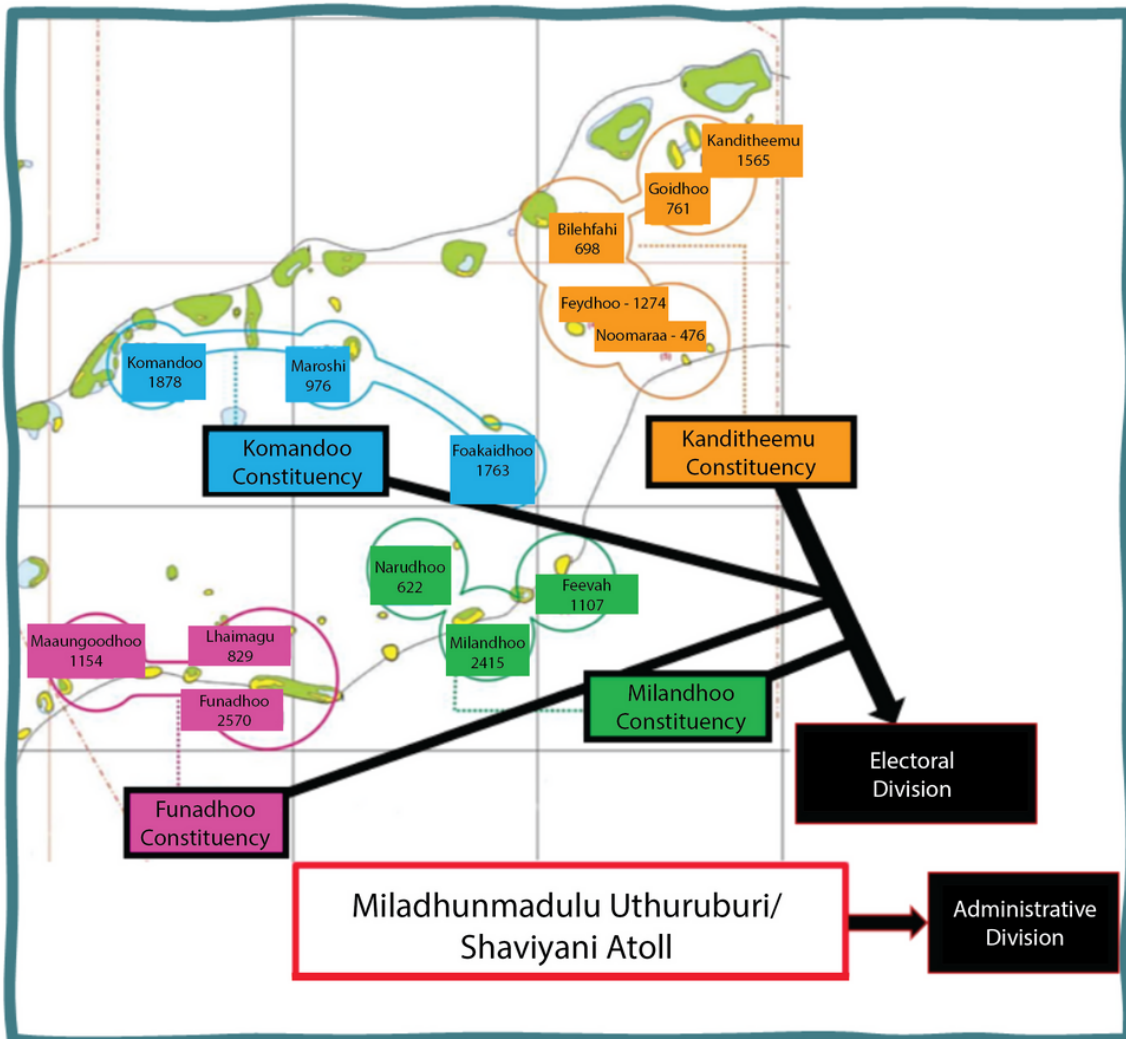
Elections Commission of Maldives (EC) is mandated to fix, vary, demarcate, and continuously review the boundaries and names of constituencies in all elections. Before parliamentary elections, the EC will review the population of each administrative division and decide on the number of constituencies. Each MP represents an electoral constituency or **Dhaaira**.



The illustration below shows an example of how electoral constituencies are determined by population of administrative divisions:



Let's zoom into one administrative division:





## THINK BOX

There are 14 inhabited islands in Shaviyani Atoll. Based on the population of this atoll, EC determines that this atoll will have 4 MPs and so 4 constituencies. So how does Elections Commission decide the name of each of these constituencies?

The 19th Parliament sworn in 2019 had 87 members elected according to the constituencies. However, the 20th Parliament would comprise 93 members. The election for 20th Parliament will take place in 2024.

## PRIVILEGE OF MEMBERS

Members of the parliament are guaranteed special privileges from the constitution.

According to the constitution, in relation to anything said in, produced before, or submitted to the People's Parliament or any of its committees, or in relation to any vote cast, no member or other person shall be subject to any proceedings in any court, nor shall any person be subject to any inquiry, arrest, detention, or prosecution, provided that the same is not in violation of tenet of Islam

## THINK BOX

Why do you think parliament members are given these privileges?



## WHAT ROLES OR POSITIONS ARE PROHIBITED FOR AN MP WHILE SERVING IN THE PARLIAMENT?

1. Cabinet of Ministers
2. Office of State Minister, Deputy Minister, or other State office of an equivalent level
3. Independent Commission or an Independent Office
4. Civil Service
5. A corporation wholly or partly owned or managed by the Government
6. Armed Forces
7. Police
8. Any other office of the State except an office held by virtue of being a member of the Parliament.

# UNDERSTAND OUR PARLIAMENT

## WHAT IS THE PEOPLE'S MAJLIS?

The legislative authority in each country is usually vested in that country's parliament. Similarly, the constitution of the Maldives vests legislative authority to its parliament, The People's Majlis.

It is a **unicameral** legislative body where the members of parliament (MP) for each constituency are elected through a parliamentary election. The candidate receiving the greatest number of votes by secret ballot will be the person representing that constituency.



## WHAT ARE THE LEGAL INSTRUMENTS OF THE PARLIAMENT OF MALDIVES?

There are two legal instruments that govern the way Parliament should function:

**CONSTITUTION OF MALDIVES**

**STANDING ORDER**  
(REGULATION GOVERNING THE PROCEEDINGS OF PARLIAMENT)

### DID YOU KNOW?

A **unicameral parliament** consists of a **single legislative chamber** or house. In this system, there is no separate upper or lower house, and all legislative functions are performed by a single body. Some Examples of countries with Unicameral parliaments are New Zealand, Denmark, Sweden, Norway.

A **bicameral parliament** consists of **two separate legislative chambers** or houses, often referred to as an upper house and a lower house. The two houses may have different powers, functions, and methods of composition. Some Examples of countries with bicameral parliaments are the US, UK, India, Germany.



# SPEAKER AND DEPUTY SPEAKER OF PARLIAMENT

The Speaker of the Parliament is the highest authority of the Parliament who is responsible for the conduction of all matters pertaining to the Parliament, its administration, the sittings, and the committees.

The Deputy Speaker assists the Speaker in undertaking the responsibilities of conducting all the affairs of Parliament and its administration.

The **Speaker and a Deputy Speaker will be elected in the first sitting after the parliamentary election for the new term.** The Speaker is elected from amongst its members by a secret ballot.



## DID YOU KNOW?

There can be a situation where both Speaker and Deputy Speaker are unable to preside over a Parliament Sitting. So, who will take up this responsibility in this case?

A total of five MPs from the members with the longest service record will be chosen. IF two members have the same length of service, they will be ranked according to seniority of age.

## OFFICERS OF THE PARLIAMENT

The Officers of the Parliament are;

### Secretary General

The Secretary General, establishes, and manages the secretariat, to arrange for the sittings and documentation of the Parliament meetings and generally to assist the Speaker and the members.



### Sergeant at Arms

The Sergeant at Arms is responsible for upholding rules and regulations of the Parliament under the direction of the Speaker.



### Counsel General

Counsel General provides legal counsel to the Parliament and acts as a Legal representative of the Parliament when necessary.



## SECRETARIAT OF THE PARLIAMENT

In undertaking its responsibilities as defined in the Constitution, an administrative office named Secretariat of the Parliament has been established.

## SITTINGS OF THE PARLIAMENT

In line with Article 83 of the Constitution, the People's Parliament must convene three Sessions every year. The date of commencement and conclusion of the Sessions will be specified in the Standing Order.

The business of the Parliament is organized into **three main tables**:

PARLIAMENT TABLE	<p>Items that require debate and decision by the entire membership of the Parliament.</p> <p>These include:</p> <ul style="list-style-type: none"><li>• General Bills and Motions affecting State finances,</li><li>• Proposals requiring the imposition of a tax or fee on the public,</li><li>• Matters generating revenue for the Government,</li><li>• Issues causing direct expenditure from state finances,</li><li>• Instances where expenses are required for a specific purpose.</li></ul> <p>E.g.: Bill on Waste Management</p>
GENERAL TABLE	<p>General Bills and Motions not covered in the Parliament Table.</p> <p>Includes all matters that affect the entire State or the entire public but do not meet the criteria for the Parliament or Special Tables.</p> <p>E.g.: Election Bill</p>
SPECIAL TABLE	<p>These include bills of a unique or exceptional nature that warrant separate consideration and attention, such as bills that affect a specific person, few persons or particular group of persons.</p>

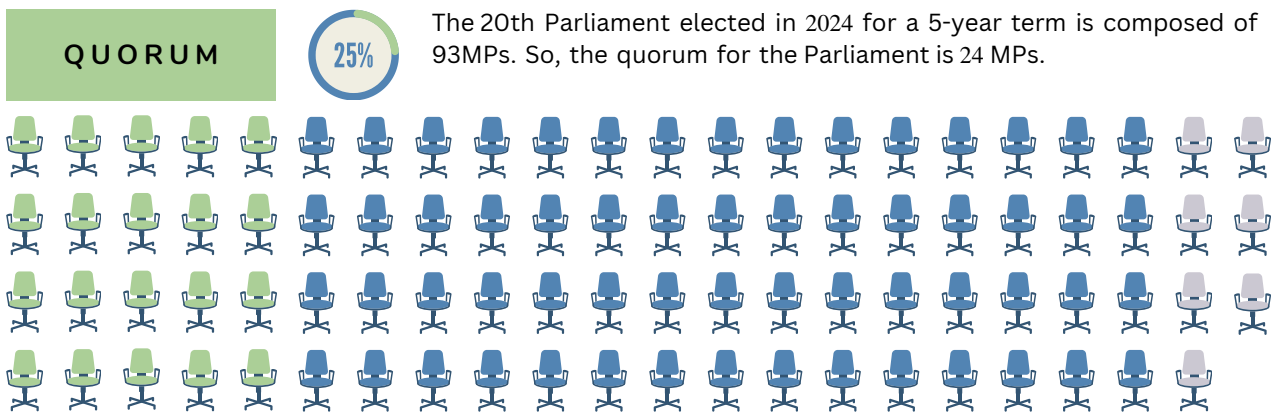
## PROCEDURES IN A PARLIAMENT SITTING

The sittings of the Parliament can be **ordinary** (held while the Parliament is in session) and **extra-ordinary** (held while the Parliament is in Recess)

All sittings or committee hearings are usually **publicly open** but in some special circumstances may be **confidential** and closed to the public and media, in the interest of public order and national security.

## PARLIAMENT QUORUM

A **quorum** is the minimum number of people needed to be present at a meeting before it can officially begin and before official decisions can be taken. The **quorum of parliament is 25%** of its total membership.

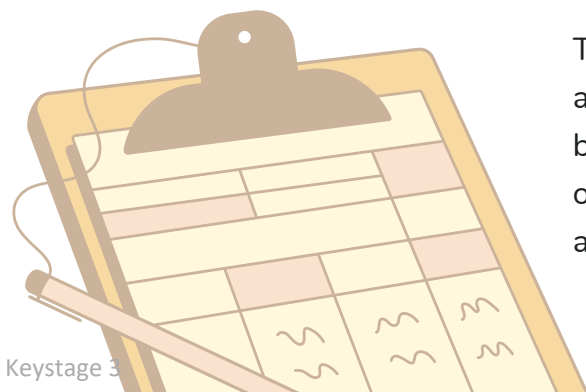


There are some special instances which require a quorum of more than 50% of the total membership of MPs. This quorum is required when Parliament must vote on passing an act which:

- requires compliance by the citizens.
- Insists a requirement or prohibition on a citizen.
- cause expenditure from the citizens.
- imposes a tax upon the citizens.
- imposes legal sanction on a citizen for their acts or omissions.
- imposes a responsibility on the citizen

## PARLIAMENT AGENDA

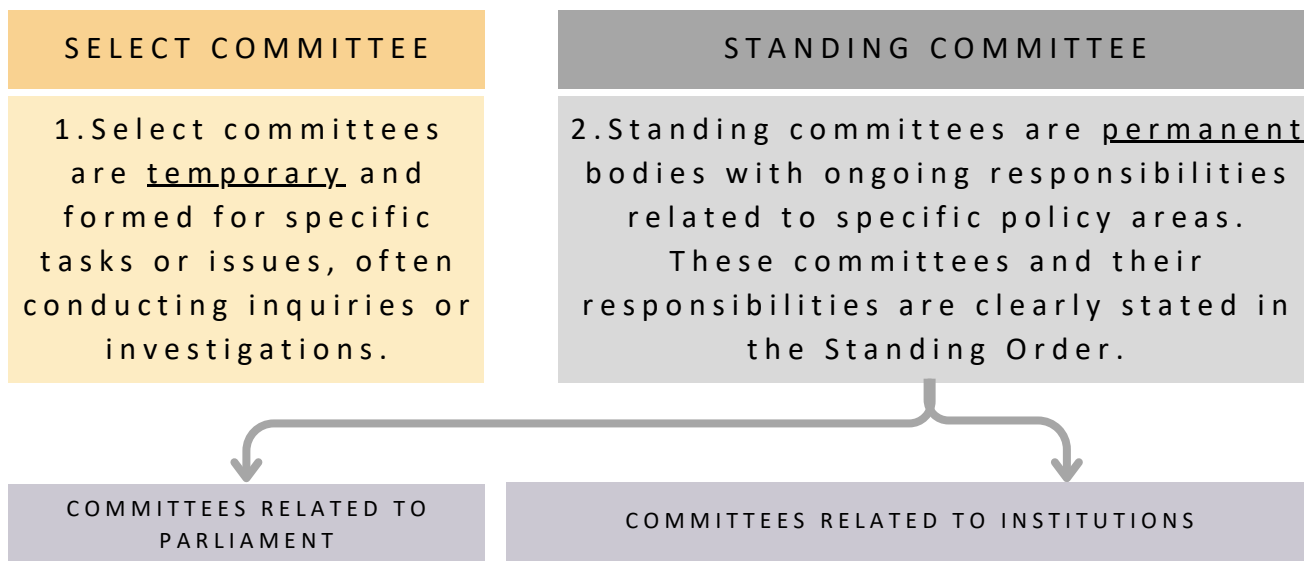
The Parliament agenda is typically set in advance and distributed to members before the session begins. The agenda, also named "Order of Business", outlines the items of business to be discussed and addressed during a particular parliamentary session.





# PARLIAMENT COMMITTEES

Committees are an integral part of the legislative process, providing a mechanism for detailed examination and discussion of issues. A committee is a group of MPs who are appointed to perform specific functions, such as examining legislation, scrutinizing government policies, conducting inquiries, or overseeing various aspects of governance.

The committees of the Parliament are of two types.

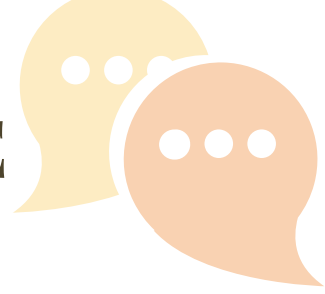


In addition to the above two types of committees, the following committees are also formed.

<p><b>BUDGET COMMITTEE</b></p> 	<p>This Committee consists of members of both the Public Accounts Committee and Economic Affairs Committee. This Committee reviews the projected National Budget and any Supplementary Budget submitted to the Parliament by the finance minister.</p>
<p><b>WHOLE HOUSE COMMITTEE</b></p> 	<p>The Whole-House Committee is a committee in which the entire Parliament is converted into a committee. The Whole-House Committee reviews major issues related to the public, any bill levying taxes and amendments to the Constitution.</p>



# POLITICAL PARTIES IN THE PARLIAMENT



## WHAT IS A POLITICAL PARTY?

A political party is an association of individuals who share similar political goals and viewpoints and works to elect its candidates to public office to influence public policy. Political parties are essential components of parliamentary democracies, providing a structured framework for political competition, representation, and governance.

## WHAT IS THE ROLE OF POLITICAL PARTIES IN A DEMOCRACY?

- Political Parties help translate the will of the people into policies and actions through the democratic process in various ways:
  - **Representation:** Political parties represent the interests, values, and concerns of different sections of society. Through the electoral process, parties present candidates who, if elected, become representatives of the people in the parliament.
  - **Policy Formulation:** Political parties develop and articulate policies on various issues to reflect the party's ideology, values, and the preferences of its supporters. Once in power, the ruling party or coalition implements these policies through legislation and governance.
  - **Legislation and Governance:** Members of parliament affiliated with political parties debate proposed laws, contribute to policy discussions, and vote on legislation. Additionally, party members often hold executive positions in the government, helping to implement policies and administer public affairs.
  - **Political Stability and competition:** Through elections, parties offer voters a clear choice, and the winning party or coalition is tasked with providing stable governance.
  - **Accountability:** Opposition parties scrutinize the actions and policies of the ruling party, question government decisions, and propose alternative policies. This contributes to a system of checks and balances, ensuring that those in power are answerable to the public.
  - **Facilitating Public Participation:** Parties engage in election campaigns to inform voters about their policies, ideologies, and candidates. These campaigns help voters make informed choices and contribute to shaping the direction of the country.





# ROLE OF POLITICAL PARTIES IN PARLIAMENT

Members representing political parties in Parliament refers to:

- MPs who have been elected to parliament using a particular political party ticket
- MPs who join political parties after parliamentary election, and decide to represent a particular political party in the parliament.

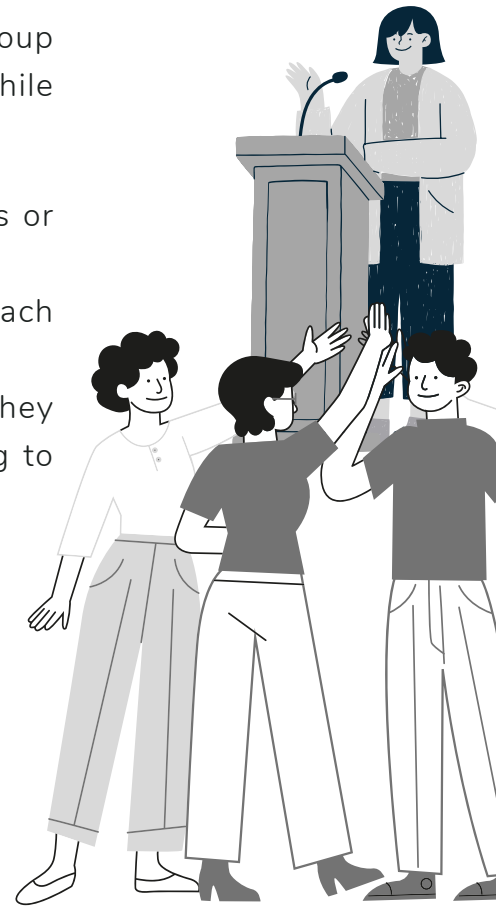
Multi-party systems provide a more diverse representation of political ideologies and interests, allowing citizens to have a broader range of choices and ensuring that a wider spectrum of views is considered in decision-making.

Political Parties in Parliament can work in coalition. If they decide to work as a coalition, a signed document pertaining to this, should be submitted to the Speaker

The Speaker of the Parliament consults the Parliamentary Group Leaders of political parties, Majority and Minority Leaders while carrying out the following decisions:

- Changing the order of members participating in debates or discussions, if necessary
- Determining the portion of members representing each political party in committees

Political Parties in Parliament can work in coalition. If they decide to work as a coalition, a signed document pertaining to this, should be submitted to the Speaker.



## DID YOU KNOW?

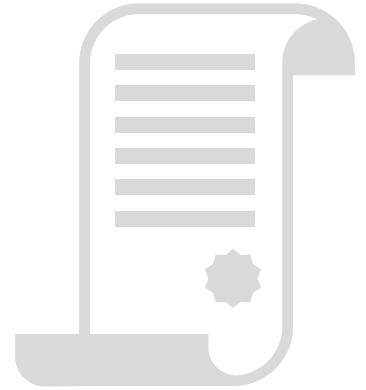


\*The first political party in Maldivian history came into being on 23rd September 1951, named ' Muthaga'dhim ; led by Al-Ameer Mohamed Ameen Didi. However, it was only in 2005 that Maldives embraced a multiparty system to allow creation of different political parties. Currently (as of 2023, according to the Elections Commission website), there are **11** registered political parties in the Maldives.

# LEGISLATIVE PROCESS: HOW DOES A BILL BECOME A LAW?

## WHAT IS LAW?

A law is a rule or set of rules established in a country or community and enforced by a government. It is a legal framework that regulates conduct, provides rights and responsibilities, and serve as a foundation for a well-ordered and just society.



## WHY DO WE NEED LAWS?

- **Social Order and Stability:** Laws set guidelines for acceptable behavior and help prevent chaos or disorder in society.
- **Protection of Individual Rights:** Laws establish and protect individual rights and freedoms.
- **Prevention of Conflict and Disputes:** Laws define the boundaries of acceptable behavior and provide mechanisms for resolving conflicts peacefully.
- **Promotion of Fairness and Justice:** Laws contribute to protect marginalized groups, prevent discrimination, and ensure equal treatment.
- **Accountability and Governance:** Laws regulate the conduct of government officials and public servants, ensuring accountability and transparency. They establish procedures for elections, government actions, and the protection of democratic principles.
- **Environmental Protection:** Laws establish guidelines for environmental conservation and protection.

## WHAT IS A BILL?

A bill is a **proposed** law that is presented for consideration and **debate** in the Parliament. A bill becomes law once it is **passed** by the Parliament, is **assented** by the President and is published in the Government **Gazette**.

## WHO CAN SUBMIT A BILL TO THE PARLIAMENT?

Bills shall either be sent to the Parliament from the Government (by the Parliamentary Group Leader of the political party representing the Government) , by a political party (representing in the Parliament) or by a member of the Parliament.



### DID YOU KNOW?

Any bill that affect the State finances, require the imposition of a tax or a fee on the public, cause a direct or indirect expenditure from the state finances or where expense are required to be incurred for a particular purpose (also known as a Money Bill) can only be submitted by the Government

# PATH OF A BILL

The following flowchart represents the stages a Bill goes through to become a Law.



## DID YOU KNOW?

What happens in a Committee Review Stage? The Committees research, review and do an in-depth analysis on key issues related to the Bill. Some of their considerations in this stage includes:

- Determining who will be impacted by the Bill
- Determining who should be consulted to discuss the Bill

# BUDGET PROCESS

## WHAT IS A NATIONAL BUDGET?

National budget, also known as the government budget, is a financial plan outlining the government's estimates for revenue, expenditure and borrowing for a specific period, typically a fiscal year. It serves as a comprehensive financial roadmap for the government outlining its fiscal policy of how it intends to allocate resources to various sectors, programs, and services.

## WHAT IS INCLUDED IN THE NATIONAL BUDGET?

- Projected revenue and expenditures of the State for the year
- Statement of actual revenue and expenditures of the State for the preceding year.
- Economic Forecasts or Projections for economic indicators such as GDP growth, inflation, etc.
- Allocation of Funds: Details on how funds are allocated to various sectors based on government priorities

## WHAT ARE TYPICAL SOURCES OF REVENUE FOR A STATE?

- Tax Revenues (Eg: Tourism goods & services tax, business & property tax, general goods & services tax, etc)
- Non-tax revenues (Eg: Fees, fines,, resort rent)
- Grants (Eg: Foreign Aid and funds)

## WHAT ARE THE TYPICAL AREAS OF GOVERNMENT EXPENDITURE?

- Health
- Economic Affairs, Education
- Housing and community amenities
- Social Protection
- Environmental Protection
- Defense and Public order and safety
- General public services
- Recreation Culture and religion



# WHAT IS THE ROLE OF PARLIAMENT IN THE NATIONAL BUDGET?

One of the main responsibilities of the Parliament is to approve or pass the National Budget. The flowchart below details the steps in the budget review process:

## 1. PREPARATION OF THE BUDGET



The government, through the finance ministry, prepares the budget for the upcoming year. This process involves estimating government revenues and expenses, as well as setting financial priorities and allocations for various programs and services.

## 2. PRESENTATION TO THE PARLIAMENT



The Minister of Finance submits the projected budget to parliament before 1 November of each year. The budget document provides detailed information on revenue sources, expenditure proposals, and the economic outlook. At this sitting, members present their views and inquire to the Finance Minister regarding any questions they have about the budget allocations. Once the Budget is presented to the Parliament, it is sent to the Budget Review Committee.

## 3. BUDGET REVIEW COMMITTEE



During their review of the Budget, the Committee will hold discussions with or seek written clarifications from various stakeholders\* including the Minister of Finance, Governor of Maldives Monetary Authority, Auditor General and other state institutions that the Committee feels is relevant.

## 4. BUDGET DEBATE



Parliament must begin its debate on the State Budget 7 days after its submission to the Parliament. During Parliament Debate, the Finance Minister must be given the opportunity to answer any queries MPs may have. All the views expressed during the Budget Debate must be sent to the Budget Review Committee.

## 5. AMENDMENTS



Based on the report of the Budget Committee, MPs engage in debates about the budget. During the debates, MPs may propose amendments to the budget. The parliament votes on any amendments.

## APPROVAL OF THE BUDGET



After the budget has been debated and any necessary amendments have been made, parliament votes to approve the budget.

**Oversight and Monitoring:** Parliament continues to play a critical role in overseeing the implementation of the budget.

**Supplementary Budgets and Revisions:** The government may present supplementary budgets or budget revisions to the parliament for approval in case of any unexpected events or changing circumstances.

## DID YOU KNOW?

\*These stakeholder meetings are open to the public. It can only be closed to the public if during budget discussions, matters of national security will be discussed. In such a situation, Committee must vote to close its proceedings to public.



# QUESTIONING MINISTERS AND OFFICIALS OF GOVERNMENT

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## WHAT IS THE IMPORTANCE OF THE PARLIAMENT QUESTIONING MINISTERS AND OFFICIALS OF THE GOVERNMENT?

This is one of the key oversight functions of the Parliament, through which the Legislature holds the Executive accountable.

According to Article 98 of chapter 3 of the Constitution;

1. The People's Parliament has the authority to ask members of the Cabinet or Government officials to come and answer questions. Those individuals are obliged to attend and are required to respond truthfully to questions and produce documents related to their duties and responsibilities.
2. Every member of the People's Parliament has the right to question members of the Cabinet or heads of Government offices. The manner and format of questioning are specified by the People's Parliament, allowing for both oral and written inquiries.
3. When asked a question, the Cabinet members or Government officials are obligated to answer to the best of their knowledge and ability.
4. The questions and answers, whether provided orally or in writing, are to be published. This publication is done in the same manner as the proceedings of the People's Parliament, ensuring transparency and accessibility of information.



The Parliament or any of its committees also has the power to:

1. summon any person to appear before it to give evidence under oath, or to produce documents. Any person who is questioned by the Parliament as provided for in this Article shall answer to the best of his knowledge and ability.
2. require any person or institution to report to it.
3. receive petitions, representations, or submissions from interested persons or institutions.

## HOW ARE THE MINISTERS AND GOVERNMENT OFFICIALS QUESTIONED IN PARLIAMENT?

If a member of the Parliament wants to ask a Minister a question during a sitting, they need to follow these steps:

1. Send a notice to the Minister through the Speaker, allowing a 14-day notice period (inclusive of public holidays).
2. Each question must be in a separate notice, no more than 5 lines long, and can be either a single question or a main question with up to two related sub-questions.
3. Upon receiving a question from a member, the Speaker sends the notice to the relevant Minister.

A Minister is required to attend the sitting where a question has been tabled. And respond under the direction of the Speaker.

The answer provided by a Minister to any single question should not take longer than 5 minutes. If a main question and two related sub-questions are posed, the answer to the main question should take no longer than five minutes, and each sub-question answer should take no longer than 2 minutes.

Answers should be concise and focused on addressing the main points raised.

## ARE THERE ANY QUESTIONS THE MINISTER OR GOVERNMENT OFFICIAL MAY NOT ANSWER?

Unless otherwise prescribed in the Regulation, a Minister shall be under an obligation to answer all Parliamentary questions EXCEPT:

1. Hypothetical Questions and Opinion-Seeking Questions
2. Questions that touch upon the private or self-interest of the member asking the question
3. Questions seeking information that is already published and available in the public domain.
4. Questions related to information on a matter that is actively before a Court of Law.
5. Questions that are disrespectful to a friendly State or country.
6. Questions Revealing Sensitive Information including:
  - Matters discussed and documents of the Cabinet that are not public.
  - Information released prematurely could lead to undesirable outcomes.
  - Confidential Information received by the Minister that, if released, may undermine the Executive body and national security.
  - Confidential Information restricted under the provisions of the law.

## SUPPLEMENTARY QUESTIONS

After a Minister has answered the initial set of questions, members have the chance to ask more questions on the same topic. The member who initially asked the question gets the first opportunity, and then other members can also ask additional questions. However, there's a time limit of 30 minutes for this supplementary question session, starting from the conclusion of the Minister's response to the original question.





# PUBLIC PARTICIPATION IN PARLIAMENT

## WHY IS PUBLIC PARTICIPATION IMPORTANT?

Effective public participation is essential for a healthy democracy. It allows citizens to have a say in the legislative process, hold elected representatives accountable, and contribute to the decision-making that affects their lives.

### DID YOU KNOW?



Article 88 (a)2 of the Maldivian Constitution allows and encourages the public to actively participate in the democratic processes.

“Subject to the provisions of this Constitution, the Parliament shall: make regulations and principles concerning its business, with due regard to representative and participatory democracy, accountability, transparency and public involvement.”

There are several ways in which the public can participate in Parliament

#### VOTING



The most direct form of public participation is through voting in regular elections. Citizens have the opportunity to elect their representatives in parliament and, by extension, influence the composition and direction of the legislative body.

#### CONTACTING ELECTED REPRESENTATIVES



Citizens can contact their MPs through:



**Email** through Parliament website: Individual messages can be sent to MPs through the Parliament website. These messages will go directly to the MP's official email and will be copied to the Media Department of Parliament.



**Public consultation forums:** Parliament holds public consultation forums on bills. These forums provide a platform for citizens, interest groups, and experts to provide input and share their views on legislative proposals.

#### VISITING THE PARLIAMENT



Citizens can visit the parliament and observe preliminary sittings or committee meetings. The Parliament Office offers guided tours and educational programs for schools and the general public.

## PETITIONS



Citizens can create and sign petitions on specific issues, which can be submitted to parliament for consideration. A Petition needs to be sponsored by an MP for it to be presented to the parliament. A petition may be submitted in respect of any of the following matters:

1. A Bill which has been presented in Parliament.
2. An issue or matter submitted to the Parliament.
3. A matter pertaining to public or national interests.

## ONLINE PLATFORM



Parliament website provides the following information:

- MPs official email address and links to their social media handles.
- Minutes of preliminary sittings of parliament
- Minutes of parliamentary committee meetings
- Agenda of preliminary sittings
- Bills /motions/resolutions or any submissions to the Parliament floor (unless confidential)
- Parliament Committee Reports
- Parliament preliminary sitting is live streamed on you tube and live stream of audio is available for committee meetings.
- public announcements are done via all the Parliament social media handles such as invitation to submit public comments to Bills. Citizens can comment on bills through these platforms.

## SUBMIT LETTERS TO THE PARLIAMENT



Members of the public can send letters to the Parliament, addressed to the Speaker, highlighting their areas of concern. These letters will be sent to relevant parliamentary committees.

