



NATIONAL ASSEMBLY PROGRAMME COMMITTEE

Chairperson:
Speaker

Committee Secretary:
A Mbanga x 3218

DRAFT MINUTES OF PROCEEDINGS

Thursday, 15 March 2018, E249

Present:

B Mbete (Speaker)

Bhengu, F	Kwankwa, NLS
Didiza, AT (House Chairperson)	Mazzone, NWA
Dlakude, DE (Deputy Chief Whip of the Majority Party)	Mkhaliphi, HO
Ebrahim, EI (Parliamentary Counsellor to the Deputy President)	Mthembu (Chief Whip of the Majority Party)
Frolick, CT (House Chairperson)	Singh, N
Khubisa, Prof NM	Steenhuisen, JH (Chief Whip of the Opposition)
Koornhof, Dr GW (Parliamentary Counsellor to the President)	Waters, M

Staff in attendance:

P N Tyawa (Acting Secretary to Parliament), M Xaso (NA Table), S Tshabalala (Committees) and N Bell (Constitutional and Legal Services Office).

1. Opening remarks

The Speaker opened the meeting at 08:34 and welcomed all present. The Speaker reported that the Leader of Government Business (LOGB) had indicated that members of the Executive had expressed concerns about legislation being held up in Parliament. She said that the challenges experienced by Parliament should be addressed and that the matter would be discussed after the report on Bills.

2. Apologies

Apologies were tendered on behalf of Mr SL Tsenoli (Deputy Speaker), House Chairperson Ms MG Boroto and Ms NV Mente.

3. Consideration of draft agenda

Mrs Mkhalihi requested that the matter of the Home Affairs Portfolio Committee be added to the agenda of the Committee. The Speaker replied that she had thoroughly addressed the matter outside the meeting.

The draft agenda was duly adopted as proposed.

4. Consideration of draft Minutes of 8 March 2018

On the proposal of Mr Bhengu, seconded by the Deputy Chief Whip of the Majority Party, the minutes of 8 March were adopted.

5. Matters arising

The Chief Whip of the Opposition requested the Speaker to urge the Portfolio Committee on Justice and Correctional Services to afford him an opportunity to make a presentation in order to motivate his request for an investigation into the fitness of the Public Protector to hold office. The Speaker said that she had noted the request and would engage the committee on another matter.

Mr Singh asked if the Speaker had consulted the National Council of Provinces (NCOP) for a meeting of the Joint Rules Committee (JRC) in order for it to confirm the structure to consider the High Level Panel's report on Assessment of Key Legislation and Acceleration of Fundamental Change. He added that the meetings of the *Ad Hoc* Joint Committee on Parsed and Constitutional Review Committee were also affected by the availability of the NCOP. The Speaker indicated that the NCOP was not available that week due to a number of commitments outside of Parliament.

In response to the Chief Whip of the Opposition on the non-attendance of some members of the Executive during questions session the previous week, the Speaker indicated that she had received feedback from the LOGB in that regard. The Parliamentary Counsellor to the President reported that the LOGB had written to the Ministers involved requesting their explanation in the matter and, once their responses had been received, he would inform the Speaker accordingly. The Speaker added that the Office of the LOGB was considering various other mechanisms to address the issue and a detailed report in that regard would be made available. The Chief Whip of the Opposition said that he had written to the Speaker pointing out that the members of the Executive had also violated the Powers and Privileges

Act for their absence during members' statements. He said that it was essential that the Parliamentary Counsellor to the Deputy President should attend the meetings of the Programme Committee in order for him to facilitate information between Parliament and the Executive.

6. Report by the Committee Section

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

The Portfolio Committee on Science and Technology would request for the withdrawal of a request for permission to inquire into amending other provisions of the National Research Foundation Act, following deliberations on a query from the Auditor-General of South Africa on 14 March.

On 22 March, the Portfolio Committee on Health intended to further deliberate on the *National Health Laboratory Service Bill* and finalise it that day. The Committee also intended to have a briefing by Ms C Dudley, MP, on the *Choice on Termination of Pregnancy Amendment Bill* on 27 March. The Standing Committee on Finance had finalised the review of the Money Bills Amendment Procedure and Related Matters Act. The report of the committee had been referred to legal services for redrafting and the committee would schedule further deliberations in April.

The first meeting of the *Ad Hoc* Joint Committee on Parmed was planned for the week of 19 to 23 March for election of Co-Chairpersons. Similarly, the Constitutional Review Committee intended to have its first meeting on 20 March for consideration and adoption of its work plan and programme.

With regards to a query from Mr Waters on the status of 21 petitions that had been referred to committees, Mr Tshabalala reported that only eight petitions were before committees as others had been finalised. Furthermore, the Portfolio Committees on Transport and Cooperative Governance and Traditional Affairs had finalised petitions from residents of Rooifontein and Kamasies in Namaqualand and Unity Fellowship Church in Chiawelo, Soweto, respectively.

In response to Mr Waters, the Deputy Chief Whip of the Majority Party explained that the *Ad Hoc* Committee on Political Party Funding had met and deliberated on the issue of cost implications for the *Political Party Funding Bill*. The ad hoc committee intended to finalise its report the following week in order for the House consider it on 27 March. The Speaker requested the programming whips to consider scheduling the Rules Committee meeting in

order to finalise the Rules regulating section 89(1) process in the Constitution, before adjournment for the first term.

The Speaker indicated that the LOGB had expressed concern about the pace of processing of legislation by Parliament. The Chief Whip of the Opposition, however, stated that on numerous occasions the NAPC had requested the list of legislation that should be prioritised, without success. The Speaker indicated that it had always been understood that the introduction of legislation should be done at a reasonable pace in order to avoid an avalanche of legislation that needed to be passed within a particular period towards the end of the annual parliamentary programme.

7. Report by Bills Office

Mr Bell reported that the Cabinet had advised that 22 Bills would be introduced in Parliament in 2018, eight of which had already been introduced.

8. Consideration of draft Parliamentary programme

Mr Bhengu presented the draft programme for the First Term and highlighted the following:

The *Marine Spatial Planning Bill*, which was on the Order Paper for Second Reading, would be referred back to the Portfolio Committee on Environmental Affairs for further consideration. A motion suspending Rule 290(2), which provides that the Second Reading on a Bill may not commence before at least three working days have elapsed since the committee's report was tabled, would first be considered by the House that afternoon. This was in respect of the *Division of Revenue Bill*, which had been finalised by the Standing Committee on Finance the previous day.

Questions to the Deputy President and a motion from the UDM on *Working towards an integrated and comprehensive infrastructure development strategy to fight poverty, inequality, unemployment and underdevelopment* were scheduled for Tuesday, 20 March.

Mr Bhengu also indicated that condolences for Ms F S Loliwe, MP, was provisionally scheduled for 27 March. Legislation, committee reports, a member's motion from the ANC, motions without notice and notices of motion were also scheduled for that day. Members' statements that stood over on 8 March, had also been rescheduled for that day.

Mr Kwankwa proposed that a sitting be scheduled for the morning of 20 March to debate the motion of the UDM as most members would leave early for various Human Rights Day activities in their constituencies, which was taking place the following day. Mr B Holomisa, MP, who would

lead the debate, would be addressing a rally to commemorate Human Rights Day and therefore intended to leave early. House Chairperson Mr Frolick advised that at least seven committees were scheduled to meet that morning and that there were five more applications for consideration. He said that Cabinet committee meetings were normally also scheduled on Tuesday mornings, should consideration be given that the members' statement slot that was deferred be scheduled for that morning. Mr Singh proposed that the UDM motion be rescheduled for the next term. House Chairperson Ms Didiza proposed that the motion be rescheduled, even though that could affect other parties' slots, and that the overall programme of the Second Term be reconsidered. Ms Mkhalihi suggested that mini-plenaries should also be considered in order to address the congestion of the parliamentary business. The Chief Whip of the Opposition suggested that the business of 20 March could be rescheduled for 28 March as there were no sittings on that day, if the Deputy President was available to answer questions. It was **AGREED** that Mr Bhengu should consult parties on a suitable date outside the meeting. The Parliamentary Counsellor to the President, however, cautioned against amending the programme at short notice, as it could affect the availability of members of the Executive.

9. Announcements

The Deputy Chief Whip of the Majority Party reminded the meeting that the funeral of Ms Loliwe, would take place on Friday, 16 March at 09:00 at Frankfort in the Eastern Cape.

It was **AGREED** that the next meeting of the Programme Committee should be scheduled for Tuesday, 27 March.

10. Closure

The meeting adjourned at 09:30.