



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

MEETING MINUTES OF PROCEEDINGS

BUDGET COMMITTEE

Tuesday 28 November 2023 (12:00 – After the Adjournment of the House)
Hybrid meeting via MS Teams and the Chamber

ATTENDANCE

Members:

America, D (DA)
Baartman, D (DA) Chairperson)
Brinkhuis, G (Al Jama-ah) (online)
Murray, C (DA) (online)
Mvimbi, L (ANC)

Alternate Members

Fry, C (DA)
Kaizer-Philander, W (DA)
Nkondlo, ND (ANC)
Van der Westhuizen, A (DA)

Additional Members

Dugmore, C (ANC)
Kama, M (ANC)
Marran, P (ANC)

Western Cape Provincial Parliament

Ms N Mshumpela, Committee Assistant
Ms W Achmat, Procedural Officer

1. Welcome and attendance

The Chairperson opened the meeting and welcomed the Committee Members.

2. Briefing by Provincial Treasury on the Western Cape Adjustments Appropriation Bill [B 7-2023]; the Medium-Term Budget Policy Statement; and 2023/24 2nd Quarter Performance (Financial and Non-financial)

Provincial Treasury presented to the Committee on the subject matter.

The Committee deliberated on the content of the presentations.

3. Public Hearing on the Western Cape Adjustments Appropriation Bill [B7 – 2023]

The Chairperson opened the meeting for public input, after which one oral submission was received from Member T Munyai, the Gauteng Education Portfolio Chairperson.

4. Consideration and adoption of the Final Mandate Report on the Division of Revenue Amendment Bill (S76) (NCOP)

The Chairperson tabled the National Treasury responses and minutes of the meeting of the Select Committee on Appropriations, at which the various provincial Negotiating Mandates were considered.

The Chairperson submitted the draft Final Mandate Report to the Committee for consideration. The Committee deliberated on the matter.

Mr America moved: That the Committee does not support the Bill.

Mr Mvimbi moved: That the Committee support the Bill.

Motion of Mr America put.

AYES - 3: Fry, C; America, D; Baartman, D.

NOES – 1: Mvimbi, L

Motion of Mr America supported, and Mr Mvimbi motion dropped.

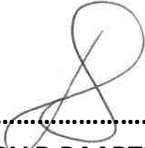
5. Resolution/Action

The Committee unanimously requested a legal opinion from the Speaker on whether the National Council of Provinces ("NCOP") Select Committee on Appropriations meaningfully considered the Western Cape Provincial Parliament ("WCPP") Budget Committee's negotiating mandate including the recommendations for amendments to the Division of Revenue Amendment Bill (B332023) (s76) ("DORA Bill") during the negotiating mandate process in line with relevant legislation, including the Mandating Procedures of Provinces Act 52 of 2008. If meaningful consideration did not take place the Speaker is requested to consider instituting legal proceedings in this regard to ensure that the NCOP meaningfully considers the WCPP Budget Committee's negotiating mandates, including recommendations for amendments to the DORA Bill (B33-2023). This request stems from unreasonably short timelines for consideration of the Bill, not allowing provinces sufficient time to process and consider the Bill, lack of sufficient time for public participation, and inadequate consideration and integration of provided inputs by the NCOP Select Committee on Appropriations on the WCPP Budget Committee's negotiating mandate during the negotiating mandate process. The Committee thus requests Speaker to explore whether any legal steps could be pursued in response to this, to ensure that the WCPP Budget Committee's negotiating mandate, with recommendations for amendments to the DORA Bill, be considered meaningfully by the NCOP.

6. Consideration and adoption of the Draft Committee Minutes of the meeting held on 23 and 24 November 2023

The Chairperson submitted the Draft Committee Minutes of the meetings held on 23 and 24 November 2023, which was considered and adopted.

Having concluded its business for the day, the meeting adjourned at 15:20.



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ADV D BAARTMAN, MPP

CHAIRPERSON: BUDGET COMMITTEE

DATE: 1 December 2023