

PARLIAMENT OF THE PROVINCE OF THE WESTERN CAPE

ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS

TUESDAY, 7 AUGUST 2018

ANNOUNCEMENTS

The Speaker:

Referral of bills to committees in accordance with Rule 220:

1. Standing Committee on Community Safety

- (a) Criminal Procedure Amendment Bill [B 15–2018] (NCOP) (proposed section 75 Bill).
- (b) Hydrographic Bill [B 17–2018] (NCOP) (proposed section 75 Bill).

2. Standing Committee on Community Development

State Liability Amendment Bill [B 16–2018] (NCOP) (proposed section 76(1) Bill).

TABLINGS

The Speaker:

Bills received from the National Council of Provinces and tabled in terms of Rule 219:

- 1. Criminal Procedure Amendment Bill [B 15–2018] (NCOP) (proposed section 75 Bill).
- 2. Hydrographic Bill [B 17–2018] (NCOP) (proposed section 75 Bill).
- 3. State Liability Amendment Bill [B 16–2018] (NCOP) (proposed section 76(1) Bill).

COMMITTEE REPORTS

1. **(Final Mandate Stage)** Report of the Standing Committee on Premier and Constitutional Matters on the Protection, Promotion, Development and Management of Indigenous Knowledge Bill [B 6D–2016] (NCOP) (S76), dated 26 July 2018.

The Standing Committee on Premier and Constitutional Matters having considered the subject of the Protection, Promotion, Development and Management of Indigenous Knowledge Bill [B 6D–2016] (NCOP) (S76), referred to the Committee in accordance with Standing Rule 220, recommends that the House confers on the Western Cape's delegation in the National Council of Provinces, the authority to support the Bill.

2. **Annual Committee Report of the Budget Committee for the 2017/18 financial year, dated 20 July 2018, as follows:**

Members

The Committee comprised of the following members:

Beerwinkel, CF (ANC)
 Botha, LJ (DA)
 Christians, FC (ACDP)
 Hinana, NE (DA)
 Joseph, BD (EFF)
 Joseph, D (DA) (Chairperson)
 Kivedo, BD (DA)
 MacKenzie, RD (DA)
 Maseko, LM (DA)
 Max, LH (DA)
 Mitchell, DG (DA)
 Mngasela, M (DA)
 Simmers, TA, (DA)
 Schäfer, BA (DA)
 Uys, P (ANC)
 Wenger, MM (DA)

Alternate members

Wiley, MGE (DA)
 Tyatyam, SG (ANC)
 Makeleni, P (ANC)

1. The mandate of the Committee is to:
 - 1.1.1 Consider and make recommendations to the House on budget allocations in the annual Medium Term Budget Policy Statement; (MTBPS) as well as the main budget, the Budget Review and the relevant Bills with a view to improve spending effectiveness and efficiency;
 - 1.1.2 Review and assess overall provincial expenditure and non-financial reports on a quarterly basis for spending efficiency and effectiveness;
 - 1.1.3 Engage the provincial government on spending patterns;

- 1.1.4 Perform such other tasks assigned to it by resolution of the House; and
- 1.1.5 Ensure public involvement in all budgetary processes.

1.2 In fulfilment of its mandate the Committee -

- 1.2.1 facilitated public participation and involvement in the legislative and other processes of the Committee;
- 1.2.2 conducted its business in a fair, open and transparent manner;
- 1.2.3 promoted co-operative governance; and
- 1.2.4 reported regularly to the House.

2. Reporting department

2.1 Provincial Treasury

3. Overview of committee's activities

| | |
|---------------------------------------|----------------------------------|
| Number of Committee Meetings | 14 (including 2 public hearings) |
| Number of Public Hearings | 2 |
| Number of Oversight Visits | 0 |
| Number of Provincial Bills considered | 3 |
| Number of NCOP Bills considered | 2 |

4. Oversight activities

The Committee considered the final Mandate to support the Division of Revenue Bill [B 4–2017] (S76) (NCOP) in May 2017.

The Minister of Finance, on 16 June 2017, authorised, in terms of section 25 of the Public Finance Management Act, 1999 [Act 1 of 1999] (PFMA), R75 million was allocated to 200 specific votes as an initial drawdown to deal with the implications of the drought disasters in the Western Cape. In August 2017, the Committee considered the Western Cape Adjustments Appropriation (Emergency Funds) Bill (B 5–2017).

The Committee appreciated the annual recurring briefings namely:

1. The Medium Term Budget Policy Statement;
2. The Provincial Economic Review and Outlook (PERO);
3. The Municipal Economic Review and Outlook (MERO);
4. The Auditor-General of South Africa (AGSA) on the 2018/19 Audit Outcomes of the Public Finance Management Act [Act No 1 of 1999] for the Western Cape provincial Departments and Entities
5. The Financial and Fiscal Commission on the 2017/18 Submissions for the Division of Revenue; and The overall provincial expenditure and non-financial reports on a quarterly basis which provided chairpersons and committee members with better insight to the respective standing committees.

The Committee requested a briefing from the Western Cape Provincial Parliament Legal Unit on the interpretation of Section 120 of the Constitution of the Republic of South Africa 1996; and the process that Western Cape Provincial Parliament could follow in drafting a provincial Act to amend money bills, should the need arise in September 2017.

5. Legislation

During the year under review, the Committee considered the following legislation:

1. The Division of Revenue Bill [B 4–2017] (S76) (NCOP) in May 2017;
2. The Western Cape Adjustments Appropriation Bill [B 6–2017] in November 2017;
3. The Division of Revenue Amendment Bill [B24–2017] (NCOP) (S76) in November 2017;
4. The Western Cape Appropriation Bill [B 3–2018] in March 2018; and
5. The Western Cape Additional Adjustments Appropriation Bill (2017/18 Financial Year) in March 2018.

6. Facilitation of Public Involvement and Participation

In line with its mandate to facilitate public participation, as part of the legislative process, the Committee advertised the Bills listed under the heading “Legislation” above informing and inviting stakeholders to participate in public hearings held by the Budget Committee and the relevant Standing Committees.

7. Financial particulars

The Committee’s adjusted budget for the 2017/18 financial year was R74 249 and the Committee incurred actual expenditure of R 63 788.36 resulting in an under-expenditure of R10 460.64.