



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

**MINUTES OF PROCEEDINGS**

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

**Wednesday, 1 November 2023 (09h00)**  
**Virtual Meeting via MS Teams**

**ATTENDANCE**

**Members:**

**Democratic Alliance**

Murray, C (Chairperson)  
Sileku, I  
Van der Westhuizen, A

**African National Congress**

Nkondlo, N

**Al Jama-ah**

Brinkhuis, K

**The following persons were in attendance:**

**Provincial Treasury**

Ms S Robinson, Chief Director  
Mr M Booysen, Director  
Ms N Palmer, Deputy Director

**Department of the Premier**

Ms M Muller, State Law Adviser

**Western Cape Provincial Parliament:**

Ms Z Adams, Procedural Officer  
Ms L Cloete, Senior Procedural Officer  
Ms M Motsapi, Committee Assistant  
Adv. R Maasdorp, Legal Adviser

## **1. Welcome and attendance**

The Chairperson welcomed the Members, officials and members of the public to the Committee and reminded the attendees about the Rules of Engagement for virtual meetings.

## **2. Deliberations on submissions received on the Western Cape Nineteenth Gambling and Racing Amendment Act Repeal Bill [B 3–2023]**

The Chairperson confirmed with the Procedural Officer that only one submission had been received on the Bill, which was from the National Gambling Board, despite the extensive public outreach that was done for the Bill.

The Provincial Treasury noted the response from the National Gambling Board in support of the Bill, which they appreciated.

The Chairperson noted the Provincial Treasury's response and asked Members whether there were any comments or questions on the submission.

Members van der Westhuizen and Sileku indicated their support for the Bill in light of the lack of opposition to the Bill.

Member Nkondlo noted that she still needed information from the Provincial Treasury around the structural changes in respect of the gambling industry, which they spoke of in the Bill. Member Nkondlo also enquired about the cost of the litigation, which was not included in the costing for the processing of the Bill.

The Chairperson also enquired about the Provincial Treasury's consultation process on the Bill.

Mr Booysen indicated that the Provincial Treasury had sent the Bill to stakeholders in the gambling industry and there were no objections received in respect of the repeal Bill. Mr Booysen further indicated that the industry welcomed a comprehensive policy review of the gambling and racing environment, which was required due to the structural change that happened during the COVID-19 pandemic. The Provincial Treasury has undertaken a robust economic assessment and legal opinion in respect of the entire piece of legislation. The Provincial Treasury also indicated that they included the costs in a previous response to the Committee. The breakdown of the costs provided the relevant information, and there was no further information to be provided.

Ms Muller added that it was known in the public domain that the legislation that was being repealed was the subject of litigation. The Provincial Treasury considered the matter holistically, as per the Memorandum on the Objects in the Bill, and all relevant considerations, including the litigation, were taken into account.

Member Nkondlo noted that there should have been more transparency regarding the reason the legislation was being repealed, which was the litigation that Ms Muller spoke to.

Member van der Westhuizen requested that the Committee proceed with the matters on the agenda for the meeting.

Member Nkondlo responded that these were concerns that she had raised previously. She noted that she was part of a multiparty committee of Provincial Parliament and was within her rights to raise any concerns about the Bill, as these concerns had an impact on the Bill that the Committee was repealing.

Member Nkondlo further noted that, in accordance with Standing Rule 90, she wanted the African national Congress' minority view to indicate that she would express her views in the House.

The Chairperson indicated that the Committee would move on to the informal consideration of the Bill.

**3. Informal Consideration of the Western Cape Nineteenth Gambling and Racing Amendment Act Repeal Bill [B 3-2023]**

The Chairperson indicated that Members should raise any concerns, questions of clarity and propose possible amendments to the clauses during this stage of the Bill. The Chairperson proceeded to the clause-by-clause consideration of the Bill. No amendments were proposed.

The Chairperson noted that there were no further amendments proposed and that the Committee supported the move to the next step, which was the "Motion of Desirability".

**4. Motion of Desirability for the Western Cape Nineteenth Gambling and Racing Amendment Act Repeal Bill [B 3-2023]**

The Chairperson read out the Motion of Desirability and asked if all Members of the Committee were in agreement.

Members van der Westhuizen and Sileku indicated that they were in favour of the Motion of Desirability for the Bill.

The Committee moved to the formal consideration of the Bill.

**5. Formal Consideration of the Western Cape Nineteenth Gambling and Racing Amendment Act Repeal Bill [B 3-2023]**

The Chairperson put forward Clause 1, which was agreed to.

The Chairperson put forward Clause 2, which was agreed to.

The Chairperson put forward the short title, which was agreed to.

The Chairperson put forward the long title, which was agreed to.

The Chairperson put forward the entire Western Cape Nineteenth Gambling and Racing Amendment Act Repeal Bill [B 3-2023], which was agreed to.

The Chairperson indicated that the Committee would take a brief break so that the Administration could prepare the Draft Committee Report on the Western Cape Nineteenth Gambling and Racing Amendment Act Repeal Bill [B 3-2023].

The Committee continued to the consideration and adoption of the Draft Committee Report on the Western Cape Nineteenth Gambling and Racing Amendment Act Repeal Bill [B 3-2023].

**6. Consideration and Adoption of the Draft Committee Report on the Western Cape Nineteenth Gambling and Racing Amendment Act Repeal Bill [B 3-2023]**

The Chairperson tabled the Draft Committee Report on the Western Cape Nineteenth Gambling and Racing Amendment Act Repeal Bill [B 3-2023] for consideration by the Committee.

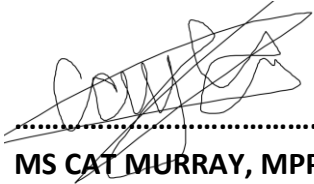
The Chairperson noted, as per the procedural advice given, that Members were requested to express their views in terms of whether they supported or did not support the Bill. If a Member abstained from voting on the Bill, or indicated that they wanted to express their view at a later date (such as in the House), then this view would be recorded in the minutes of the meeting, and not in the Committee's report. The Chairperson further noted that an abstention was not considered a view because it did not provide a view on the subject matter in the report, and that a view was an expression of belief, an opinion, or an idea of the matter that a committee is seized with.

The Procedural Officer confirmed that Member Nkondlo's request to express her party's view in the House would be recorded in the minutes of the meeting.

Member van der Westhuizen supported the adoption of the report. Member Sileku seconded the adoption of the report.

The Chairperson noted the adoption of the report and thanked the Members for their participation in the meeting. The Chairperson noted that there were no proposed resolutions.

The meeting adjourned at 10:03.



MS CAT MURRAY, MPP

CHAIRPERSON: STANDING COMMITTEE ON FINANCE, ECONOMIC OPPORTUNITIES  
AND TOURISM

