



NATIONAL ASSEMBLY PROGRAMME COMMITTEE

Chairperson:
Speaker of the National Assembly

Committee Secretary:
A Mbanga x 3218

DRAFT MINUTES OF PROCEEDINGS

Thursday, 19 October 2023 [Virtual]

Present:

N N Mapisa-Nqakula (Speaker)

Boroto, M G (House Chairperson)	Lotriet, Dr A T Lotriet
Frolick, C T (House Chairperson)	Majodina, P C P (Chief Whip of the Majority Party)
Gwarube, S (Chief Whip of the Opposition)	Mkhaliphi, H O
Hendricks, M G E	Mulder, Dr C P
Herron, B N	Ntombela, M L D (House Chairperson)
Jafta, S M	Papo, A H M (Parliamentary Counsellor to the Deputy President)
Koornhof, Dr G W (Parliamentary Counsellor to the President)	Shaik Emam, A M
Kwankwa, N L S	Swart, S N
Lesoma, R M M	Tseke, G K (Programming Whip)
Loate, T	Wessels, W W

Staff in attendance:

Secretary to Parliament Mr X George, Secretary to the National Assembly Mr M Xaso, Ms N Giba (Committees), Dr T Mbatha and Adv C R van der Merwe (Constitutional and Legal Services Office).

1. Opening

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

2. Apologies

Apologies were tendered on behalf of the Deputy Chief Whip of the Majority Party Ms D E Dlakude, Ms E N Ntlangwini and Mr N Singh.

3. Consideration of draft agenda

The draft agenda was adopted, as proposed.

4. Consideration of minutes of 21 September 2023

On the proposal of Dr Koornhof, seconded by House Chairperson Ms Boroto, the minutes of 21 September were adopted.

5. Matters arising

Mr Xaso provided feedback on the following matters:

6. Report from Committee Section

Ms Giba presented a report on legislation before committees and indicated that the Portfolio Committee on Communications and Digital Technologies had finalised reports on filling of vacancies on the Board of the Media Development and Diversity Agency (MDDA) and Councillors of Independent Communications Authority of South Africa (ICASA). As indicated earlier, the Portfolio Committee on Justice and Correctional Services would be processing the matter of Judge Hlophe in the Fourth Term.

The Chief Whip of the Majority Party appealed that matters against Judge President J Hlophe and Judge N Motata be finalised in the Fourth Term in time for consideration by the House before adjournment.

7. Report by Bills Office

Dr Mbatha presented a report on legislation before Committees there were 36 Bills before Committees and four Bills on the Order Paper for First Reading.

The Relocation of Seat of Parliament Bill had been withdrawn by its sponsor.

The following Bills had since been assented to by the President:

Repeal of the Transkeian Penal Code Bill

Land Court Bill

Traditional Courts Bill

South African Postbank Limited Amendment Bill

The Chief Whip of the Majority Party asked what the reasons for the referral of the National Gambling Bill to the Mediation Committee were, as well as the impact thereon. Mr Papo, supported by House Chairperson Mr Frolick, added that the House Chairpersons of Committees of the two Houses ought to be informed of processes that require mediation so as to manage time factors. Mr Xaso indicated that a report on the matter would be provided.

The Public Service Commission Bill, Statistics Amendment Bill and SABC SOC LTD Bill had since been introduced, bringing to 16 the number of Bills introduced on the 2023 Cabinet Legislative Programme.

Performers' Protection Amendment Bill and Copyright Amendment Bill had been returned to the National Assembly due to proposed amendments from the National Council of Provinces.

Report on Constitutional Court judgments

Adv Van der Merwe provided a report on legislation with Constitutional Court deadlines as follows:

Divorce Act, 1979 (Act No. 70 of 1979)

An opinion was being prepared for the Chairperson of the Portfolio Committee on Justice and Correctional Services and others.

Correctional Services Act, 1998 (Act No. 111 of 1998)

The Portfolio Committee on Justice and Correctional Services had reported on the Bill without amendments on 6 September 2023. The Select Committee has already started their consideration of the Bill and aimed to complete their process in November.

Regulation of Interception of Communications and Provision of Communication Related Information Act 70 of 2002

The Regulation of Interception of Communications and Communication-Related Information Amendment Bill was introduced on 29 August 2023 and the Portfolio Committee on Justice and Correctional Services had scheduled meetings for deliberation.

Marriage Act 25 of 1961 and Divorce Act 70 of 1979

Divorce Act: A Private Member's Bill [B32-2022] and an Executive Bill [B22-2023] were introduced - The Portfolio Committee on Justice and Correctional Services was considering the Executive Bill. The Member's Bill would stand over until the Executive Bill had been finalised.

Marriage Act: The date on which the suspensive order lapses was of concern. Legal Services unit had followed up with the Department of and met with the Chairperson of the Committee in that regard. It appears from the progress to date that an extension application was necessary as the Department was in the best position to apply for an extension as they have first-hand knowledge of the actions that had been taken to date. The Department's officials indicated that they are awaiting an Executive decision in that regard. A letter had been sent from the Chairperson's office to the Minister to confirm progress and the way forward.

Copyright Act, 1978 (Act No. 98 of 1978)

The Select Committee adopted a Bill on 5 September where amendments to align the Bill with the judgment were effected. The Portfolio Committee on Trade, Industry and Competition has scheduled meetings to consider the NCOP amendments in November.

Drugs and Drug Trafficking Act, 1992 (Act No. 140 of 1992)

On 12 September 2023 the Portfolio Committee on Justice and Correctional Services requested permission from the National Assembly to extend the scope of the Cannabis for

Private purposes Bill to include a clause that will address the judgment. The clauses were advertised, and the Committee was considering submissions.

Traditional and Khoi-San Leadership Act, 2019 (Act No. 3 of 2019)

The Department of Cooperative Governance and Traditional Affairs had briefed the Committee, and a decision was taken in the meeting that the matter would be addressed by way of an Executive Bill. The Department intends to introduce the Bill by 30 April 2024.

8. Consideration of draft Parliamentary programme

The Programming Whip presented the Parliamentary Programme for the Fourth Term as follows:

A special sitting on consideration of the Recommendation of a person for appointment as Public Protector was scheduled for that afternoon at the City Hall.

On Tuesday, 24 October, a statement by the Minister of Electricity on the Energy Action Plan activities and short to medium-term interventions to limit the intensity and frequency of load shedding, Second Reading debates on Railway Safety Bill and Climate Change Bill were scheduled for that day.

Questions for Oral Reply to the Economics cluster was scheduled for Wednesday, 25 October.

On Thursday, 26 October Second Reading debates on Upstream Petroleum Resources Development Bill and Basic Education Laws Amendment Bill are also scheduled.

On Friday, three virtual mini-plenaries are scheduled to meet simultaneously in order to consider reports.

The meeting would be advised of a suitable date for scheduling of tributes in respect of the late Prince M G Buthelezi.

9. Announcements

There were no announcements.

10. Closure

The meeting adjourned at 09:.