



NATIONAL ASSEMBLY PROGRAMME COMMITTEE

Chairperson:
Speaker

Committee Secretary:
A Mbanga x 3218

DRAFT MINUTES OF PROCEEDINGS

Thursday, 23 November 2017, E249

Present:

SL Tsenoli (Deputy Speaker)

Bhengu, F	Mkhaliphi, HO
Boroto, MG (House Chairperson)	Mthembu, JM (Chief Whip of the Majority Party)
Didiza, AT (House Chairperson)	Singh, N
Frolick, CT (House Chairperson)	Steenhuisen, JH (Chief Whip of Opposition)
Khubisa, Prof NM	Waters, M
Koornhof, Dr GW (Parliamentary Counsellor to the Deputy President)	

Staff in attendance:

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

1. Opening remarks

The Deputy Speaker opened the meeting at 08:32 and welcomed all present.

2. Apologies

Apologies were tendered on behalf of the Speaker.

3. Consideration of draft agenda

The draft agenda was adopted, as proposed.

4. Consideration of draft Minutes of 16 November 2017

On the proposal of the Chief Whip of the Majority Party, seconded by Mr Singh, the draft minutes of 16 November were adopted.

5. Matters arising

The Chief Whip of the Majority Party reported that he had met with the Chief Whip of the Opposition and the Deputy Speaker regarding the scheduling of a motion of no confidence in the Deputy Speaker and thanked the Chief Whip of the Opposition for his cooperation on the matter. The Chief Whip of the Opposition said that the meeting was indeed constructive but that he would be consulting the leader of his party. He would inform the Speaker accordingly.

In response to Mrs Mkhalihi that a report by the Chairperson of the Portfolio Committee on Home Affairs had not yet been provided, House Chairperson Mr Frolick explained that he would be requesting a progress report from the four portfolio committees that had been tasked with investigating state capture.

The Chief Whip of the Opposition asked when the First Report of the Rules Committee on establishment of a Subcommittee to monitor and report on Questions Endorsed as Unanswered would be scheduled for consideration by the House in order for it to be implemented in the New Year. The Chief Whip of the Majority Party indicated that the report would be scheduled at some stage.

Prof Khubisa indicated that there was no improvement on the attendance of members of the Executive during members' statements and wanted to know if there was feedback on how the proposed rotation of Ministers for the purposes of responding would be done. The Chief Whip of the Majority Party explained that the matter was receiving attention and before the Rules Committee for consideration. A report on the matter would be made available.

In response to Mr Singh on whether the proposed amendments on the establishment of an ad hoc joint committee on Parmed had been effected, Mr Mahlangu replied that the amendments had been effected and that the motion was scheduled for consideration by the House that afternoon.

6. Report by the Committee Section

In his presentation on Bills and other matters before committees, Mr Tshabalala highlighted the following:

On 22 November, the Portfolio Committee on International Relations and Cooperation had further deliberations on the *Foreign Service Bill*. The Portfolio Committee on Trade and Industry intended to have further deliberations on the *Copyright Amendment Bill* that afternoon. The Portfolio Committee on Transport intended to meet with stakeholders who made written submissions on the *National Land Transport Amendment Bill* on 28 November.

Mr Tshabalala also reported that the Portfolio Committee on Home Affairs intended to finalise the *Refugees Amendment Bill*, which had been returned to the Assembly to consider proposed National Council of Provinces (NCOP) amendments. Mrs Mkhalihi expressed concern on how the committee was scheduling its meetings for processing of the Bill, and asked whether there was pressure for the Bill to be finalised. Mr Tshabalala said that he would follow up on the matter.

7. Report by Bills Office

Mr Bell reported that the *Insurance Bill* and *Medical Innovation Bill* were ready for consideration by the House. The *Labour Relations Amendment Bill*, *National Minimum Wage Bill* and the *Basic Conditions of Employment Amendment Bill* may be introduced the following day.

Mr Bell also reported that the *Division of Revenue Amendment Bill* had been sent to the President for assent and that the *Adjustments Appropriations Bill* had been referred to the Standing Committee on Appropriations.

With regards to the passing of the *Division of Revenue Amendment Bill* in the NCOP, the Chief Whip of the Opposition indicated that a legal adviser had conceded that the nine-day period within which the Bill needed to be considered, had expired. He informed the meeting that his party would be seeking a review of the processing of the Bill.

8. Consideration of draft Parliamentary programme

Mr Bhengu presented the programme for the Fourth Term and highlighted the following:

The election of members to the Pan African Parliament and designation of members to the Magistrate Commission was also scheduled for consideration by the House that afternoon.

The Second Reading debates on the *Insurance Bill*, consideration of the *Labour Laws Amendment Bill* and *Medical Innovation Bill*, Budgetary Review and Recommendation Reports of Portfolio Committee on Communications, First Report of the Standing Committee on Finance on financial sector transformation, reports of Portfolio Committees on Justice and Correctional Services, Human Settlements, Health, Higher Education and Training and the Standing Committee on Appropriations as well as a motion from the DA were scheduled for 28 November. It was **AGREED** that there would be no members' statements or motions that day.

Questions to the Economics cluster, reports of the Portfolio Committees on Justice and Correctional Services on the remedial action for the Public Protector and Deputy Public Protector, Budgetary Review and Recommendation Report of the Portfolio Committee on Public Enterprises and report of the Portfolio Committee on Human Settlements on oversight visit to Mpumalanga province were scheduled for Wednesday, 29 November. The Minister and Deputy Minister of Telecommunications and Postal Services would not be available to respond to questions but were consulting with another Minister to respond to their questions.

Consideration of the Report of Ad Hoc Committee on the Funding of Political Parties, the debates on 2017 Medium Term Budget Policy Statement and the *Adjustments Appropriation Bill* and consideration of Votes and Schedule to the Bill and farewell speeches were scheduled for Thursday, 30 November.

The Chief Whip of the Majority Party requested that a briefing on the report of the High Level Panel on the Assessment of Key Legislation and the Acceleration of Fundamental Change, which had been presented to the Speakers' Forum, be presented to the whippers and chairpersons of committees on Wednesday, the following week. That would enable members to be enlightened on the impact of laws passed by Parliament since 1994. The Chief Whip of the Opposition said that he was in support of the idea as it would also find expression in the Public Participation Model and the annual plan of Parliament and that it should not be shelved without it being fully implemented. The Deputy Speaker said that the Speaker shared similar sentiments and suggested that the institutions that formed part of the Speakers' Forum also needed to be briefed in order to enable appropriate discussions on the matter. House Chairperson Mr Frolick indicated that only committees that had urgent business would be allowed to meet that morning.

With regards to a request for a debate on the first report on financial sector transformation, the Chief Whip of the Opposition proposed that, due to time constraints and the fact that it was an interim report, only declarations be allowed. Furthermore, a request for a debate on the report on fees commission as a matter of national public importance had been made to the Speaker and he proposed that it be taken into consideration.

Mr Singh advised that there was a possibility of a request for a debate on the Portfolio Committee on Public Enterprises' interim report on state capture the following week. The Chief Whip of the Majority Party contended that the committee's terms of reference did not refer to an interim report and that the CWF had not been consulted on the matter. He added that the issue of state capture was an important matter that had not been concluded and requested the committee to continue with its work.

The Chief Whip of the Opposition expressed his displeasure in the Portfolio Committee on Justice and Correctional Services in that it did not afford him an opportunity to appear before it in order for him to make a representation on the matters before it, as he was the complainant. He said that it was a remarkably poor reflection on that committee. The Chief Whip of the Majority Party explained that the Chief Whip of the Opposition would have an opportunity to put across his views on the matter during consideration of the report in the House.

Mr Xaso advised that the Ad Hoc Committee on the Funding of Political Parties intended to finalise its report and introduce a Bill on 28 November for consideration by the House on 30 November and that the requirement for the three day rule would not be met. The Chief Whip of the Opposition said that his understanding was that the Bill would not be ready and suggested that if such a piece of legislation was rushed through, that would create an impression that there was external political interference, and cited that the Money Bills Amendment and Related Matters Act was an example of legislation that had been rushed through in Parliament. He said that the Bill would have far-reaching implications for the institution and the political landscape and requested that only the report be considered that day. Mr Singh said that his understanding was that the ad hoc committee was required to present a report and that a debate on the Bill was expected after public comments had been received. House Chairperson Ms Didiza noted the remarks and added that the objective of the Bill was to provide transparency on funding of political parties and to enhance democracy.

The Chief Whip of the Majority Party urged members of the Programme Committee to encourage their members to attend the sitting of Thursday, 30 November in order to pass the *Adjustments Appropriation Bill*.

Mr Bhengu presented the draft programme for the First Term of 2018. In view of a resolution taken by the previous meeting of the Joint Programme Committee for a work-study on processing of legislation, the Chief Whip of the Opposition proposed that the scheduling of an extended meeting of the Programme Committee should be considered for January in order to consider a realistic legislative programme for 2018. He said that the legislative output for 2017 had been poor.

House Chairperson Ms Didiza proposed that a technical team should look at the High Level Panel's report to assess whether the Joint Rules Committee may have to meet in order to consider aspects that may have a bearing on that committee. The Deputy Speaker intimated that the High Level Panel's report may provide an interesting insight and that it could have an impact on consideration of that legislative programme.

It was **AGREED** that the Programme Committee would not meet in the following week.

The Deputy Speaker indicated that former President Nelson Mandela would have turned 100 in 2018 and proposed that the Programme Committee could consider observing such a milestone by way of a tribute.

9. Announcements

There were no announcements.

10. Closure

The meeting adjourned at 09:13.