



MINUTES OF PROCEEDINGS OF THE SELECT COMMITTEE ON PETITIONS AND EXECUTIVE UNDERTAKINGS

1. **Date:** Wednesday, 20 May 2015
2. **Time:** 08h30
3. **Venue:** Committee Room E540, Fifth Floor, National Assembly Building
4. **Agenda:**
 - 4.1 Opening and Welcome
 - 4.2 Apologies
 - 4.3 Tabling of Executive Undertakings Referred to Committee to Date
 - 4.4 Consideration and Adoption of Draft Minutes, Dated: 18 February 2015, 18 March 2015 and 6 May 2015
 - 4.5 Reflections on the Update of the Rules Pertaining to Executive Undertakings
 - 4.6 An Update on the Hosting of Petitions Indaba
 - 4.7 Consideration and Adoption of Revised Petitions Indaba Concept Paper
 - 4.8 Announcements and Correspondence
5. **Attendance by Committee Members**

Name of Member	Status	Political Party	Province
Mr S G Thobejane (Chairperson)	Present	ANC	Limpopo
Ms T Wana	Present	ANC	Eastern Cape
Mr D L Ximbi	Present	ANC	Western Cape
Mr M J Mohapi	Present	ANC	Free State
Mr L P M Nzimande	Absent with Apology	ANC	KZN
Mr G M Manopole	Present	ANC	Northern Cape
Mr M T Mhlanga	Present	ANC	Mpumalanga
Mr G Michalakis	Apology	DA	Free State
Mr J W W Julius	Present	DA	Gauteng
Mr M Chetty	Present	DA	KZN
Ms T J Mokwele	Present	EFF	North West

6. Parliamentary Support Officials

Parliamentary Officials	Designation
Dr M Gondwe	Committee Content Advisor
Mr N Mkhize	Committee Secretary
Ms A Zindlani	Committee Assistant
Adv T Sterris	Committee Researcher
Ms N Fakier	Executive Secretary
Ms S Bowers	Procedural Advisor
Mr L Nxelewa	Procedural Advisor

7. Opening and Welcome

The Chairperson opened the meeting at 08h30 and welcomed all present. The meeting started with a quorum.

8. Apologies

The Chairperson noted the apologies received from, Honourable Michalakis. The Chairperson further noted the apology received from Adv. Nonyane (Under Secretary of the National Council of Provinces) who was invited to update the Committee on the progress made by the Rules Committee in developing rules on its executive undertakings mandate.

9. Adoption of the Agenda

Honourable Ximbi, moved for the adoption of the agenda and the motion was seconded by Honourable Chetty.

10. Tabling of Executive Undertakings Referred to Committee to Date

The Chairperson then proceeded to table the executive undertakings referred to the Committee to date. Two executive undertakings were tabled in this regard and they were both referred to the Committee on 14 May 2015.

The first executive undertaking tabled was given by the Minister of Health, Minister A Motsoaledi, on 1 May 2015 when he undertook to follow up on the adequacy of the standby generators provided at the National District Hospital, Pelenomi Hospital and Universitas Hospital in Bloemfontein, Free State Province; Little Fort England Hospital in Grahamstown, Eastern Cape; and P Z Meyer Hospital in Humansdorp, Eastern Cape.

The second undertaking tabled was given by the Minister of Human Settlements, Minister L Sisulu, on 12 May 2015 when she promised her Department would clear the backlog of 5000 houses to be built for military veterans in one year.

The executive undertakings were tabled without any objections being raised however exception was taken to the fact that there were currently no rules guiding the Committee in effectively executing this mandate.

11. Consideration and Adoption of Draft Minutes Dated: 18 February 2015, 18 March 2015 and 6 May 2015

11.1 Draft minutes dated 18 February 2015

The Chairperson tabled the minutes of the Committee meeting dated 18 February 2015 for consideration and adoption. Mr M J Mohapi, seconded by Mr D L Ximbi, moved for the adoption of the said minutes.

Concerns raised that certain Committee Members have missed a considerable number of meetings in contravention of the Rules requiring regular attendance of Committee meeting by Members.

Action items:

- Committee Secretary to confirm how often individual Members were absent with or without a formal apology at previous meetings.
- Chairperson to engage the Whip on Members who are consistently absent.
- Chairperson to directly engage Members who are consistently absent at meetings before deciding to take action against them.

11.2 Draft minutes dated 18 March 2015

The Chairperson further tabled the minutes of the Committee meeting dated 18 March 2015 for consideration and adoption. Mr M J Mohapi, seconded by Mr D L Ximbi, moved for the adoption of the minutes.

Concerns raised that the minutes do not contain action points which Committee Members are able to follow up on.

Action item:

Committee Secretary to include action points in all Committee minutes, reflecting the action to be taken, by whom and when this action is expected to be taken.

The Chairperson also tabled a second set of minutes of the Committee meeting dated 18 March 2015 (afternoon session) for consideration and adoption. Mr M J Mohapi, seconded by, Mr J W W Julius moved for the adoption of the minutes.

11.3 Draft minutes dated 6 May 2015

Lastly, the Chairperson tabled the minutes of the Committee meeting dated 6 May 2015 for consideration and adoption. Mr S G Thobejane seconded by Mr D L Ximbi moved for the adoption of the said minutes.

Honourable Manopole, Honourable Mohapi and Honourable Chetty pointed out the minutes inaccurately reflected they were absent at the meeting. They therefore requested the minutes be corrected to accurately reflect they submitted apologies for the meeting.

Action item:

Committee Secretary to confirm he received the apologies from the stated Members and correct the minutes to reflect the apologies he received.

12. Reflections on the Update of Rules Pertaining to Executive Undertakings

Ms Shahida Bowers (procedural adviser in the NCOP) and Mr Luvo Nxelewa (procedural officer in the NCOP) attended the meeting in the place of Adv. Nonyane. Before addressing the Committee, Ms Bowers tendered an apology on behalf of Adv. Nonyane. She further indicated Adv. Nonyane was charged with supporting the Rules Committee. Ms Bowers then went on to state that Parliament is currently in the process of reviewing all its Rules and in the process of the reviewing of its Rules, the rules around executive undertakings will be developed for the Committee.

Ms Bowers also added that given that there were currently no rules in place, there was nothing preventing the Committee from being proactive on the issue and developing its own guidelines on the executive undertaking mandate. However Ms Bowers further indicated the Procedural Office would also assist the Committee in this regard by providing it with draft executive undertakings guidelines by 27 May 2015.

The Committee expressed discontent at the absence of rules on this mandate given the importance of the mandate and the fact that a number of executive undertakings had already been referred to the Committee. The Committee indicated it would request a formal written report and briefing from the Rules Committee on the mandate. The Committee also took the decision to resubmit its application to visit the Indian Parliament in an effort to learn more about the mandate.

Action items:

- Committee to request formal written report and briefing from the Rules Committee on the mandate.
- Committee to resubmit its application to visit the Indian Parliament in the third/fourth quarter.
- Procedural Office to submit draft Executive Undertaking Guidelines to the Committee by 27 May 2015.

13. An Update on the Hosting of Petitions Indaba

The Chairperson outlined his decision to postpone the Petitions Indaba following the letter he received from Adv. Phindela. Although some Members expressed reservations around the postponement particularly the involvement of Adv. Phindela in the matter they accepted and supported the new date of the Petitions Indaba being, 31 July to the 1 August 2015. Objections were also raised by certain Members on the cost implications of the Petitions Indaba. These Members suggested the Committee simply introduce the Petitions as opposed to simply

hosting the Petitions Indaba because the latter was a less costly exercise. Notwithstanding the objection, the majority of Members voted in favour of the Committee hosting the Petitions Indaba in addition to introducing the Petitions Bill.

In closing this agenda item, the Chairperson explained the Petitions Indaba was an important consultative process which would allow the Committee to, amongst other things, enrich its core mandate of considering the petitions referred to it.

14. Consideration and Adoption of Revised Petitions Indaba Concept Paper

The Chairperson tabled the revised Petitions Indaba concept paper for consideration and adoption and the said concept paper was tabled without any objections being raised.

15. Announcements and Correspondence

No announcements were made to the Committee and nor was there any correspondence brought to the attention of the Committee.

16. Committee Resolutions

The Committee resolved the following:

- The Committee Secretary to confirm how often individual Members were absent with or without a formal apology at previous meetings.
- The Committee Secretary to follow up on the Rules pertaining to the attendance of Committee meetings by Members in an effort to determine if any of the Members had flouted the Rules in this respect.
- The Chairperson to engage those Members who have been consistently absent from meetings. The Chairperson to also engage the Committee Whip on the matter.
- The Committee to request a formal written report and briefing from the Rules Committee on its executive undertakings mandate.
- The Petitions Indaba be postponed to the 31 July 2015 and 1 August 2015 and Committee to proceed with arrangements for hosting the Indaba.
- Draft interim Executive Undertakings Guidelines be developed by the Procedural Office by 27 May 2015 to enable the Committee to begin executing its mandate.
- The Committee to submit an application to the House Chairperson for a study tour to the Indian Parliament in relation to its executive undertakings mandate.

The meeting adjourned at 10:00.

Honourable S G Thobejane, MP

Date:

Chairperson: Select Committee on Petitions and Executive Undertakings

DRAFT