

PARLIAMENT OF THE PROVINCE OF THE WESTERN CAPE

ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS

THURSDAY, 8 JUNE 2023

COMMITTEE REPORTS

1. **Annual Committee Report of the Parliamentary Oversight Committee (POC) for the 2022/23 financial year, as follows:**

Members

The Committee comprised the following Members at the end of the financial year:

Bosman, G (DA)
Cassiem, A (EFF)
Kaizer-Philander, WF (DA)
Lekker, PZ (ANC)
Maseko, LM (DA) (Chairperson)

Previous Member who served on the Committee during the 2022/23 financial year:

Botha, LJ (DA) (Chairperson) [Ms Botha was elected Chairperson of the POC on 17 August 2022, but passed away shortly thereafter.]
Wenger, MM (DA) (Chairperson) [Ms Wenger resigned from the POC to become the Minister of Finance during 2022.]
Allen, RI (DA) [Mr Allen resigned from the POC to become Minister of Community Safety during 2022.]
MacKenzie, RD (DA) [Mr Mackenzie resigned to become Minister of Mobility during 2022.]
Lekker, PZ (ANC)
Xego, M (EFF) [Mr Xego resigned as a Member of the WCPP and was replaced by Member A Cassiem (ATC 12 of 2023).]

Alternate Members

Baartman DM (DA)

Dugmore, CM (DA) [Mr Dugmore was assigned to the POC as an alternative Member on 21 February 2023 (ATC 12 of 2023).]

Klaas, T M (EFF) [Mr Klaas was assigned to the POC as an alternative Member on 21 February 2023 (ATC 12 of 2023).]

Sileku, I (DA) [Mr Sileku was assigned to the POC as an alternative Member on 21 February 2023 (ATC 12 of 2023).]

Van der Westhuizen, AP (DA)

1. Introduction

The mandate of the POC, as prescribed by the Financial Management of Parliament and Provincial Legislatures Act, 2009 (Act 10 of 2009) (FMPPLA), is to:

- 1.1 Be the oversight mechanism of the Western Cape Provincial Parliament (WCPP) that must maintain oversight of the financial management of Parliament to:
 - (a) Consider instructions issued by the Executive Authority in terms of section 37(5);
 - (b) Consider the annual report submitted to Parliament in terms of section 60;
 - (c) Consider instructions issued by the Executive Authority in terms of section 66; and
 - (d) Perform any other functions specified in this Act or by the Rules of Parliament, or consistent with the objects of the FMPPLA.
- 1.2 Require the Accounting Officer and any other official of the WCPP to appear before it.
- 1.3 Exercise the same powers that committees of Parliament have under sections 56 and 69 of the Constitution of the Republic of South Africa, 1996.
- 1.4 Consider the quarterly and mid-year reports of the WCPP.
- 1.5 Consider the Annual Report of the WCPP.
- 1.6 Any audit reports issued by the Auditor-General of South Africa (AGSA) on the affairs of the WCPP; and
- 1.7 Any other financial statements or reports referred to the POC by the House.

In fulfilment of its mandate, the Committee must:

- 1.8 Facilitate public participation and involvement in the legislative and other processes of the Committee;
- 1.9 Conduct its business in a fair, open and transparent manner;
- 1.10 Conduct oversight over the corporative governance activities of the WCPP and to promote good governance; and
- 1.11 Report regularly to the House.

2. Reporting institution

The financial statements included in the Annual Report for the financial year ending 31 March 2023 was examined, as follows:

Western Cape Provincial Parliament

3. Overview of the Committee's activities

Number of committee meetings	6
Number of public hearings	3
Number of international study tours	0
Number of oversight visits	0
Number of provincial bills considered	2

Number of NCOP bills considered	0
Workshops or conferences attended	0

4. Oversight activities

During the financial year under consideration, the POC mainly conducted oversight over the following information:

- 4.1 The quarterly performance reports of the WCPP;
- 4.2 The financial statement reports of the WCPP;
- 4.3 The readiness of the WCPP in terms of the Protection of Personal Information Act, 2013 (Act 4 of 2013); and
- 4.4 The Annual Report of the WCPP for the 2021/22 financial year.

In terms of the strategic plans of the WCPP, including the Speaker's Parliamentary Priorities, the Parliamentary Oversight Committee encouraged public participation at all its meetings through online YouTube streaming. In addition, the Committee ensured that it maintained its relationships with the Auditor-General of South Africa (AGSA) and Audit Committee of the WCPP in engaging them on the risks identified in the institution.

The Committee held no meetings during the first quarter of 2022.

During the second quarter of 2022 the Committee conducted oversight over the fourth quarter's financial and information performance of the WCPP for the 2021/22 financial year, including the first quarter's financial and information performance of the WCPP for the 2022/23 financial year. The Committee also conducted a walkabout between the fourth and seventh floors of the WCPP precinct to examine the fire mitigating measures in place in case of a fire outbreak on each respective floor. This was undertaken due to the fire that gutted the National Parliament precinct on 2 January 2022.

During the third quarter of the financial year the Committee met with the institution to engage the WCPP on its Annual Report for the 2021/22 financial year, including the Schedule of the institution in terms of the Western Cape Adjustments Appropriation Bill [B 3–2022]. The Committee made resolutions to the institution in order to assist it in gearing towards meeting its constitutional mandate and its functional enhancement abilities which would ensure that the WCPP operate optimally in delivering on its Strategic Plan over a five-year period. This included the management of the precinct of the WCPP and the efficiency of the Hansard service on the WCPP website. The Committee also engaged the WCPP on its engagement with various constituent stakeholders through the Public Education and Outreach Section of the institution.

During the fourth quarter the Committee met with the institution to be briefed on the WCPP's second and third quarters' financial and performance information for the 2022/23 financial year, including any instructions issued in term of section 37(6) and section 66(2) of the FMPPLA.

5. Legislation

In the 2022/23 financial year the Committee dealt with the following provincial legislation:

- 5.1. Vote 2: Western Cape Provincial Parliament in the Schedule to the Western Cape Adjustments Appropriation Bill [B 3–2022]; and
- 5.2. Vote 2: Western Cape Provincial Parliament in the Schedule to the Western Cape Appropriation Bill [B 2–2023].

6. Facilitation of public involvement and participation

In line with its mandate to facilitate public participation as part of the legislative process, the Committee held one public hearing meeting during the annual report period. To give effect to this, the Committee’s annual report meeting was advertised, informing and inviting the public and stakeholders to participate in public hearings. In addition, the Committee held two public hearing meetings on the following money bills: the Western Cape Adjustments Appropriation Bill [B 3–2022] and the Western Cape Appropriation Bill [B 2–2023] on Vote 2: Western Cape Provincial Parliament.

7. Financial particulars

At the end of the 2022/23 financial year, expenditure that attributed to the activities of the Committee accumulated to an amount of R27 435,72 from an allocated budget of R50 000,00. The expenditure was incurred on catering for the Committee’s meetings during the financial year, as well as contributing to the advertisements for the appropriation, adjustments appropriation and annual report periods.

2. Annual Committee Report of the Standing Committee on the Premier and Constitutional Matters for the 2022/23 financial year, as follows:

The Committee comprises of the following Members:

Democratic Alliance

Botha, L (Chairperson from 23 February 2022 to 11 August 2022)
Philander, WF (until 22 February 2022)
Allen, RI (from January 2022 to 25 April 2022)
Fry, C (Chairperson from 12 August 2022)
Baartman, D (from May 2022)
Pretorius, G (from 30 January 2023)

African National Congress

Dugmore, CM

Economic Freedom Fighters

Xego, M
Klaas, TM (from 21 February 2023)

Alternate members

Lekker, PZ (ANC)
Makamba-Botya, N (EFF)
Maseko, LM (DA) (until 22 February 2022)
Mitchell, DG (DA) (until 31 October 2021)

Philander, WF (from 23 February 2022)
Plato, D (from 23 February 2022)
Van der Westhuizen, AP (from 23 February 2022)
Wenger, M (DA) (until 10 May 2022)

1. Introduction

The mandate of the Committee was to:

- 1.1 Maintain oversight over the executive member and the Department concerning the way in which they perform their responsibilities, including the implementation of legislation, and to hold them accountable.
- 1.2 Consider and report on legislation, other matters and the annual reports referred to it by the Speaker.

In fulfilment of its mandate the Committee:

- 1.3 Facilitated public participation and involvement in the legislative and other processes of the Committee.
- 1.4 Conducted its business in a fair, open, and transparent manner.
- 1.5 Promoted cooperative governance.
- 1.6 Reported regularly to the House.

With reference to the 2023/24 strategic objectives of the WCPP linked to the Speaker's Priorities to the end of the sixth term, the outcome of this report is linked to:

Priority 1: Building a credible WCPP; and
Priority 3: Strengthening the core business.

2. Reporting department

Department of the Premier

3. Overview of the Committee's activities

Number of committee meetings	13 (this includes public hearings)
Number of public hearings	3
Number of international study tours	0
Number of oversight visits	4
Number of provincial bills considered	3
Number of NCOP bills considered	0
Workshops or conferences attended	0
Cluster A Visit Week participation	2

4. Key activities

A change in membership of the Standing Committee on the Premier and Constitutional Matters took place in February 2022. The Committee elected Hon L Botha as the Chairperson of the Committee.

During the 2022/23 financial year the Committee was briefed by Department of the Premier on the following matters:

1. The status of cyber security and broadband;
2. 2021/22 third quarter performance (financial and non-financial);
3. The Annual Performance Plan and the status on the performance to date; and

The following stakeholders also briefed the Committee for the year under review:

4. The Commissioner for Children on the progress and activities of the office;
5. The Public Service Commission on the investigation reports submitted to the Western Cape Provincial Parliament; and
6. Statistics South Africa on the status of the census in the Province Western Cape.

The Committee conducted an oversight visit in July to the Wi-Fi sites at the Centre for E-innovation (CE-I) office at 4 Dorp Street and the Groote Schuur Hospital to assess the facilities and to get an overall impression of the status of the delivery of services, including challenges at the Wi-Fi sites.

The Committee deliberated and hosted a public hearing on the 2021/22 Annual Report for the Department of the Premier.

In August 2022, due to the change of membership as per ATC 87 of 2022, the Committee elected Mr Fry as the Chairperson of the Committee.

The Committee embarked on two Social Cluster Visit Weeks from 26 to 30 September 2022 and from 30 January to 3 February 2023. The Committee conducted oversight visits in the Bitou Municipality area and visited Kwanokuthula E-centre on 28 September 2022 and New Horizons E-centre on 29 September 2022. In the Kannaland Municipality area, the Committee visited the Ladismith E-centre on 3 February 2023.

5. Legislation

In the 2022/23 financial year the Committee dealt with the following legislation:

5.1 Provincial bills

- 5.1.1 Vote 1: Premier in the schedule to the Western Cape Adjustments Appropriation Bill [B 3–2022] in November 2022; and
- 5.1.2 Vote 1: Premier in the Schedule to the Western Cape Appropriation Bill [B 2–2023] in March 2023.

The Committee is still considering the Constitution of the Western Cape First Amendment Bill [B 1–2021] and deliberations on the way forward will take place in the 2023/24 financial year.

5.2 NCOP bill (section 76)

No NCOP bills were referred to the Committee.

6. Facilitation of public involvement and participation

In line with its mandate to facilitate public participation as part of the legislative process, the Committee held three public hearings. The Committee deliberated on the two provincial money bills and considered the 2021/22 Annual Report for the Department of the Premier.

7. Financial particulars

The Committee's original budget was R63 176. The actual expenditure for the 2022/23 financial year was R91 378 against an adjusted budget allocation of R74 660 resulting in an over expenditure of R16 718.