

PARLIAMENT OF THE PROVINCE OF THE WESTERN CAPE

ANNOUNCEMENTS, TABLING AND COMMITTEE REPORTS

TUESDAY, 11 DECEMBER 2018

ANNOUNCEMENTS

The Speaker:

1. Filling of vacancy and swearing in of new Member

The vacancy which occurred in the Western Cape Provincial Parliament owing to the resignation of Mr D Plato has been filled by the nomination of Mr R I Allen with effect from 11 December 2018. The Member took the oath in the Speaker's office on 11 December 2018.

2. Assent of bill by the Premier

Western Cape Adjustments Appropriation Act, 2018 (Act 5 of 2018), assented to and signed by the Premier on 6 December 2018.

3. Publication of Act 5 of 2018

Provincial Notice 155/2018: Publication of the Western Cape Adjustments Appropriation Act, 2018 (Act 5 of 2018), in the *Provincial Gazette Extraordinary* 8019, dated 11 December 2018.

TABLING

The Speaker:

Letter: Minister of Local Government, Environmental Affairs and Development Planning

Provincial Intervention in the Kannaland Municipality in terms of section 139(5)(C) of the Constitution of the Republic of South Africa, 1996.

COMMITTEE REPORT

Annual Committee Report of the Conduct Committee for 2018, dated 6 December 2018, as follows:

Members

The Committee comprised of the following members:

Democratic Alliance

Botha, L J (Acting Chairperson from 20 July 2018 until 31 October 2018)

Simmers, T A (Alternate)

Wenger, M M (Chairperson)

Wiley, M G E

African National Congress

Dyantyi, Q R

Uys, P

Officials

Adv S Willemse, Registrar (until 27 July 2018)

Adv P J Burgers, Registrar (from 1 September 2018)

Mr J Coetzee, Committee Coordinator

1. Introduction

1.1 The Conduct Committee established in terms of the Standing Rules of the Western Cape Provincial Parliament and governed by the Members of the Western Cape Provincial Parliament Code of Conduct Act, 2002 (Act 3 of 2002), is charged with carrying out the functions required of it under the Code of Conduct for Members of the Western Cape Provincial Parliament (25 March 2014).

1.2 The Conduct Committee shall:

1.2.1 Implement the Code of Conduct;

1.2.2 Develop standards of conduct;

1.2.3 Regularly review the Code and make recommendations for its amendment;

1.2.4 Perform other functions and exercise other powers reasonably assigned to the Committee by the Code and in terms of resolutions adopted; and

1.2.5 Report to the House at least annually on its operations and the effectiveness of the Code.

2 Committee Report on its Operations and the Effectiveness of the Code

The Conduct Committee held 6 meetings during 2018: on 16 March 2018; 20 April 2018; 18 May 2018; 15 June 2018; 20 July 2018 and 6 December 2018.

Adv S Willemse was appointed as the Registrar on 23 November 2017 and resigned as Registrar with effect from 27 July 2018. After a recruitment process the new Registrar, Adv PJ Burgers was appointed with effect from 1 September 2018. Between July and October the

Chairperson was absent on maternity leave. During this time, the Committee elected Ms L Botha as Acting Chairperson during its meeting of 20 July 2018.

During the period under review, the Committee held an induction session of the Code of Conduct with the assistance of the Registrar. The Committee identified certain areas of inefficiency in the Code and is compiling a report which will be tabled with the House upon completion.

The Committee took the decision, in relation to section 15(1) of the Code, to adopt the provisions of the National Assembly's Code of Conduct Guidelines that stipulate that the proceedings of the Committee are open until the Registrar formally tables his/her report. Proceedings will then be closed for the tabling of his/her report and until the Committee concludes its deliberations on the Report, after which proceedings will be opened again.

In the period under review, the Committee had 6 complaints and cases under consideration. Of these, one complaint was determined as no further action required, one was a complaint referred back to the Committee from the House and the remainder (as of 29 November) remain in process.

The Committee further reports that in terms of paragraph 11 of the Code of Conduct, all Members submitted their disclosures of registrable interests before 30 April 2018.

3. Financial particulars

The Conduct Committee is part of a group of Committees with a shared budget. As at 29 November 2018, the total expenditure attributed to the activities of the Committee amounted to R2 800,00.