



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

## MINUTES OF PROCEEDINGS

### STANDING COMMITTEE ON FINANCE, ECONOMIC OPPORTUNITIES AND TOURISM

Tuesday, 21 February 2023 (17h00),  
Stellenbosch Town Hall,  
26 Andringa St, Stellenbosch Central, Stellenbosch, 7600

#### **PRESENT**

##### **Democratic Alliance**

Murray, C (Chairperson)

Sileko, I

Van Der Westhuizen, AP

##### **African National Congress**

Nkondlo, ND

##### **Al Jamah-Ah**

Brinkhuis, K

#### **The following persons were in attendance:**

##### **Members of the Public**

\*List attached below

#### **1. Welcome and apologies**

The Chairperson opened the meeting by welcoming all the members, members of the public and presenters to the meeting. No apologies were received. The Chairperson indicated that the purpose of the meeting was to receive a presentation from the officials from the Department of Trade, Industry and Competition on the Copyright Amendment Bill [B 13D - 2017] and Performers' Protection Amendment Bill [B 24D - 2016] in Stellenbosch.

The Chairperson explained the process of engagement on the contents of the Bill, that some organisations indicated that they would make presentations on the proposed amendments to the two aforementioned pieces of legislation. Thereafter, the meeting will be made open to any further inputs from the members of the public who were at the meeting and who did not indicate beforehand their intentions to provide inputs on the bills.

## **2. Briefing by the Department of Trade, Industry and Competition**

Mr Simphiwe Kondleka, Acting Chief Director: Consumer and Corporate Law, briefed the congregation on the origins and proposed changes to the two bills.

The Chairperson opened the floor for any questions of clarity from the attendees, including any inputs on the briefing by Mr Kondleka. No inputs were raised by the attendees at the meeting.

## **3. Briefings and inputs provided by the following organisations on the proposed amendments to the aforementioned bills**

Professor Sadulla Karjiker, the Chair of the Anton Mostert Chair of Intellectual Property Law – at Stellenbosch University provided inputs on the proposed amendments to the bills.

Dr Sanya Samtani from the Academic Opinion also provided inputs on the proposed amendments to the bills.

Mr Douglas Scott of Wikimedia South Africa also provided brief inputs on the proposed amendments to the bills.

A concern was raised by Professor Karjiker that the National Assembly (NA) Portfolio Committee on Trade and Industry, as well as the National Council of Provinces (NCOP) Committee on Trade & Industry, Economic Development, Small Business, Tourism, Employment & Labour, has not shared any research on the matter of 'fair use' as alluded to the legislation under consideration.

The Chairperson opened the floor to the members of the public to pose any questions of clarity and to provide any inputs on the proposed amendments of the bills.

## **4. Resolutions/Actions**

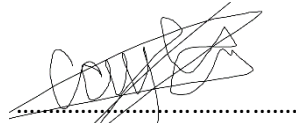
The Chairperson indicated that it would consider the inputs of all the stakeholders who provided written and verbal inputs at its meetings.

These inputs will subsequently be captured in the Matrix Document of the Committee and will be tabled for the Committee's consideration and further deliberation when it considers its negotiating mandate on the matter.

However, the Chairperson addressed the concern raised by the stakeholders who provided inputs in the meeting by indicating that the Standing Committee on Finance, Economic Opportunities and Tourism write to the NA Portfolio Committee on Trade and Industry, and the NCOP Committee on Trade & Industry, Economic Development, Small Business, Tourism, Employment & Labour request them to share its research and any documentation on the matter of 'fair use'.

Having concluded the business for the day, the Chairperson thanked the Committee, stakeholders, and members of the public for their participation.

Having concluded its business for the day, the meeting adjourned at 19h00.

A handwritten signature in black ink, appearing to read 'C. Murray', written over a horizontal dotted line.

**MS C MURRAY, MPP**

**CHAIRPERSON: STANDING COMMITTEE ON FINANCE, ECONOMIC OPPORTUNITIES  
AND TOURISM**

**Date: 23 June 2023**



