



**NATIONAL ASSEMBLY PROGRAMME COMMITTEE**

Chairperson:  
Speaker

Committee Secretary:  
A Mbangwa x 3218

**DRAFT MINUTES OF PROCEEDINGS**

Thursday, 23 April 2015, E249

Present:

B Mbete (Speaker)

Bhengu, F	Singh, N
Boroto, M G (House Chairperson)	Sizani, P S (Chief Whip of the Majority Party)
Dlakude, D E (Deputy Chief Whip of the Majority Party)	Steenhuisen, J H (Chief Whip of the Opposition)
Frolick, C T (House Chairperson)	Waters, M
Khubisa, Prof N M	

Staff in attendance:

G Mgidlana (Secretary to Parliament), B Tyawa (Deputy Secretary to Parliament), M Xaso (NA Table), T Mbata (Constitutional and Legal Services Office) and S Tshabalala (Committees).

**1. Opening remarks**

The Speaker opened the meeting at 08:34 and informed the meeting that in light of the recent spates of violence directed at foreign nationals it was felt prudent that in the forthcoming week members should be released to visit their constituencies and be part of their communities in addressing the violence and mitigating against further incidents. Committees that were scheduled to meet would be allowed to do so in order to avoid any adverse effects to their programmes. The Speaker added that in 2008, when similar events occurred, that a Task Team had been set up to undertake a fact-finding mission in Alexandria. This Task Team had made recommendations and Parliament should now revisit that report especially in respect of the recommendations made. A similar structure in the current Parliament could be established for it to probe deeper questions in terms of what caused the violent attacks and how they could be avoided in the future. The Joint Sitting on Africa Day on 22 May could also consider

how this could be addressed. She said that she was raising these issues for programming consideration.

**2. Apologies**

Apologies were received from Mr S L Tsenoli (Deputy Speaker), House Chairperson Ms A T Didiza, Dr G W Koornhof (Parliamentary Counsellor to the Deputy President) and Dr C P Mulder.

**3. Consideration of the agenda**

The proposed agenda for the meeting was adopted.

**4. Consideration of Minutes of 23 April 2015**

On the proposal of Mr Bhengu, seconded by Mr Singh, the minutes of 23 April were adopted with the following correction on page 2:

- The Chief Whip of the Majority Party said that he 'empathised' with the Speaker, and not 'sympathised'.

**5. Matters arising**

Mr Singh enquired if there was feedback on setting up of the multi-party youth caucus. The Speaker replied that such a structure should be referred to the rules committee for consideration.

Mr Singh further noted that despite a plea for the Subcommittee on Rules not to meet during the recess period, the committee did meet and some members were unable to attend. The Deputy Chief Whip of the Majority Party said that to her knowledge there had been agreement within the subcommittee to meet during recess from 8 – 10 April.

With regards to the Speaker's request that a representative of the Multi-Party Women's Caucus be part of the programming processes, Mr Bhengu reported that he was still consulting with the chairperson of the Multi-Party Women's Caucus.

In response to the issue of the celebration of the 60<sup>th</sup> Anniversary of the Freedom Charter, Mr Xaso informed the meeting that the Secretary to Parliament had since commissioned a concept paper on the commemoration of the 60<sup>th</sup> Anniversary of the Freedom Charter and the Programme Committee would be briefed on that. The Chief Whip of the Majority Party said that he raised the issue in the context that a similar event was held in Kliptown in 2005 in commemoration of the 50<sup>th</sup> Anniversary of the Freedom Charter in order to remember those who drafted the Freedom Charter that gave rise to the principles that are enshrined in the Constitution and also being pursued in the National Development Plan. The Chief Whip of the Majority Party said that it was on this basis that he was requesting Parliament to go

back to Kliptown and celebrate the 60<sup>th</sup> Anniversary of the Freedom Charter. He added that in his opinion part of the xenophobic attacks were as a result of people forgetting where they had come from and that Parliament, as a supreme law-making body, should lead society in that regard. The Secretary to Parliament indicated that the paper covering various elements that needed to be dealt with could be ready in the following week. The Speaker expressed concerns about the timeframes and said that the concept paper should not delay any other arrangements. The Chief Whip of the Opposition indicated that his party caucus was still considering the matter. The Chief Whip of the Majority Party said that he was encouraging the Chief Whip of the Opposition to lead so that his party supported the initiative as it had in 2005.

#### **6. Report by the Committee Section**

Mr Tshabalala presented a document on Bills and other matters before committees and reported that the Standing Committee on Appropriations intended to finalise the *Appropriation Bill* on 5 June. The Standing Committee on Finance also intended to finalise the *Financial and Fiscal Commission Amendment Bill* and the *Banks Amendment Bill* on 28 April.

Mr Tshabalala also reported that the Portfolio Committee on Communications finalised two reports on recommendation of candidates to the Media Development and Diversity Agency. The Committee also intended to finalise other reports on recommendations of candidates to the South African Broadcasting Corporation and the Independent Communications Authority of South Africa. A letter had also been received from the Minister of Justice and Correctional Services requesting the Assembly to recommend a suitable candidate for appointment as full-time commissioner to the South African Human Rights Commission.

#### **7. Report by Bills Office**

Ms Mbata presented a report on bills before the National Assembly committees and indicated that their report concurred with the report presented by the Committee Section.

#### **8. Consideration of draft Parliamentary programme**

With regards to the report by the Minister of Police in response to the Report of the *Ad Hoc Committee to consider the Report by the President regarding the security upgrades at the Nkandla private residence of the President*, the Speaker informed the meeting that the initial intention had been to set up a structure before the Easter break which would consider the Minister's report, but that could not be done as some members were travelling abroad. At the same time the Speaker was consulting with the Leader of Government Business regarding the report and the sense was that a report to be submitted to Parliament on the matter should deal with the recommendations

comprehensively. The Speaker indicated that the media statement issued the previous week was meant to explain that processes were still underway, and that the Speaker would engage directly with the Leader of Government Business on the matter. The Chief Whip of the Opposition said he was concerned on whether the report from the Executive would be available before the sitting of the National Assembly on 6 May for the establishment of an ad hoc committee and suggested that the committee be established during that sitting even if the report was not yet available. Mr Singh said that it was felt that all parties should be represented in that ad hoc committee and that the usual provisions of the smaller parties being entitled to one or two representatives should not apply in this instance.

Mr Singh also suggested that a determination should be made on whether the report by the Minister of Police originated from the recommendations of the report by the *Ad Hoc* Committee or from what the President had requested. The Chief Whip of the Majority Party supported the establishment of an ad hoc committee and explained that the Minister of Police had indicated that he would submit a response to Parliament by 29 March pursuant to the recommendation of the *Ad Hoc* Committee that within three months the Cabinet should provide a response to the recommendations contained in the report. What was clear was that the Leader of Government Business felt that the report by the Minister of Police might not have covered all the aspects of the *Ad Hoc* Committee's report. The Speaker clarified that the Minister of Police had actually not yet tabled the report to Parliament. The Chief Whip of the Majority Party further suggested that an *Ad Hoc* committee to investigate the causes of xenophobic attacks be established as a joint committee of Parliament with the National Council of Provinces (NCOP) so that the two Houses worked jointly and not parallel and that the report could be presented for consideration in a joint sitting or separately in the two Houses.

Mr Singh suggested that it would be ideal if all members conducted structured ground visits in different areas before the proposed Joint Sitting debate on Africa Day. The Speaker said that apart from members and the proposed committee that would be visiting communities and constituencies, that the Africa Day debate could be packaged in such a way that Parliament visibly addressed the issue of the violence and attacks on foreign nationals. It was agreed that proposals on programmes on Africa Day would be considered in the following meeting.

Mr Bhengu presented the Second Term programme and highlighted the following:

The Joint Sitting on Freedom Day, which was proposed for 28 April, had been rescheduled for 5 May in the morning. The week of 28 – 30 April was reserved for

Committees and for members to be in constituencies. A sitting was scheduled for 6 May in order to consider, amongst others, the Second Reading debates on the *Banks Amendment Bill* and the *Financial and Fiscal Commission Amendment Bill* as well as committee reports. Budget Vote debates were scheduled for 5 – 21 May, however, Vote 1: The Presidency was provisionally scheduled for 26 May and the reply by the President for 27 May. Vote 2: Parliament was also provisionally scheduled for 28 May.

At the request of Mr Bhengu, it was agreed that the Second Reading debate on the *Appropriation Bill* and consideration of the Votes and Schedule, provisionally scheduled for 2 June, would be rescheduled for 9 June due to the fact that the Standing Committee on Appropriations would only finalise the Bill on 5 June.

With regards to the sitting on 6 May, Mr Xaso explained that a resolution condoning the early start of the House would be put before the House for decision at the commencement of proceedings on the morning of 6 May. Mr Xaso also indicated that there had been a request for a debate from the Leader of the Opposition on the role of symbols in reconciling and transforming South Africa, as well as a request from the Minister of Arts and Culture to make a statement on the campaign for the removal of certain statues. The proposal was that a debate should be scheduled by the Programme Committee instead, with the proposed topic as '*the relevance of symbols in building a new democratic heritage in light of recent campaigns to remove certain statues*'.

Mr Waters said that the issue of scheduling so many joint sittings was impacting negatively on the work of the National Assembly and the 150 minutes allocated to such debates was excessive and should be reduced. Mr Waters proposed rather that the Joint Sitting on Freedom Day incorporates the proposed topic on symbols and statues. Alternatively, the Freedom Day debate could be shortened and the debate on symbols and statues could follow in the National Assembly on 5 May, thus ensuring that the latter debate was considered earlier than 2 June. The Speaker said the issue of joint sittings had been raised before and required consultation on fundamental issues such as the length of the debate and implications for the programmes of the Houses. The Deputy Chief Whip of the Majority Party said that the joint sitting could not be combined with another debate as it had its own meaning and the reduction of time for the debate could be considered outside the meeting. She said that Parliament had conducted joint sittings before without compromising time and, when necessary, the duration of the National Assembly sittings would be extended in order to accommodate outstanding business. The debate on symbols and statues could be

considered during the period of Budget Vote debates and all parties would be consulted.

The Chief Whip of the Opposition said that while there was a perception that there had been an agreement on scheduling of all the joint sittings, it should be noted that he had raised an objection to the number of joint sittings being held. During the Joint Programme Committee it was agreed that there was going to be further consultation on the number and length of joint sittings as they might impede on the business of the National Assembly. The Chief Whip of the Opposition further indicated that he had requested that an assessment be made as to what was actually achieved by the joint sittings as the last two had degenerated into racial slanging matches and were poorly attended. When too many joint sittings were scheduled, their importance was diminished. The Speaker said it was clear that consultations were required on the principle of joint sittings.

Mr Singh proposed that 22 - 23 May be considered for oversight visits on xenophobic attacks and that the proposed Joint Sitting on Africa Day be postponed to 2 June so as to conduct the debate from an informed position based on the experience from oversight visits. The debate on symbols and statues could also be scheduled on 2 June. Mr Xaso advised that the NCOP would need to be consulted on the scheduling of the joint sitting on 2 June as they had a sitting scheduled on that day at 14:00. It was agreed that the NCOP would have to be consulted as a matter of urgency.

In response to Prof Khubisa, Mr Bhengu said that the theme for the debate on Freedom Day would be distributed to all parties.

**9. Announcements**

There were no announcements.

**10. Closure**

The meeting adjourned at 09:34.