



PARLIAMENT
OF THE REPUBLIC OF SOUTH AFRICA



ATT: The Speaker of the National Assembly: The Honourable N Mapisa-Nqakula
Parliament of South Africa
120 Plein Street
Cape Town

15 February 2023

Dear Honourable Speaker

RE: ESTABLISHMENT OF A NEW PORTFOLIO COMMITTEE TO PROVIDE OVERSIGHT FOR UNACCOUNTED FOR UNITS, ENVOYS, AND SPENDING ETC IN THE PRESIDENCY

Noting that the Constitutional Mandate of the Presidency is laid out as follows: -

- The Constitution of the Republic of South Africa, Act 108 of 1996, as amended, is the supreme law of the Republic. Along with the Bill of Rights, the Constitution forms the legal foundation of a democratic South Africa and sets out the rights and duties of its citizens and defines the structure of the government. The Presidency houses the President and the Deputy President of the Republic, and is therefore a unique institution in the Public Service. It is in this constitutional context that the broad parameters of the role and responsibilities of The Presidency are defined.
- The Presidency exists to service the President and the Deputy President in the execution of their constitutional responsibilities and duties, as articulated in Chapter 5 of the Constitution. Chapter 5 of the Constitution defines the President as the Head of State and Head of the National Executive. His primary responsibility is to uphold, defend and respect the Constitution as the supreme law of the Republic as well as to promote the unity of the nation and that which will advance it.
- The Section 85 of the Constitution confers the executive authority of the Republic on the President. The Presidency's strategic posture should as a result reflect these functions of the President and the National Executive he leads.
- The reconfiguration of the Macro-Structure of National Government, in line with the President's directive enacted under Proclamation No. 44, 2009 in terms of section 97 of the Constitution, impacts on the mandate of The Presidency, as it has brought about the change in the configuration of The Presidency and the service delivery model of the organisation.

The National Macro Organisation Project changed the macro-organisation of government in order to give administrative effect to the President's new Cabinet portfolios and to ensure alignment between the new portfolios and the administrative structures in support of Ministers responsible for these portfolios. Budgets and various resources were thus devolved to various executive authorities who have clear reporting/accountability to various Portfolio Committees in Parliament.



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The 6th Administration has since expanded the Executive Authorities to no less than 9 including

- The President, who is the Head of State and Government
- The Deputy President, who is the Leader of Government Business in Parliament
- The Minister in the Presidency (Performance and Evaluation)
- The Minister in the Presidency for Women, Youth and Persons with Disabilities
- The Deputy Minister in The Presidency for Women, Youth and Persons with Disabilities
- Two Deputy Ministers in the Presidency
- The Deputy Minister in the Presidency for State Security
- The NEWLY announced Minister of Electricity

Over and above, this bloated Presidency, there are other functions and activities in the Presidency that have no natural fit with any of the listed portfolios above. Those activities ostensibly report directly to the President and there is currently no Parliament Committee that exercises oversight over those ad hoc/spontaneous units including Infrastructure (Dr Ramokgopa's unit); Investments; and various envoys (political and economic) to name but a few. These loosely arranged activities under the sole leadership of the President are not even audited by the Auditor General and thus even escape the scrutiny of the Standing Committee on Public Accounts (SCOPA).

The budget in the Presidency has now expanded beyond private office operations like remuneration of office bearers and staff. The President himself has now become an Executive Authority of units that are spending millions every year but no accountability to Parliament.

It is against this background that the ATM is requesting the Speaker to set up a Portfolio Committee that will specifically exercise oversight over all the units and activities that do not find expression in the current portfolios and thus are falling through the cracks in terms of being held accountable for spending millions of taxpayer's monies. This request is in keeping with the **Mission statement of Parliament,** "To represent the people, and to ensure government by the people in fulfilling our constitutional functions of passing laws and **overseeing executive action.**"

In the recent State of the Nation Address delivered by President Ramaphosa on the 09th February 2023 he expressed commitment to implement recommendations from the Zondo Commission. The request by the ATM is furtherance of recommendation, 1294.1 which says "**It is recommended that Parliament should consider whether it would be desirable for it to establish a committee whose function is, or includes, oversight over acts or omissions by the President and Presidency, which are not overseen by existing portfolio committees**"

This new Committee could also receive reports of the Billions of Dollars that in most cases we hear about in the media where President is reported to have mobilised funds and grants. The Director General in the Presidency should be regularly accounting to Parliament like all other DG's for all monies spent and received in the name of the President and Deputy President.

The ATM is requesting an urgent response so that there is sufficient time to put this request into effect into the 2023/24 financial year calenda. In the meantime, the ATM is requesting the Speaker to call the President and DG to account within this financial year for all the activities that have not found expression in the various Executive Authority Portfolios.



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Yours Faithfully

A handwritten signature in black ink, appearing to read "V Zungula", written over a horizontal line.

Hon V Zungula (MP)
ATM President