



NATIONAL ASSEMBLY PROGRAMME COMMITTEE

Chairperson:

Speaker

Committee Secretary:

A Mbanga x 3218

DRAFT MINUTES OF PROCEEDINGS

Thursday, 20 October 2016, E249

Present:

Frolick, Mr CT (House Chairperson)

Bhengu, Mr F	Mazzone, Ms NWA
Didiza, Ms AT (House Chairperson)	Mthembu, Mr JM (Chief Whip of the Majority Party)
Khubisa, Prof NM	Steenhuisen, Mr JH (Chief Whip of the Opposition)
Matiase, Mr NS	Waters, Mr M

Staff in attendance:

Mr C Mahlangu (NA Table), Mr N Bell (Constitutional and Legal Services Office) and Mr S Tshabalala (Committees).

1. Opening remarks

House Chairperson Mr Frolick opened the meeting at 08:35.

2. Apologies

Apologies were tendered on behalf of Ms B Mbete (Speaker), Mr SL Tsenoli (Deputy Speaker), House Chairperson Ms MG Boroto, Ms DE Dlakude (Deputy Chief Whip of the Majority Party), Dr GW Koornhof (Parliamentary Counsellor to the Deputy President) and Mr N Singh.

3. Consideration of the agenda

The agenda was adopted as proposed.

4. Consideration of draft Minutes of 8 September 2016

On the proposal of the Chief Whip of the Majority Party, seconded by House Chairperson Ms Didiza, the minutes of 8 September were adopted.

5. Matters arising

There were no matters arising.

6. Report by the Committee Section

Mr Tshabalala made a presentation on Bills and other matters before committees. He indicated that committees were considering the Budgetary Review and Recommendation Reports (BRRRs) until 21 October, and further highlighted the following:

The Portfolio Committee on Mineral Resources had finalised the *Mineral and Petroleum Resources Development Amendment Bill*.

It was intended that the following Bills would be finalised, as follows:

- *Plant Improvement Bill* and *Plant Breeders' Rights Bill* on 25 October
- *Courts of Law Amendment Bill* on 28 October
- *Protected Disclosure Amendment Bill* on 11 November.

The Standing Committee on Finance intended to deliberate further on the *Financial Sector Regulation Bill* on 23 November. The Portfolio Committee on International Relations and Cooperation had extended the deadline for further submissions on the *Foreign Services Bill* to 30 October. The Portfolio Committee on Rural Development and Land Reform planned public hearings in the Eastern Cape and Northern Cape on the *Extension of Security of Tenure Amendment Bill* in October and November.

The Portfolio Committees on Public Service and Administration and Justice and Correctional Services intended to finalise their reports on filling of vacancies in the Public Service Commission and South African Human Rights Commission on 9 November and 19 October, respectively.

Of the 22 bills before committees, Mr Waters enquired as to whether there was an intention for the National Assembly to identify at least 15 pieces of legislation that could be finalised by committees in the current term. The Chief Whip of the Majority Party also wanted to know if there were any

international agreements that needed to be ratified, and cited COP21 as an example. House Chairperson Mr Frolick explained that the Paris Agreement on Climate Change had been referred to the Portfolio Committee on Environmental Affairs for consideration and that the matter was urgent and should be scheduled for debate as soon as it was finalised by the committee. The Chief Whip of the Opposition added that the report of the Joint Standing Committee on Intelligence on appointment of the Inspector-General of Intelligence would also have to be considered before the end of the year. House Chairperson Mr Frolick urged committees to prioritise legislation, statutory appointments and ratification of international agreements before them and proposed that they should utilise Fridays optimally as this was a normal parliamentary working day.

It was **AGREED** that Mr Tshabalala, in conjunction with Office of House Chairperson Mr Frolick, would consult with chairpersons of committees so as to establish which legislation could be finalised before the end of the year and report on this in the next meeting. House Chairperson Ms Didiza said that such information would assist in determining the number of bills that could be scheduled.

7. Report by Bills Office

Mr Bell presented a report on bills currently before the National Assembly and reported that the *Refugees Amendment Bill*, *Red Tape Impact Assessment Bill* and *Judicial Matters Amendment Bill* had recently been introduced.

Mr Bell also reported that on 26 October, the Minister of Finance would also introduce and table the following money Bills:

Adjustments Appropriation Bill, *Division of Revenue Amendment Bill*, *Rates and Monetary Amounts and Amendment of Revenue Laws Bill*, *Rates and Monetary Amounts and Amendment of Revenue Laws (Administration) Bill*, *Taxation Laws Amendment Bills*, *Tax Administration Laws Amendment Bill* and *Finance Bill*.

In response to a query from House Chairperson Ms Didiza about the processing of the *Medical Innovation Bill*, Mr Bell explained that the Bill was listed under Private Members' Bills. Mr Tshabalala reported that the Portfolio Committee on Health had prioritised consideration of the BRR Reports hence there was currently no progress on the bill, but he undertook to provide an update on the matter. Mr Waters said that he could not understand why the committee would not have finalised legislation that had been referred to it two years ago and suggested that there should be pressure on the committee to finalise it. The Chief Whip of the Majority Party stated that by continuing to keep the bill in limbo the process

made a mockery of the institution. It was **AGREED** that House Chairperson Mr Frolick would look into the matter.

8. Consideration of draft Parliamentary programme

Mr Bhengu presented the parliamentary programme for the Fourth Term. He indicated that mini-plenaries would be deferred until the new year and that motions without notice would not be scheduled, pending finalisation of standing rules by the Rules Committee. The scheduling of an additional slot for questions to the Deputy President was receiving attention and he would report on this in the next meeting of the Chief Whips' Forum. He also highlighted the following:

A statement by the Minister of Higher Education and Training on current developments in universities, a condolence motion for Mr BA Nesi, MP, a member's motion from the ANC, members' statements and notices of motions were scheduled for Tuesday, 25 October.

The Minister of Finance would be tabling the Medium Term Budget Policy Statement (MTBPS) on Wednesday, 26 October.

A plenary to consider legislation, BRR Reports, members' statements and notices of motions was scheduled for Thursday, 27 October.

A Joint Sitting to debate '16 Days of Activism for no-violence against women and children' was provisionally scheduled for 22 November at 10:00, subject to consultations with the National Council of Provinces. Questions to the Deputy President and President were scheduled for 2 and 23 November, respectively.

Mr Bhengu also indicated that the *Mineral and Petroleum Resources Development Amendment Bill*, amongst others, would be considered for scheduling.

In light of the number of bills that might be finalised and the number of committee reports under Further Business on the Order Paper, Mr Waters suggested that the week of 6 – 10 December should also be considered for plenaries in order to accommodate such legislation and reports. He added that declaration of votes on the BRR Reports would require more time and the four days that were scheduled for that purpose might not be enough. House Chairperson Ms Didiza also indicated that the programme was currently general and did not provide specific information on the number of reports that were available for consideration by

the House. The Chief Whip of the Opposition said that it would be safer to consider the *Adjustments Appropriation Bill* in the last week of sittings in order to ensure that the timelines required by the Money Bills Amendment Procedure and Related Matters Act were followed and that the committee should not create false expectations.

It was **AGREED** that the week of 6 – 10 December should also be considered for plenaries in order to accommodate outstanding legislation and committee reports. The Chief Whip of the Majority Party suggested that the Programme Committee needed to reflect on the fact that Parliament normally adjourned in December although its financial year ended in March, a process that may assist to allow the Assembly to consider other matters in January.

With regard to plenaries during the period of 6 – 10 December, House Chairperson Ms Didiza indicated that she had been requested by Mr N Singh to urge Mr Bhengu consult with House Chairperson Ms Boroto on the meeting of the Pensions Board that was scheduled for the same week.

The Chief Whip of the Opposition indicated that the Leader of the Opposition had written to the Speaker requesting a debate on the politicisation of the National Prosecuting Authority as an urgent matter of national public importance and wanted to know if there was feedback on the matter. Mr Mahlangu indicated that the matter was receiving attention.

House Chairperson Mr Frolick advised that it would not assist to schedule committee meetings at the end of the year as any reports would not be considered by the House and that they should therefore rather consider meeting as from January 2017. Certain committees that were overloaded with legislation, such as the Standing Committee on Finance and the Portfolio Committee on Justice and Correctional Services, would be allowed to meet during plenaries so that they could finalise legislation. It was, however, clarified that committees were not allowed to meet during party caucuses unless there was prior consultation.

House Chairperson Mr Frolick reminded the Committee that declarations were merely meant for members to express their parties' position on a matter and not to debate. It was also **AGREED** that consideration of the number of BRR Reports, the time allocation for declarations

of votes that was adopted by the Rules Committee should be discussed at the Chief Whips' Forum. The time allocation for declarations was as follows:

ANC 7, DA 5, EFF 4 and 3 for other parties.

9. Announcements

The Chief Whip of the Opposition expressed condolences on the passing of Mr Nesi. He also congratulated the Speaker on her recent marriage.

10. Closure

The meeting adjourned at 09:20.