

PARLIAMENT OF THE PROVINCE OF THE WESTERN CAPE

ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS

MONDAY, 3 JULY 2017

COMMITTEE REPORTS

1. **Annual Report of the Standing Committee on Community Development for the 2016/17 financial year, dated 31 March 2017, as follows:**

Members

The Committee comprises of the following members:

Democratic Alliance

Botha, LJ (Chairperson)
Mitchell, DG
Wenger, MM

African National Congress

Gillion, MN
Makeleni, P

Alternate Members

Gopie, D (ANC)
Lekker, PZ (ANC)
Kivedo, BD (DA)
Max, LH (DA)
Pretorius, PJC (DA)

1. Introduction

The mandate of the Committee is to:

- 1.1 Maintain oversight over the Executive.
- 1.2 To keep the Departments of Health and Social Development accountable to it.
- 1.3 To consider and report on legislation and other matters referred to it by the Speaker.
- 1.4 To monitor the implementation of legislation.

In the fulfillment of its mandate, the Committee:

- 1.5 Facilitated public participation in the legislative and other processes of the Committee.
- 1.6 Conducted its business in a fair, open and transparent manner.
- 1.7 Promoted co-operative governance.
- 1.8 Reported regularly to the House.

2. Reporting Departments

- 2.1 Department of Health
- 2.2 Department of Social Development

3. Overview of Committees Activities

No of Committee activities	45
No of Public Hearings	17
No of Oversight Visits	2
No of Cluster Visit Weeks	1
No of International Study Tours	0
No of Provincial Bills considered	1
No of NCOP Visit Weeks	1
No of NCOP Bills considered	1
No of Committee briefing meetings	22
Workshops/conferences attended	0

4. Oversight activities

During the month of August 2016, the Standing Committee, as part of its oversight mandate and complying with its programme, conducted an oversight visit to the Recovery Addicts Empowerment Lives (RAEL), a Non-Profit Organisation (NPO) at the Rawsonville Farm, Du Mond, in Worcester. The RAEL is a safe and sober living addiction recovery centre that provides a holistic approach in dealing with substance abuse and its effects. The RAEL focuses on developing and maintaining an addiction-free lifestyle through the provision, facilitation and upholding of effective treatment protocols.

During September 2016, the Committee also conducted a joint oversight visit with the Standing Committee on Education to the Autism Connect Learning Centre in

Westridge, Mitchells Plain as it is a responsibility of both the Department of Social Development and the Western Cape Education Department (WCED). The main focus of this oversight visit was to assess the activities of the centre and to understand how the Autism Connect Learning Centre's interventions assist learners with Autism Spectrum Disorder (ASD).

4.1 Committee activities

The Committee's highlights (for the portfolio on Health) during the 2016/17 financial year included the consideration of the *Western Cape Health Facility Boards and Committees Bill* [B1-2016]. The purpose of the Bill was to provide for the establishment, functions and procedures of boards established for hospitals and committees established for primary healthcare facilities. During the consideration of this Bill, the Committee invited stakeholders and interested parties to attend public hearings and give input on the Bill. The Committee conducted eight public hearings across the province from 9 until 13 May 2016 in areas including Beaufort West, George, Riversdale, Caledon, Worcester, Piketberg, Cape Town and Khayelitsha. The public hearings on the Bill were successfully attended by the public and relevant stakeholders. As a result, the Bill was considered in the House and assented by the Premier on 5 July 2016.

The Standing Committee on Community Development (portfolio on Social Development) invited the South African Social Security Agency (SASSA) head office to a briefing meeting following media reports on the spate of unauthorised, undocumented and illegal debit deductions from the bank accounts (smart cards) of beneficiaries of SASSA grants. These unlawful deductions were allegedly done by an outsourced contractor, Cash Paymaster Services (CPS), and holding company Net1, since the introduction of the biometric system in 2012. The invitation to attend the meeting was also extended to the beneficiaries that were affected by these unlawful deductions to come and seek clarity and a way forward on how their disputes could be resolved. The meeting was held on Tuesday, 31 May 2016 at the Western Cape Provincial Parliament. The meeting was attended by SASSA, the Provincial Department of Social Development (DSD) and Black Sash (a civil organisation that was at the forefront of assisting the SASSA grant beneficiaries in lodging disputes on these unlawful deductions). The meeting was successful and it was covered immensely by various media houses. The meeting had a big impact in changing lives of community members in the province because the aggrieved SASSA beneficiaries successfully managed to lodge their grievances to SASSA during the meeting.

As part of the Committee's oversight function and to keep the provincial departments accountable to it, the Committee considered the Annual Reports of the Department of Health on 20 October 2016 and the Department of Social Development on 21 October 2016. During these discussions, Members of the public were also given an opportunity to make inputs and pose questions.

The Children's Second Amendment Bill [B 14B-2015] S76 (NCOP) (for the portfolio on Social Development) was referred to the Committee by the Speaker on 15 September 2016. During the first meeting on the programme of the Committee on

this Bill, the Committee resolved to schedule three public hearings from 1 until 3 November 2016 in Knysna, Citrusdal and Cape Town. The Committee chose these areas in order to reach as many stakeholders in the province as possible and to provide stakeholders with an opportunity to give input on this Bill. The hearings were successfully attended and inputs made by stakeholders were considered by the Committee and they formed part of the negotiating mandate of the Province to the NCOP on this Bill.

On 3 March 2017, the Committee hosted two stakeholder forum and public consultation meetings in Kalksteentfontein and Site C Khayelitsha focusing on the attacks on Emergency Medical Services (EMS) personnel in the province. The purpose of the meetings was to provide relevant stakeholders and members of the public with an opportunity to give input on the impact that these continual attacks had on communities. The meetings were poorly attended and the hearings were postponed to 18 and 25 April 2017 in the same areas.

5. Legislation

During the 2016/17 financial year, the Committee dealt with the following items of legislation:

5.1 Provincial Bills

5.1.1 The Western Cape Health Facility Boards and Committees Act, Act 4 of 2016

5.1.2 The Western Cape Adjustments Appropriation Bill [B 5–2016.], Vote 6:
Health and Vote 7: Social Development

5.1.3 The Western Cape Appropriation Bill [B 1–2017] on Vote 6: Health and Vote 7: Social Development

5.1 NCOP Bills (Section 76)

The Children's Second Amendment Bill [B 14B–2015] (NCOP).

6. Facilitation of public Involvement and participation

In line with the Committee's mandate to facilitate public participation as part of the legislative process, members of the public were invited to participate in the consideration the Bills.

7. Financial particulars

The Standing Committee was allocated an amount of R110 714. In November 2016, the Committee budget was adjusted to R314, 869. By the end of the financial year, the committee spent R394 000. The expenditure is largely attributed to eight public hearings that were held across the province during the consideration of the Western Cape Health Facility Boards and Committees Bill [B 1–2016]. In facilitating public participation in the legislative process when considering the Provincial and the NCOP Bills, the Committee publicised extensively in newspapers to notify the public of their democratic responsibility to participate in the law making process. In addition, the Committee incurred high costs for transport that was organised to transport community members to and from the public hearings during the

consideration of the provincial Bill, NCOP Bill, the SASSA briefing meeting and the stakeholder forum meetings also took a huge chunk of the budget. The Committee has devised means of savings costs in its public consultation process e.g. cutting on simultaneous interpreting, cutting on caterings and newspapers advertising to a limited extent.

2. Annual Committee Report of the Standing Committee on Premier for the 2016/17 financial year, dated 6 June 2017, as follows:

Members

The Committee comprised of the following members:

Dugmore, CM (ANC)
 MacKenzie, RD (DA) (Chairperson of the Committee until 15 December 2016)
 Kivedo, BD (DA)
 Mitchell, DG (DA) (Chairperson of the Committee since 15 December 2016)
 Magaxa, KE (ANC) (member since 13 February 2017)
 Fransman, ML (ANC) (resigned as a member on 15 September 2016)
 Max, LH (DA) (member since 15 December 2016)

Alternate Members

Botha, LJ (DA)
 Gopie, D (ANC)
 Pretorius, PJC (DA)
 Wenger, MM (DA)

1. Introduction

The mandate of the Committee is to:

- 1.1 Maintain oversight over the Executive member and the Department concerning the way in which they perform their responsibilities, including the implementation of legislation, and to hold them accountable.
- 1.2 Consider and report on legislation, other matters and the annual reports referred to it by the Speaker.

In fulfillment of its mandate the Committee must:

- 1.2.1 Facilitated public participation and involvement in the legislative and other processes of the Committee.
- 1.2.2 Conduct its business in a fair, open and transparent manner.
- 1.2.3 Promote cooperative governance.
- 1.2.4 Report regularly to the House.

2. Reporting Department

2.1 Department of the Premier

3. Overview of Committee's activities

Number of Committee Meetings	7 (excludes public hearing meetings)
Number of Public Hearings	3 (includes Bills considered)
Number of International Study Tours	0
Number of Oversight Visits	1
Number of Provincial Bills considered	2
Number of NCOP Bills considered	0
Workshops/conferences attended	0

4. Oversight activities

During the 2016/17 financial year, the Committee resolved to invite the respective lead minister and head of department to the brief the Committee on the five game changers of the Western Cape Government namely the:

- After-school game changer;
- Alcohol Harms Reduction;
- Broadband Game Changer Strategy;
- E-learning game changer; and the
- Energy Security and Vocational Skills.

The Committee envisages overseeing the implementation of these game changers as an ongoing oversight function.

In August 2017, the National Department of Justice and Constitutional Development provided a briefing on the National Action Plan to combat Racism, Racial Discrimination, Xenophobia and Related Intolerances.

The Committee resolved to track the Department of the Premier's draft policies as outlined in the Budget Estimates of Provincial Revenue and Expenditure, 2016. The Committee was then briefed on the Human Rights Strategy for the year under review.

The Committee undertook one oversight visit to the Provincial Training Institute to conduct a preliminary assessment of the institution. The Committee engaged with the institution to determine its activities, the effectiveness and challenges of the training institute.

The Committee also considered the Annual Report of the Department of the Premier for the 2015/16 financial year and the Department briefed the Committee on the Schedule to the Western Cape Adjustments Appropriation Bill [B 5–2016].

5. Legislation

In the 2016/17 financial year, the Committee dealt with the following legislation:

5.1 Provincial Bills

5.1.1 Vote 1: Premier in the Schedule to the Western Cape Adjustments Appropriation Bill [B 5–2016]

5.1.2 Vote 1: Premier in the Schedule to the Western Cape Appropriation Bill [B 1–2017].

5.2 NCOP Bills (Section 76)

None

6. Facilitation of Public Involvement and Participation

In line with its mandate to facilitate public participation as part of the legislative process, the Committee held three public hearings. To give effect to this, the Committee advertised the Annual Report briefing sessions, the Western Cape Adjustments Appropriation Bill [B 5–2016] and the Western Cape Appropriation Bill [B 1–2017], informing and inviting stakeholders to participate in public hearings.

7. Financial particulars

The Standing Committee was allocated a budget of R110 714.00 and received an adjusted budget in November 2016 of R51 014.00. At the close of the 2016/17 financial year, expenditure attributed to the activities of the Standing Committee on Premier accumulated to an amount of R44 506.00 resulting in an under expenditure of R6508.00.