

# PARLIAMENT OF THE PROVINCE OF THE WESTERN CAPE

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## ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS

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THURSDAY, 29 AUGUST 2013

### ANNOUNCEMENTS

The Speaker:

#### 1. Introduction of Bill:

Minister of Finance, Economic Development and Tourism:

*Western Cape Unauthorised Expenditure Bill [B 7–2013].*

#### 2. Referral of bill to committee in terms of Rule 187

Standing Committee on Finance and Economic Development.

*Western Cape Unauthorised Expenditure Bill [B 7–2013].*

### COMMITTEE REPORT

The Speaker:

Report of the Standing Committee on Local Government on the proposed *Constitution Eighteenth Amendment Bill* (Private Members Bill), dated 27 August 2013.

Section 74(5) of the Constitution of the Republic of South Africa (Act 108 of 1996) provides that “30 days before a Bill amending the Constitution is introduced in terms of Section 73 (2), the person or committee intending to introduce the Bill must” ... “(b)submit, in accordance with the rules and orders of the Assembly, those particulars to the provincial legislatures for their views”.

Consequently the proposed *Constitution Eighteenth Amendment Bill* (Private Member's Bill) was submitted to the Western Cape Provincial Parliament and subsequently referred to the Standing Committee on Local Government on 25 July 2013 (as provided for in Standing Rule 88 of the Western Cape Provincial Parliament Standing Rules). The Committee requested the private member, Hon D Smuts, to brief the Committee on the content of the proposed Bill.

During its deliberation on the presentation the Committee's views included that:

- (i) Section 179(4) of the Constitution provides that National legislation must ensure that the National Prosecuting Authority exercises its functions without fear, favour or prejudice. There might therefore be an opportunity to meet the objectives of the proposed constitutional amendments through the creation of enabling legislation to give effect to section 179(4);
- (ii) If the principle underlying the introduction of the legislation is to increase the independence of the National Prosecuting Authority and to introduce a system that will work to the best advantage of South Africans, the intention to introduce the legislation should be supported.

Having concluded its deliberations on the proposed legislation the Committee recommends that the House support the intention to introduce the Constitution Eighteenth Amendment Bill.

Minority View;

A minority view was expressed by Mr P Uys (ANC) to not support the intention to introduce the *Constitution Eighteenth Amendment Bill*.

That the House consider the report.

# PARLEMENT VAN DIE PROVINSIE WES-KAAP

## AANKONDIGINGS, TERTAFELLEGGINGS EN KOMITEEVERSLAE

DONDERDAG, 29 AUGUSTUS 2013

### AANKONDIGINGS

Die Speaker:

#### 1. Indiening van Wetsontwerp

Minister van Finansies, Ekonomiese Ontwikkeling en Toerisme:

*Wes-Kaapse Wetsontwerp op Ongemagtigde Uitgawes [W 7–2013].*

#### 2. Verwysing van Wetsontwerp na komitee ingevolge Reël 187

Staande Komitee oor Finansies en Ekonomiese Ontwikkeling.

*Wes-Kaapse Wetsontwerp op Ongemagtigde Uitgawes [W 7–2013].*

### KOMITEEVERSLAG

Die Speaker:

Verslag van die Staande Komitee oor Plaaslike Regering oor die voorgestelde *Constitution Eighteenth Amendment Bill* (Private Members Bill), gedateer 27 Augustus 2013.

\*Section 74(5) of the Constitution of the Republic of South Africa (Act 108 of 1996) provides that “30 days before a Bill amending the Constitution is introduced in terms of Section 73 (2), the person or committee intending to introduce the Bill must” ... “(b)submit, in accordance with the rules and orders of the Assembly, those particulars to the provincial legislatures for their views”.

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- (ii) If the principle underlying the introduction of the legislation is to increase the independence of the National Prosecuting Authority and to introduce a system that will work to the best advantage of South Africans, the intention to introduce the legislation should be supported.

Having concluded its deliberations on the proposed legislation the Committee recommends that the House support the intention to introduce the Constitution Eighteenth Amendment Bill.

Minority View;

A minority view was expressed by Mr P Uys (ANC) to not support the intention to introduce the *Constitution Eighteenth Amendment Bill*. \*

Verslag oorweeg te word.

\* *Nie in Afrikaans beskikbaar nie.*

# IPALAMENTE YEPHONDO LENTSHONA KOLONI

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## IZAZISO, IMICIMBI EZA KWANDLALWA NEENGXELO ZEKOMITI

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LWESINE, 29 AGASTI 2013

### IZAZISO

USomlomo:

**1. Ukwaziswa koMthetho oSayilwayo:**

UMphathiswa wezeMali uPhuhliso lwezoQoqosho nezoKhenketho:

*UMthetho oSayilwayo weNkcitho engaGunyaziswanga weNtshona Koloni [B 7–2013].*

**2. Uthunyelomthetho osayilwayo kwikomiti ngokwemigaqo yoMthetho 187**

IKomiti eSisigxina kwezeMali noPhuhliso lwezoQoqosho.

*UMthetho oSayilwayo weNkcitho engaGunyaziswanga weNtshona Koloni [B 7–2013].*

### COMMITTEE REPORT

The Speaker:

Report of the Standing Committee on Local Government on the Proposed Constitution Eighteenth Amendment Bill (Private Members Bill), dated 27 August 2013.

Section 74(5) of the Constitution of the Republic of South Africa (Act 108 of 1996) provides that “30 days before a Bill amending the Constitution is introduced in terms of Section 73 (2), the person or committee intending to introduce the Bill must” ... “(b)submit, in accordance with the rules and orders of the Assembly, those particulars to the provincial legislatures for their views”.

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Having concluded its deliberations on the proposed legislation the Committee recommends that the House support the intention to introduce the Constitution Eighteenth Amendment Bill.

Minority View;

A minority view was expressed by Mr P Uys (ANC) to not support the intention to introduce the *Constitution Eighteenth Amendment Bill*. \*

That the House consider the report.

*\*Ayifumaneki ngesiXhosa.*