



Wes-Kaapse Provinsiale Parlement Western Cape Provincial Parliament IPalamente yePhondo leNtshona Koloni

Ref Number: 11/4/4

Draft report of the Standing Committee on Premier on Vote 1: Premier, in the Schedule to the *Western Cape Appropriation Bill* [B1-2017], dated 22 March 2017, as follows:

The Standing Committee on Premier having deliberated on the subject of Vote 1: Premier, in the Schedule to the *Western Cape Appropriation Bill* [B1 – 2017], referred to the Committee in terms of Standing Rule 187, reports that it supports / rejects the Vote.

The Committee listed findings, requested information and made a resolution as indicated below.

1. Findings

- 1.1 The Department of the Premier (the Department) indicated that the Legal Service unit considered the allegations relating to a R190 million conflict of interest sale pertaining to Mr Gary Fisher of the Tafelberg school site. The facts as presented were not in dispute and it was therefore concluded that it did not affect the validity of the decision making process. The matter is currently before the court in the state of suspension. The privilege of the legal advice is vested within the Premier of the Western Cape Province.
- 1.2 The Constitution of the Western Cape lists the functions of the Commissioner for Children, but there are no guidelines in place as to how the Commissioner should be appointed and the powers the office holds. Therefore, the Department drafted a policy in conjunction with the Children's Institute at the University of Cape Town to guide the Commissioner for Children. The draft policy to guide the Commissioner for Children will be submitted to Cabinet in March 2017.
- 1.3 Due to capacity constraints, the Department will consider the appointment of the Commissioner for the Environment upon finalisation of the process of the appointment of the Commissioner for Children.
- 1.4 The Premier Advancement Youth (PAY) Project has selected 595 interns for the 2017/18 financial year.
- 1.5 The International Relations (IR) Forum is an interdepartmental structure, which is led by the International Relations Unit in the Department. All provincial departments are represented in this forum to coordinate the individual international relations programmes available within each department.
- 1.6 There are a number of government sites which are to be provided with Broadband Infrastructure. Currently 1 768 sites have been provided with layer one connectivity, 1 570 sites have been connected with Neotel, layer two connectivity, and 1 504 sites are fully operational.
- 1.7 The Department assists events such as the Cape Town Cycle Tour, the Cape Town Carnival and the Cape Town International Jazz Festival, to contribute to the economic growth and

development of the Western Cape. This forms part of the Department's Integrated Events Strategy.

- 1.8 The Department has established a Human Rights Strategy that will be forwarded to Cabinet in the 2017/2018 financial year.

2. Information requested

The Committee REQUESTED that the Department provides it with the following information by 21 April 2017:

- 2.1 Written feedback on whether a written legal opinion was requested by the Premier on the conflict of interest sale of the Tafelberg school site; if so, the Department should provide the Committee with a copy of the legal opinion once the matter has been finalised in court.
- 2.2 The list of countries and the nature of the business that the International Relations unit dealt with in the 2016/2017 financial year.
- 2.3 A copy of the Memorandum of Understanding between the Department of the Premier and Dreamfields.
- 2.4 A copy of the Memorandum of Understanding between the Department of the Premier and the Thethani Debating League.
- 2.5 A list of the 22 schools that are currently operating in the Year Beyond (YeBo) programme and the selection criteria that was used to identify these schools.
- 2.6 A copy of the Animal Welfare Policy, Internal Relations Strategy, Transversal Youth Development Strategy and the Integrated Event Strategy.
- 2.7 A copy of the draft policy to guide the Children's Commissioner, once approved by Cabinet, as mentioned on page 19 of the Budget Estimates of Provincial Revenue and Expenditure, 2017.
- 2.8 The names of the two staff members, currently employed at the Department of the Premier, who were previously in the employ of the Public Protector.
- 2.9 The reason for listing the Provincial Restaurant Ordinance 23 of 1964, as mentioned on page 8 of the Budget Estimates of Provincial Revenue and Expenditure, 2017.
- 2.10 The selection criteria that the Compensation of Employees Funding Committee uses to fill critical posts.
- 2.11 A report on the envisaged timeframe the Department plans to initiate the appointment process of the Commissioner for the Environment.

3. Resolution

The Committee RESOLVED to, at a future date, invite the Department of the Premier to update the Committee on the rollout and status on Broadband in the Province.

MR D MITCHELL, MPP

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CHAIRPERSON: STANDING COMMITTEE ON PREMIER
22 MARCH 2017