

# WESTERN CAPE PROVINCIAL PARLIAMENT



## Western Cape Provincial Powers Bill

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Promoting tolerance, equity,  
diversity, integrity, dignity,  
equality, respect and justice



# WC Provincial Powers Bill

## Principles and Objects of the Bill

- Creating a framework for the Western Cape to assert Constitutional and Legislative powers, and to seek delegation and devolution of powers from National Government
- Create an over-arching framework to address specific legislation and to seek delegation
- Collaboration with Local Government

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## Impact of the Bill

- Strengthen the Legislative and Executive Mandate to deliver services, leading to better service delivery
- Strengthen public governance and sub-national and local level
- Promote the principle of Subsidiarity, bringing services closer to the people
- The establishment of a Provincial Powers Committee
- Drafting of National and Provincial Legislation

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## Summary of the Bill (1)

- Clause 1 – Terms used in the Bill
- Clause 2 – 5 Objects of the Bill
  1. Identify and remedy Failures
  2. Promote the assertion of existing powers
  3. Seek the assignment or delegation of additional powers
  4. Prepare reports and draft bills to fulfil these objects
  5. Mechanism for introducing legislation in the NCOP
- Clause 3 – 5 Areas of assertion/seeking Powers
  - Policing, Public Transport, Energy, Trade and Harbours
- Clause 3 – Additional Areas

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## Summary of the Bill (2)

- Clause 3 (3) – The obligation to
  1. Promote provincial autonomy
  2. Seek the delegation of additional powers from National Government
- Clause 4 – Reports by the Premier
  1. Identify the respective powers of all 3 spheres of government
  2. Address the failure of National Government
  3. List the additional powers required
  4. Draft Provincial Legislation
  5. Draft National Legislation

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## Summary of the Bill (3)

- Clause 5 – Standing Provincial Powers Committee (10 Members)
  1. Consider Clause 4 Reports
  2. Seek comment from the 3 spheres of government on the reports
  3. Consider public comment
  4. Seek expert advice on the reports
  5. Recommend next steps
- Clause 6 – Adoption of Reports by WCPP
  1. Approve the Report
  2. Supplement the Report
  3. Introduce draft Provincial Legislation
  4. Direct NCOP delegates to introduce draft National Legislation
  5. Recommend to the National Assembly to adopt/amend Legislation

# WC Provincial Powers Bill

## Summary of the Bill (4)

- Clause 7 – Supplementary Reports
  1. Compliance with resolutions adopted in Clause 6
  2. Additional action to be taken
  3. Additional competencies to be added
- Clause 7 – Provincial Powers Committee Recommendations
  1. Further recommendations to be added
- Clause 8 – Short Title

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