



**NATIONAL ASSEMBLY PROGRAMME COMMITTEE**

Chairperson:  
Speaker of the National Assembly

Committee Secretary:  
A Mbanga x 3218

**DRAFT MINUTES OF PROCEEDINGS**

Thursday, 25 November 2021 [Virtual]

Present:

N N Mapisa-Nqakula (Speaker)

Boroto, M G (House Chairperson)	Mazzone, N W A (Chief Whip of the Opposition)
Dlakude, D E (Deputy Chief Whip of the Majority Party)	Mkhaliphi, H O
Frolick, C T (House Chairpersons)	Ntlangwini, E N
Julius, J W W	Papo, A H M (Parliamentary Counsellor to the Deputy President)
Lesoma, R M M (Programming Whip)	Singh, N
Koornhof, Dr G W (Parliamentary Counsellor to the President)	Swart, S N
Kwankwa, N L S	Tsenoli, S L (Deputy Speaker)
Majodina, P C P (Chief Whip of the Majority Party)	Wessels, W W

Staff in attendance:

Ms P N Tyawa (Acting Secretary to Parliament), Mr M Xaso (NA Table), Ms T Mtyobile (Constitutional and Legal Services Office) and Adv M Tau (Committees).

**1. Opening**

The Speaker opened the meeting at 08:30 and welcomed everyone.

**2. Apologies**

Apologies were received from House Chairperson Mr M L D Ntombela and Dr C P Mulder.

### **3. Consideration of draft agenda**

The draft agenda, as proposed, was adopted.

### **4. Consideration of minutes of meeting of 18 November 2021**

On the proposal of the Chief Whip of the Opposition, seconded by Mr Swart, the minutes of 18 November were adopted.

### **5. Matters arising**

#### *Legal opinion on the principle of sub judice*

Mr Xaso advised that a practice note prepared by Legal Services had been circulated to members. According to Assembly Rule 89 '*No member may reflect upon the merits of any matter on which a judicial decision in a court of law is pending.*' In a nutshell, members were allowed to refer to matters generally as long as they did not delve into the merits of issues before a court.

The Chief Whip of the Majority Party said, whilst she acknowledged that it was difficult for members not to get into the merits of a case once a particular issue was being discussed, members should refrain from doing so. The Chief Whip of the Opposition contended that blanket rulings were not conducive and therefore each instance where the *sub judice* rule needed to be applied should be considered as it arose.

#### *Constitutional Court deadline for the Electoral Act, 1998 (Act No. 73 of 1998)*

The Speaker advised that she had written to the Leader of Government Business reminding him of the Constitutional Court deadline of June 2022 on the Electoral Act. She requested that the process of introducing a Bill be speeded up in order to comply with the deadline.

#### *Scheduling of Mini-plenaries*

Mr Xaso reiterated that a commitment had been made by the Programme Committee to create more opportunities for scheduling of debates sponsored by smaller parties in mini-plenaries. He, however, said that due to the changes in the Parliamentary Programme as a result of Local Government Elections, scheduling of mini-plenaries was affected. More opportunities would be created in the new year. The matter had since also been referred to the Chief Whips' Forum for consideration.

### *Security in Parliament*

Due to the break-in in Ms Mazzone's office and general security concerns in the parliamentary precinct, the Speaker indicated that she would be establishing a multi-party security task team that would be chaired by the Executive Authority. Such a team would comprise of six members; four from the National Assembly and two from the National Council of Provinces (NCOP).

Ms Ntlangwini proposed that the issue of security in members' villages should also form part of the focus area for the task team, even though the parks were in the domain of the Department of Public Works and Infrastructure (PWI). Ms Mkhali said that she was interested in the terms of reference for the task team as a number of security breaches had taken place in the institution. The Speaker clarified that the intention of the task team was not to duplicate the work being done by the current security structures, but that there had to be some form of accountability for security issues.

House Chairperson Ms Boroto added that the Members' Support Forum would be meeting with the PWI department on 3 December in order to address a variety of concerns, including reports of snakes being seen around the parks. Mr Julius also indicated that the matter of snakes in the parks had financial implications as members would rather fly in and out of Cape Town on a regular basis than stay in the parliamentary villages in their current state. Acting Secretary to Parliament reiterated that the fundamental challenge for the parks board, which is a multi-party forum that also comprised of the South African Police Services and the PWI department, was that it had not been able to meet. Concerns had been raised with the Acting Director-General of PWI on 18 November and a commitment to convene the parks board, in order to attend to all the concerns raised, had been made.

The Deputy Speaker added that he had discussions with the Deputy Minister of Public Works and Infrastructure, including dealing with waste in the members' villages and other related issues. A comprehensive report on a variety of concerns would be made available. The Chief Whip of the Opposition conveyed her appreciation for the work being done by the security personnel in Parliament as they had been incredibly helpful and made her office feel more secure.

### **6. Launch on South African Parliamentary Institute**

The Deputy Speaker indicated that a presentation on the South African Parliament Institute had been circulated to members for use as a resource. He summarised key issues as follows:

In future, the quality of communication between presiding officers and Speakers' Forum would be improved on a regular basis, as well as general communication between presiding officers and members. The launch of the Parliamentary Institute was scheduled for 9 December 2021 and its purpose is to provide coherence in the capacity-building initiatives between Parliament and provincial legislatures. The work of the Speakers' Forum was supported by the European Union. The most important element was that there should be two representatives from the National Assembly and the NCOP, two from provincial legislatures as well as three experts who had been recommended to provide advice and technical assistance to committees and office bearers in legislative and policy related matters. Furthermore, provincial legislatures should establish a team of former members as a resource to the parliamentary institute and legislatures on relevant matters relating to capacity-building. A partnership with the National School of Government, Human Science Research Institute and Council for Scientific and Industrial Research was also under consideration. Such programmes would be coordinated by the Parliamentary Institute. The final list of members of the board would be circulated in due course.

The Deputy Speaker, as chairperson of the Reference Group on Capacity-Building and Gender, had been requested to chair the Parliamentary Institute for a 5-year term. Current members on the board would, however, serve on the board until 2024 and members that would follow thereafter, would serve for a full 5-year period. Members were also encouraged to consider registering for the online programmes that were run by the academy of the Commonwealth Parliamentary Association. Programmes at masters' level were also provided by the University of Witwatersrand and University of Johannesburg. Efforts would be made to foster more mutually beneficial relations with other universities.

Due to time constraints, the Speaker requested the Deputy Speaker to provide detailed information for distribution to members for more in-depth consideration in the next meeting.

## **7. Report from Committee Section**

Adv. Tau presented a report on matters before committees and highlighted the following:

The Portfolio Committee on Justice and Correctional Services intended to finalise its report on Cannabis for Private Purposes Bill on 8 December. The Committee also revised its programme for consideration of the Traditional Courts Bill, which had been returned from the

NCOP. Legislation accompanying the Medium Budget Policy Statement was on course for finalisation by relevant committees.

On statutory appointments, Adv Tau indicated that the Portfolio Committee on Communications was awaiting results from the vetting process before it finalised its report on recommendation of candidates on the boards of the South African Broadcasting Corporation, Media Development and Diversity Agency as well as councillors to the Independent Communications Authority of South Africa (ICASA).

## **8. Report by Bills Office**

Ms Mtyobile presented a report on legislation before Committees and indicated that the Criminal Procedure Amendment Bill and Second Special Appropriation Bill had been sent to the President for assent.

## **9. Consideration of draft Parliamentary programme**

The Programming Whip presented the Parliamentary Programme for the Fourth Term and highlighted the following:

On Tuesday, 30 November, consideration of Division of Revenue Amendment Bill and Rates and Monetary Amounts Amendment Bill, Taxation Laws Amendment Bill and Tax Administration Laws Amendment Bill as well as Budgetary Review and Recommendation Reports (BRRRs) were scheduled for that day.

Questions for oral reply to the Social Services cluster and consideration of an interim report on Copyright Amendment Bill were scheduled were scheduled for Wednesday, 1 December.

On Thursday, 2 December, the debate on 16 Days of Activism of no violence against women and children, as well as consideration of BRRRs, an international agreement from Portfolio Committee on Communications and reports from Public Service and Administration were scheduled for that day.

The Programming Whip also indicated that the Report of Joint Committee on Ethics and Members' Interests on 2019 Register of Members' Interests was rescheduled for 7 December. The reports from Powers and Privileges Committee were also scheduled for that day. The Speaker indicated that the report on Ethics had been postponed due to the fact that she was required to preside over the consideration of this item and that in the

forthcoming week she would be leading a delegation to the Inter-Parliamentary Union Assembly in Spain.

#### **10. Announcements**

There were no announcements.

#### **11. Closure**

The meeting adjourned at 09:27.