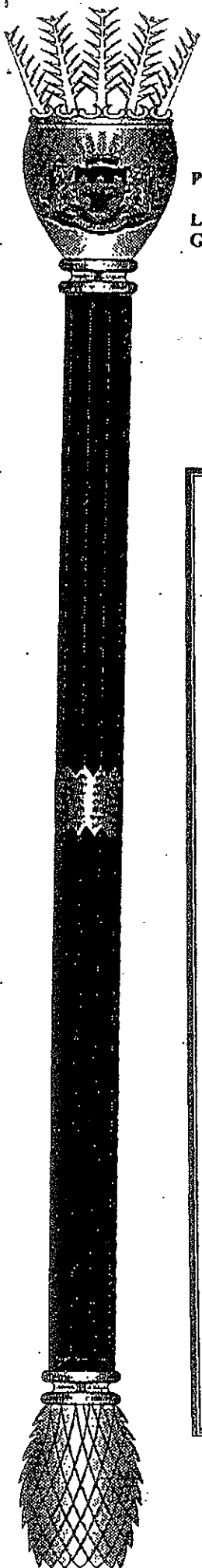


# Limpopo Legislature

## OFFICE OF THE SECRETARY



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### NEGOTIATING MANDATE

To : The Chairperson: SC on Social Services

Name of Bill : Mental Health Care A/B

Number of the Bill : [B39 - 2012]

Date of Deliberation : 16 August 2013

Vote of the Legislature : Provincial NCOP Permanent Delegates to negotiate in favour of the Bill, taking into consideration the inputs mentioned in the Report.

HON. N. MHLARI  
COMMITTEE CHAIRPERSON

19/08/2013  
DATE

# **REPORT OF THE PORTFOLIO COMMITTEE ON THE MENTAL HEALTH CARE AMENDMENT BILL [B39-2012]**

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## **1. INTRODUCTION**

The Mental Health Care Amendment Bill [B39-2012] was referred to the Limpopo Provincial Legislature by the National Council Of Provinces (NCOP). Subsequently, the Bill was referred to the Portfolio Committee on Health and Social Development for consideration. The Committee noted that the Bill was tagged as section 76 Bill, which required public involvement and Public Hearing was conducted.

## **2. BACKGROUND OF THE BILL**

The Mental Health Care Amendment Bill [B39-2012] seeks to amend the Mental Health Care Act, 2002 (Principal Act) to allow the head of national department to delegate some of the powers conferred to him/her by the principal Act. It does so by inserting a completely new section 72A. The Bill also seeks to repeal the Mental Health Care Act of 1973.

## **3. PUBLIC INVOLVEMENT ON THE BILL**

A public hearing was in Polokwane and relevant stakeholders were represented at the hearing. The attendees of the public hearings made inputs and also raised concerns in relation to the mental health, this report shall only reflect input relevant to the Bill.

- The stakeholders raised a concern that the bill empowers the head of national department to delegate his/her powers to any person in the employ of the national department, however it does not specify who exactly. The hearing unanimously agreed that the Bill should be specific on whom to delegate, considering the expertise required.

#### **4. CONCLUSION**

The Public Hearing unanimously agreed with the contents of the Bill with the input made above. The representatives of stakeholders thanked the Portfolio Committee and NCOP for involving them in the Law making process. In turn the Chairperson of the Portfolio Committee also thanked stakeholders for the contribution and positive responses made during the public hearing.



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**HON. N. MHLARI**

**CHAIRPERSON OF THE PORTFOLIO COMMITTEE ON HEALTH AND SOCIAL  
DEVELOPMENT**