



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

MINUTES OF PROCEEDINGS

STANDING COMMITTEE ON FINANCE, ECONOMIC OPPORTUNITIES AND TOURISM

Thursday, 11 March 2021 (09h00)
Virtual Meeting via MS Teams

ATTENDANCE

Members:

Democratic Alliance

Van der Westhuizen, A (Acting Chairperson)
America, D (Alternate)
Maseko, M (Alternate)

African National Congress

Nkondlo, N

Apologies

Baartman, D (Chairperson)(DA)
Mitchell, D (DA)
Makamba-Botya, N (EFF)

Additional Members

Mvimbi, L (Alternate)(ANC)
Marran, P (ANC)

The following persons were in attendance:

Western Cape Provincial Parliament:

Ms Z Adams, Procedural Officer
Adv. R Maasdorp, Legal Adviser
Mr T Keswa, Manager: Public Education and Outreach

Provincial Treasury

Ms C Horton, Fiscal Policy
Dr N Nleya, Director: Fiscal Policy

Dr R Havemann, Deputy Director-General
Mr M Booysen, Acting Chief Director: Public Policy Services

Department of the Premier

Ms M Muller, State Law Adviser

1. Welcome and attendance

The Procedural Officer informed the Committee that the Chairperson was unable to attend the meeting and had submitted an apology. Therefore, it was necessary to elect an Acting Chairperson in accordance with Standing Rule 82(3), which stated that in the absence of a chairperson from a meeting, the Committee should elect an acting chairperson for that meeting.

The Procedural Officer called for nominations for the Acting Chairperson. Member M Maseko (DA) nominated Member A van der Westhuizen to act as the Chairperson. There were no further nominations and Member van der Westhuizen was duly elected as the Acting Chairperson.

The Acting Chairperson indicated that apologies had also been received from Member D Mitchell (DA), Member N Makamba-Botya (EFF), and the Head of the Provincial Treasury, Mr D Savage.

The Acting Chairperson read the Rules of Engagement for virtual meetings and proceeded with the agenda items below.

2. Deliberations on the way forward for the Western Cape Nineteenth Gambling and Racing Amendment Bill [B 1 - 2020]

The Acting Chairperson reminded the Committee that a report had been received from Adv. R Maasdorp and Ms M Muller (the legal advisers assigned to the Bill). The report looked at the differences and common grounds of both legal opinions submitted on the Bill. The Committee was to decide whether to move forward on the Bill or not.

After a brief discussion, the Committee agreed to move forward with the informal and formal deliberations on the Bill. The Acting Chairperson asked whether a date had been identified for this meeting. The Procedural Officer indicated that a tentative date of 31 March 2021 had been identified, however, this would be confirmed with the Chief Whip and communicated to the Members in due course.

3. Discussion on the UIF-TERS Public Participation Process

The Acting Chairperson reminded the Members that the Committee had resolved to undertake a public participation process on the challenges experienced by employers and employees in respect of the UIF's Temporary Employer/Employee Relief Scheme (TERS) funding in the Western Cape. The Acting Chairperson enquired whether Members felt that the first step in the process would be to invite the Department of Employment and Labour (DoEL), and UIF representatives to brief the Committee on issues related to the TERS fund.

The Committee agreed that the first port of call would be to invite the DoEL and UIF representatives to brief the Committee on TERS matters for the Western Cape.

The Acting Chairperson also requested the assistance of the Western Cape Provincial Parliament's Public Education and Outreach (PEO) section to assist with liaising with stakeholders and disseminating information to the members of the public. The Committee also requested that the PEO section also focuses on organised labour and business organisations.

Mr T Keswa, the Manager for the PEO section, indicated that they would assist the Committee in a similar fashion to the support given to the Ad Hoc Committee on COVID-19.

4. Discussion on the Nomination of a Committee Meeting to serve on a Task Team for Gambling and Racing-Related Matters

The Acting Chairperson indicated to the Members that the Minister of Finance and Economic Opportunities had requested that the Committee nominate a Member to form part of a task team consisting of representatives from the Ministry, the Provincial Treasury and the Ministry. The task team would be developed to create Standard Operating Procedures for gambling and racing-related matters, specifically in terms of the roles that each entity would play in terms of the Western Cape Gambling and Racing Act, 1996 (Act 4 of 1996) and the Regulations.

The Acting Chairperson indicated that the Chairperson, Adv. D Baartman, was available for the nomination. This was seconded by Member America.

Member Nkondlo indicated that in order to maintain objectivity, she wanted to propose that Member D Mitchell (DA) be nominated to sit on the task team. This was seconded by Member Maseko and Member America. However, Member Mitchell indicated via text that he declined the nomination.

It was then confirmed that Member Baartman would be nominated to sit on the task team.

Thereafter, concerns were raised by Members that there could be possible issues of conflict of interest in respect of who the Committee would have to report back to, as the Committee performs oversight on the Executive and the Provincial Treasury.

The Committee agreed that clarity was needed in respect of the possible matter of conflict of interest.

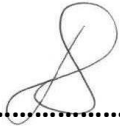
5. Resolutions/Actions

The Committee RESOLVED to:

- 5.1 Continue with the informal and formal deliberations on the Western Cape Nineteenth Gambling and Racing Amendment Bill, possibly on 31 March 2021;
- 5.2 Invite the Department of Employment and Labour and the Unemployment Insurance Fund (UIF) representatives to brief the Committee on the challenges experienced with the Temporary Employer/Employee Relief Scheme (TERS) in the Western Cape, the role the TERS played in assisting the vulnerable in the Western Cape, the challenges experienced while dealing with the administration of the finances for this fund, and the policy and legislative lessons that emanated from these challenges;
- 5.3 Invite PEO to assist with liaising with stakeholders, members of the public and organised labour and business organisations in respect of the UIF/TERS public participation process;

and
5.4 Seek clarity on whether there would be an issue of conflict of interest if a Member of the Committee was assigned to the task team for the development of Standard Operating Procedures on gambling and racing-related matters as proposed by the Minister.

The meeting adjourned at 10h16.



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ADV D BAARTMAN, MPP
**CHAIRPERSON: STANDING COMMITTEE ON FINANCE, ECONOMIC OPPORTUNITIES
AND TOURISM**
DATE: 31 March 2021

