MEDIA STATEMENT

GOVERNMENT MUST MOVE WITH SPEED TO CLOSE POLICY GAP ON PRIVATE TERMINALS

Parliament, Wednesday, 07 November 2018 – The Portfolio Committee on Home Affairs has urged the government to move with speed to close clear policy gaps in relation to establishments and operations of private terminals at port of entries. The committee met the Department of Home Affairs on the operation of a private terminal by Fireblade Aviation at the OR Tambo International Airport.

“It is unacceptable that the matter has dragged this long without a clear policy framework guiding the establishment of such terminals. It is therefore of outmost importance that government establishes the requisite policy guidelines on how these terminals ought to operate if they operate at all,” said Mr Hlomani Chauke, the Chaiperson of the committee.

It is also worrying that there seems to be confusion on which department must lead the process of the establishment of such terminals. The policy framework must guide and resolve this uncertainty.

While the process of drafting policy ensues, the committee has highlighted the need to urgently put in place a Memorandum of Understating between Fireblade and all necessary departments to formalise the arrangement currently in place with Fireblade Aviation. “It is unacceptable that the current operation is being implemented through a gentleman’s agreement,” Mr Chauke emphasised.

The said MoU must indicate how state organs are supposed to offer services and the funding of such services. Currently the Department of Home Affairs is the only department that is paid an agreed amount by Fireblade Aviation and other departments that offer services are not paid.

Furthermore, the committee emphasised that there is an opportunity to effect changes on the Border Management Agency Bill that is before the National Council of Provinces to close the gaps identified by the department. This will ensure that the Bill is effective and deals with all issues within a port of entry.

In relation to litigation, the committee resolved that the department, must within the next seven working days, provide the committee with a breakdown of costs incurred by the department in litigating against Fireblade Aviation. This is to monitor and curb excessive wastages of taxpayers resources on unreasonable litigation.

The committee is content with its work so far and has always emphasised that its major preoccupation was to ensure that the operation is done within a clear framework that guides the operation and to ensure that the services that the state is reimbursed for the services rendered to a private company.

The cooperation of government departments through the Bordet Control Operational Coordinating Committee must be strengthen to ensure the safety of the country and ensure that our borders are secure.

The committee is of the view that the Minister was given ample opportunity to bring it into confidence of the process followed by the department in granting permission for the operation of the private terminal. With that, the committee notes the Public Protector report and the Constitutional Court ruling and views them in serious light and must be adhered to and processed by relevant authorities with urgency.

The committee will for its part monitor the drafting and finalisation of the MoU to formalise the ruling made by the high court. Furthermore, the committee has committed to putting in place a legal framework managing such transactions in the instance that the department doesn’t propose, in reasonable reaction to the call made by the committee.

In addressing the challenges presented yesterday and last week the committee decided against interrogating the Public Protector report and Constitutional court ruling as it was of the view that will amount to second guessing the work of important arms of state.

ISSUED BY THE PARLIAMENTARY COMMUNICATION SERVICES ON BEHALF OF THE CHAIRPERSON OF THE PORTFOLIO COMMITTEE ON HOME AFFAIRS, MR HLOMANI CHAUKE

For media enquiries or interviews with the Chairperson, please contact the committee’s Media Officer: