



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

**MINUTES OF PROCEEDINGS**

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

**Thursday, 10 December 2020 (08h00)**  
**Virtual Meeting via MS Teams**

**ATTENDANCE**

**Members:**

**Democratic Alliance**

Baartman, D (Chairperson)  
Mitchell, D  
van der Westhuizen, W

**African National Congress**

Nkondlo, N

**Apologies**

Makamba-Botya, N (EFF)

**The following persons were in attendance:**

Minister D Maynier (Minister of Finance and Economic Opportunities) and officials from the Provincial Treasury and Western Cape Gambling and Racing Board

\*Please see attached attendance list

**Western Cape Provincial Parliament**

Ms Z Adams, Procedural Officer  
Ms L Cloete, Senior Procedural Officer

**1. Welcome and attendance**

The Chairperson opened the meeting and read out the rules of engagement for virtual meetings. The Chairperson tabled an apology from Member N Makamba-Botya, and allowed for brief introductions by the Minister, Head of Department of the Provincial Treasury and

the Chairperson and Chief Executive Officer of the Western Cape Gambling and Racing Board once it was time for the deliberations on the respective 2019/20 Annual Reports.

## **2. Discussion on the 2019/20 Annual Report for the Provincial Treasury**

The Committee considered and examined the Provincial Treasury's 2019/20 Annual Report.

The Chairperson thanked the Provincial Treasury for its preparation and responses to the questions raised by the Committee Members.

The Chairperson requested input from the public. There were no inputs from the public.

## **3. Discussion on the 2019/20 Annual Report for Western Cape Gambling and Racing Board**

The Committee considered and examined the Western Cape Gambling and Racing Board's 2019/20 Annual Report.

The Chairperson thanked the Western Cape Gambling and Racing Board for its preparation and responses to the questions raised by the Committee Members.

The Chairperson opened the floor for public comments. There were no questions or comments raised.

## **4. Discussion on the way forward for the Western Cape Nineteenth Gambling and Racing Amendment Bill [B1 - 2020]**

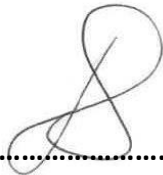
The Chairperson informed the Members that a meeting had been held with the Speaker, the Secretary, advisers from the Office of the Speaker, procedural staff, the Legal Adviser for WCPP assigned to the Bill (Adv. R Maasdorp), the relevant officials from Provincial Treasury and the Legal Adviser from the Department of the Premier (also assigned to the Bill – Ms A Muller). The Chairperson reminded Members that this meeting was a resolution of the Committee, made on 7 October 2020, where the Chairperson was mandated to request advice from the Speaker in respect of ascertaining a third, external legal opinion on the Bill, given contrasting legal opinions received from Adv. Maasdorp and Ms Muller on whether it was good law/constitutionally sound to regulate parts of the gambling industry in this Bill and not others.

The Chairperson informed the Committee that the Speaker, Secretary and Mr J Uys (advising the Speaker), advised that the Committee had all the information it needed to move forward on the Bill and that a third, external legal opinion was not needed. It was the Committee's mandate to deliberate on the two legal opinions already received and to decide which legal opinion they favoured. This would then determine the way in which the Committee decided to move forward on the Bill.

After a brief discussion and suggestions from the Members of the Committee, the Chairperson proposed the following:

- (i) That Adv. Maasdorp (WCPP), Ms Muller and the Provincial Treasury meet to discuss what their common ground is in terms of their legal opinions, and to provide the Committee with a report thereon;
- (ii) That the Committee meet to compile a list of questions and concerns regarding the Bill and legal opinions, which will be given to the legal advisers and Provincial Treasury, to which they must provide responses to (deadline to be determined); and
- (iii) That the Committee meet to discuss these reports, to deliberate once again on the legal opinions provided by Adv. Maasdorp and Ms Muller, and to decide which legal opinion to side with and how to move forward with the Bill.

Having concluded its business for the day, the meeting adjourned at 13h05.



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