



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

MINUTES OF PROCEEDINGS

STANDING COMMITTEE ON FINANCE, ECONOMIC OPPORTUNITIES AND TOURISM

Wednesday, 7 October 2020 (09h00), Virtual Meeting via MS Teams

ATTENDANCE

Members:

Democratic Alliance

Baartman, D (Chairperson)
Mitchell, D
Van der Westhuizen, A

African National Congress

Nkondlo, N (ANC)

Economic Freedom Fighters

Makamba-Botya, N (EFF)

The following persons were in attendance:

Provincial Treasury

Mr A Phillips, Deputy-Director-General
Dr N Nleya, Director
Ms C Horton, Economist

Department of the Premier

Ms A Muller, State Law Adviser
Ms A Vosloo, Director: Legal Services

Members of the Public

Ms E Brand, Attorney: ENSAfrica for Tsogo Sun and Vukani Gaming

Western Cape Provincial Parliament

Ms Z Adams, Committee Coordinator

Ms L Cloete, Senior Coordinator

Adv R Maasdorp, Legal Adviser

1. Welcome and attendance

The Chairperson welcomed the Members, the officials from Provincial Treasury and the Department of the Premier, and members of the public and media to the meeting. The Chairperson noted the apology from the Head of Provincial Treasury, Mr D Savage.

The Chairperson reminded the Committee that the meeting would focus on the legal opinions submitted by the Western Cape Provincial Parliament's Legal Adviser and the Department of the Premier, which were requested following the deliberations on the submissions on the Western Cape Nineteenth Gambling and Racing Amendment Bill [B1 - 2020] (the Bill) held on 11 September 2020. The Chairperson reminded the Committee that the resolution from the meeting on 11 September 2020 was that the two legal advisers prepare separate legal opinions on whether it is good law to regulate parts of the gambling industry in this Bill, and not others.

The Chairperson explained the rules of engagement for virtual meetings and proceeded with the discussion on the legal opinions received.

2. Deliberations on the Legal Opinions submitted on the matters arising from the deliberations on the submissions received on the Western Cape Nineteenth Gambling and Racing Amendment Bill [B1 - 2020]

Adv Maasdorp and Ms Muller briefly summarised their legal opinions as submitted to the Committee.

The Committee deliberated on the two legal opinions and the explanations from Adv Maasdorp and Ms Muller, but felt that a third, external legal opinion would be needed if the Committee exhausted all its needed to exhaust all legal avenues before it moved forward with the informal and formal consideration of the Bill.

The Chairperson proposed that the Committee mandate her to meet with the Speaker of Western Cape Provincial Parliament, WCPP's Legal Services, WCPP's Procedural Services, Department of the Premier's Legal Unit and officials from Provincial Treasury to discuss the request for a third, external legal opinion on this particular matter. The Chairperson would then report back to the Committee once the meeting is concluded.

The Committee agreed to the proposal submitted by Adv Baartman.

3. Committee Matters

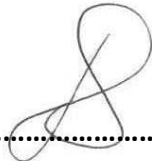
The Chairperson reminded the Members about the oversight visit to Ankerlig Power Station and the Atlantis Special Economic Zone (ASEZ) on 15 October 2020. Members were informed that WCPP transport would leave from the Dorp Street entrance at 07h00, that all COVID-19 checks would be done on arrival at Eskom, that all Members are required to wear closed, flat shoes to Ankerlig, and that all visitors would have to submit a screening questionnaire to security at Ankerlig before they could enter the premises.

4. Resolutions/Actions

The Committee RESOLVED that:

- 4.1 The Chairperson of the Committee, Adv Baartman, would meet with the Speaker of the Western Cape Provincial Parliament to discuss the Committee's request for a third, external legal opinion on whether it is good law/constitutionally sound to regulate parts of the gambling industry in this Bill, and not others;
- 4.2 The Chairperson will report back to the Committee following the conclusion of the meeting with the Speaker to determine the way forward for the Bill; and
- 4.3 The meeting scheduled for 21 October 2020 on the informal and formal consideration of the Bill would be delayed until further notice.

The meeting adjourned at 11h40.



.....

ADV D BAARTMAN, MPP

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